

# Appendix - A

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## Scoping

Notice of Preparation (NOP)

Matrix of Responses

Comment Letters

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# County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director  
Dianne Black, Assistant Director

## NOTICE OF PREPARATION

**DATE:** July 12, 2017

**TO:** State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

**FROM:** County of Santa Barbara  
Planning and Development Department  
Long Range Planning Division  
123 E. Anapamu Street  
Santa Barbara, CA 93101-2058  
(805) 568-2048

**SUBJECT:** Notice of Preparation and Scoping of an Environmental Impact Report (EIR)

**PROJECT NAME:** Cannabis Land Use Ordinance and Licensing Program EIR

**PROJECT CASE NO.:** 17ORD-00000-00004

**PROJECT LOCATION:** The Cannabis Land Use Ordinance and Licensing Program (collectively, "Project") involves the unincorporated (coastal and inland) areas of Santa Barbara County.

**LEAD AGENCY:** The County of Santa Barbara is the lead agency preparing the EIR with the purpose of informing decision-makers and the public regarding the potential environmental effects related to the Project in compliance with the California Environmental Quality Act (Public Resources Code § 21000 et seq.).

**PROJECT DESCRIPTION:** The Project would amend the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning Ordinance to allow certain types of cannabis activities by zone district. The Project also involves other amendments to the County Code, in order to establish a County licensing program for cannabis-related activities.

The project description, location, and potential environmental effects are included in the attached *Environmental Scoping Document for the Cannabis Land Use Ordinance* and may be downloaded from the Planning and Development Department, Long Range Planning Division webpage at: <http://longrange.sbcountyplanning.org/programs/Cannabis/cannabis.php>

**PUBLIC ENVIRONMENTAL SCOPING MEETINGS:** The Planning and Development Department will hold two environmental scoping meetings:

**Santa Barbara**  
Wednesday, July 26, 2017, at 5:30 p.m.  
Board Hearing Room  
Fourth Floor  
105 East Anapamu Street

and

**Santa Maria**  
Thursday, July 27, 2017, at 5:30 p.m.  
Betteravia Government Center  
511 East Lakeside Parkway

The purpose of the meetings is to receive comments on the scope and content of the environmental issues to be addressed in the EIR.

**PUBLIC AND AGENCY COMMENTS:** We need to know the views of you or your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

Your response must be received no later than 5:00 p.m. on Friday, August 11, 2017. Please send your comments and the name of a contact person in your agency to Jessica Metzger, Project Manager, at the address listed above.

Date: July 12, 2017  
Planner: Jessica Metzger  
Division: Long Range Planning  
Telephone: (805) 568-3532  
Email: jmetzger@countyofsb.org

cc: Clerk of the Board  
Encl: Scoping Document



COUNTY OF SANTA BARBARA

Planning and Development

[www.sbcountyplanning.org](http://www.sbcountyplanning.org)



# Environmental Scoping Document for the Cannabis Land Use Ordinance and Licensing Program

Project Website:

<http://longrange.sbcountyplanning.org/programs/Cannabis/cannabis.php>

Contact:

Jessica Metzger, Project Planner

(805) 568-3532

[jmetzger@countyofsb.org](mailto:jmetzger@countyofsb.org)

Long Range Planning Division  
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## **1.0 Purpose**

This environmental scoping document describes the Cannabis Land Use (CLU) Ordinance and licensing program (collectively, “Project”) and provides a preliminary review of the Project’s potential environmental impacts in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.). This scoping document, along with comments received in response to the Notice of Preparation (NOP) of the Environmental Impact Report (EIR) for the Project, will assist the County of Santa Barbara, as the lead agency for the preparation of the EIR for the Project, in identifying environmental impacts that must be evaluated in the EIR.

## **2.0 Background**

CEQA requires the preparation of an EIR to inform the public and decision-makers of the potential environmental effects of the proposed regulations. According to CEQA Guidelines Section 15151, an EIR should include a sufficient degree of analysis, or scope, to provide decision-makers with information that enables them to make a decision which intelligently takes account of environmental consequences.

The EIR for the Project will evaluate the environmental impacts of anticipated activities resulting from the implementing ordinance language for land use entitlements and licenses, which constitute the Project. The environmental analysis will be based on the Project Description and draft ordinance; although, changes to the language may be required based on results of the environmental review and decision-making phases of the Project.

## **3.0 Project Description**

This section describes the proposed Project including the applicant/lead agency, Project location, existing environmental setting, regulatory setting, summary of the Project, and Project adoption and implementation actions.

### **3.1 Project Applicant/Lead Agency**

The County of Santa Barbara is both the project applicant and the lead agency for the proposed Project.

### **3.2 Project Location**

The Project involves amendments to the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning Ordinance. These ordinance amendments (hereafter referred to as a single ordinance) will regulate medical and nonmedical cannabis activities in the unincorporated areas of Santa Barbara County, including the coastal zone (Figure 1), excluding land under the jurisdiction of incorporated cities, the federal government (Los Padres National Forest and Vandenberg Air Force Base), and the University of California Santa Barbara (UCSB).

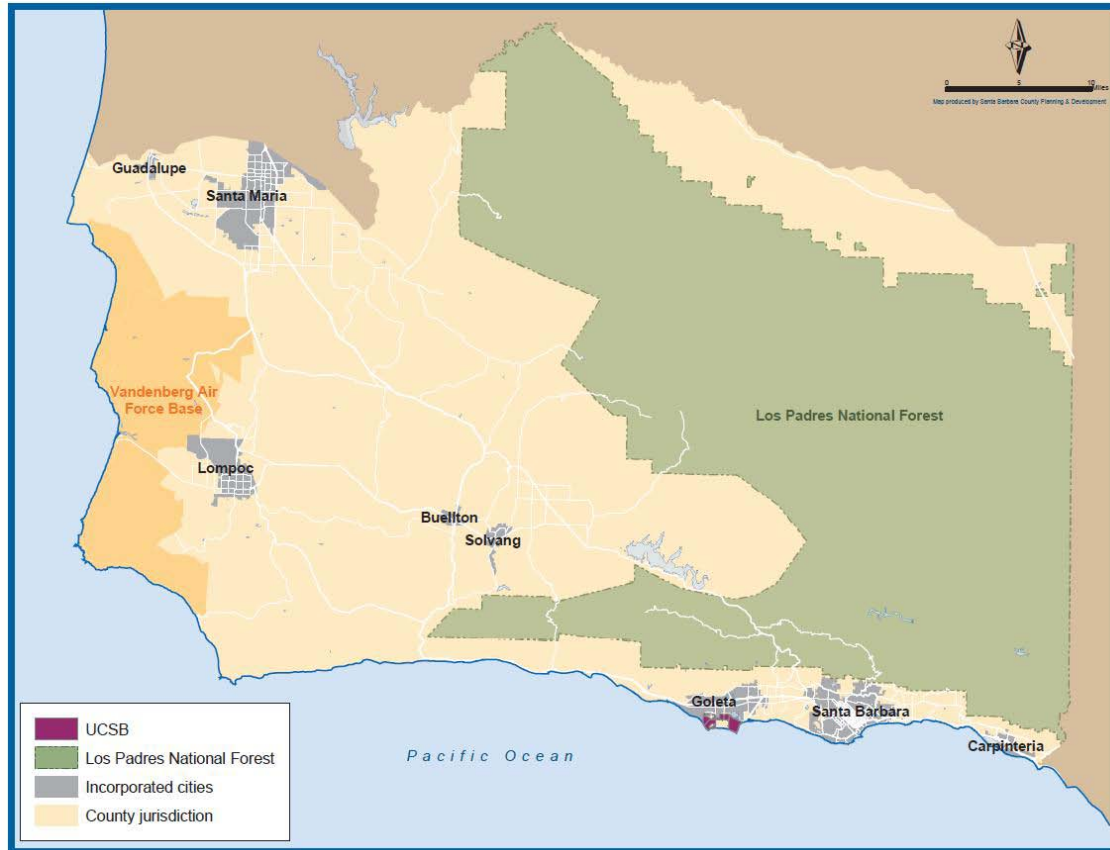


Figure 1. Santa Barbara County Jurisdictional Map

### 3.3 Regulatory Context

In 1996, California voters passed Proposition 215, the Compassionate Use Act of 1996 (CUA). The purpose of the CUA was to “ensure that seriously ill Californians have the right to obtain and use cannabis for medical purposes where that medical use is deemed appropriate and has been recommended by a physician” (Health & Safety Code section 11362.5(b)(1)(A)). In addition, patients and primary caregivers would not be subject to criminal prosecution or sanction (Ibid section 11362.5(b)(1)(B)). Two additional medical cannabis laws were enacted by the State. In 2003, the State adopted the Medical Cannabis Program Act and in 2016, the State adopted the Medical Cannabis Regulation and Safety Act (MRCSA). In response, the County adopted ordinances banning both medical cannabis dispensaries and medical cannabis cultivation, with limited exceptions, in the unincorporated areas of the County.

On November 8, 2016, the voters of the State of California approved Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (also known as the Adult Use of Marijuana Act, or AUMA). The AUMA establishes a comprehensive system to legalize, control, and regulate the cultivation, processing, manufacturing, distribution, testing, and sale of nonmedical cannabis, including cannabis products, for use by adults 21 years and older, and to tax the growth and retail sale of cannabis. It also sets forth provisions for the cultivation of industrial hemp. The AUMA



requires a state license to engage in commercial nonmedical cannabis activity and requires the State to start issuing licenses by January 1, 2018. Nonmedical cannabis operators will have to conform to all state regulations and the issuance of these licenses will also require the local jurisdiction's approval if the County adopts regulations in accordance with Business & Professions Code section 26200.

On June 27, 2017, Governor Jerry Brown signed SB-94, which combines the medical and recreational cannabis laws into one regulatory system known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). Among other things, the new law outlines the State-Local licensure process, clarifies law enforcement requirements, and establishes taxation plans.

None of the above regulations limit the authority of a local governing body to adopt and enforce local ordinances regulating or completely prohibiting state-licensed cannabis operations. Moreover, local jurisdictions may regulate or ban all outdoor cultivation and may impose reasonable regulations on personal cultivation (Health and Safety Code section 11362.2(3)(b)). The CLU Ordinance draft language is provided in Attachment A.

### **3.4 Summary of Proposed Ordinance and Licensing Program**

The draft CLU Ordinance to be analyzed in the EIR would allow certain types of cannabis activities by zone district as described below:

- Allow cultivation of cannabis in Agricultural I (AG-I), Agricultural II (AG-II), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2) zone districts.<sup>1</sup>
- Allow manufacturing of non-volatile extraction in Agricultural I (AG-I), Agricultural II (AG-II), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2) zone districts.
- Allow manufacturing of volatile extraction in Agricultural II (AG-II), Light Industry (M-1), and General Industry (M-2) zone districts.
- Allow post-processing and packaging in Agricultural I (AG-I), Agricultural II (AG-II), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2).
- Allow testing in General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), General Industry (M-2), and Professional and Institutional (PI).

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<sup>1</sup> Personal cultivation and consumption of cannabis would be allowed in all zones that allow a residential use (e.g., single-family dwelling in a residential zone, or caretaker's residence in an industrial zone).

- Allow commercial retail sales in Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Service Commercial (SC), Mixed Use (MU), and Light Industry (M-1) zone districts.
- Allow wholesale commercial sales in General Commercial (C-3), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2).
- Prohibit cannabis activities in all other zone districts including all Residential,<sup>2</sup> Mountainous Areas, Highway Commercial (CH), Resort/Visitor Serving Commercial (C-V), Coastal Dependent Industry (M-CD), Coastal Related Industry (M-CR), Public Works Utilities and Private Service Facilities (PU), Recreation District (REC), Resource Management (RES), and Transportation Corridor (TC) zone districts.

### **3.5 Adoption and Implementation**

The Montecito and County Planning Commissions will consider and advise the Board of Supervisors (BOS) regarding the adoption of the CLU Ordinance. In addition to the CLU Ordinance, the BOS will consider amendments to the County Code to establish a local licensing program for cannabis activities. The BOS will need to take the following actions in order to implement the Project:

1. Adoption of environmental findings, certification of the EIR, and, if needed, adoption of a Statement of Overriding Considerations for any unavoidable, significant environmental impacts that will result from the Project;
2. Adoption of amendments to the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning Ordinance, to establish the land use regulations that will pertain to cannabis activities;
3. Adoption of amendments to the Santa Barbara County Code to establish a local licensing program for cannabis activities; and
4. Possibly, the adoption of amendments to the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones.

In addition to the actions set forth above, the Coastal Commission must certify any amendments to the Local Coastal Program (LCP)—including the Article II Coastal Zoning Ordinance, as the implementing ordinance of the LCP.

## **4.0 Scope of the Environmental Review**

### **4.1 Overview**

CEQA requires the preparation of an EIR to inform the public and decision-makers of the potential environmental effects of the Project. This includes any potential environmental effects resulting from the regulation of the cultivation, processing, manufacturing, distribution, testing, sale of cannabis (including cannabis products), retail sale of cannabis, and the cultivation of

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<sup>2</sup> See footnote 1, above—cannabis cultivation and consumption for personal use, under certain conditions, is exempt from local and State licensing and permitting requirements.

industrial hemp as described in the CLU Ordinance draft language. According to CEQA Guidelines Section 15151, “[a]n EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences.”

#### **4.2 Environmental Topics to be Analyzed in the EIR**

CEQA Guidelines Section 15060(d) states that an initial study is not required in cases where preparation of an EIR is determined to be clearly required by the lead agency. Accordingly, an Initial Study for the Project is not provided herein. However, the preliminary review of the Project identified the following issue areas for evaluation in the EIR. Additional environmental topics beyond what is set forth below might be added to the EIR, based on comments received in response to the NOP for the EIR and Draft EIR that will be prepared for the Project.

##### **4.2.1 Aesthetics and Visual Resources**

The EIR will assess the Project’s potential impacts to visual and scenic resources and identify mitigation measures as necessary. This includes characterization of the existing physical setting; identification of potential impacts upon the character of scenic areas, gateways, relevant aspects of the built environment, public open spaces, and recognized landmarks; evaluation of consistency with routes in the County designated for protection under California’s Scenic Highway Program, and cumulative effects to public vistas and scenic routes.

##### **4.2.2 Agricultural Resources**

The EIR will describe the existing agricultural operations in the County, including cultivated agriculture, grazing and equestrian operations, crop types and acreages, and general locations based on available data from existing sources; assess whether the proposed Project is consistent with existing agricultural preservation policies and programs or has the potential to result in potentially significant adverse effects to prime soils, state designated important farmlands (Prime, Statewide, Local, or Unique), or grazing lands. The EIR will also assess whether the Project will cause potential impacts to agricultural resources, including potential conversion of agricultural land, including Williamson Act lands, to non-agricultural uses or result in land use conflicts that impact nearby agricultural operations. The Project EIR will identify mitigations for potentially significant impacts, where feasible.

##### **4.2.3 Air Quality and Greenhouse Gas (GHG) Emissions**

Describe existing conditions within the South Central Coast Air Basin and in the Project vicinity, including attainment status for criteria pollutants, climatic conditions, and local emissions sources and sensitive receptors, such as schools, elder care facilities, park visitors and adjacent neighborhoods; provide a brief description of the current regulatory setting regarding Air Quality and GHGs, including APCD rules related to odors; and assess the potential air quality impacts from the processing and manufacturing of cannabis, as well as potential impacts to air quality and GHG emissions from project-related vehicle trips. The Project’s potential to create objectionable odors will also be analyzed in this section of the EIR. The EIR will identify the need for mitigation of significant impacts. It will also assess consistency with the policies and measures in the County’s Energy and Climate Action Plan (ECAP).

#### 4.2.4 Biological Resources

The Project could result in impacts to sensitive species and their habitats. The EIR will discuss the special status plant and wildlife species and habitat found within the Project area and analyze the potential for significant project-specific and cumulative effects to biological resources. It will also identify feasible mitigation measures necessary to reduce or avoid significant impacts to these resources.

#### 4.2.5 Cultural

The EIR will identify the general geology and paleontology of the County; provide a brief overview of the County's history, including the Native American, Spanish/Mexican and American periods; describe existing known cultural resources, including general description of known pre-historic sites and the locations of known historic structures; address consultation with the Native American individuals and organizations that may be knowledgeable about the County; assess the potential for archaeological and historical resource impacts from the Project including cumulative impacts; and identify mitigation measures as necessary.

The EIR will summarize the County's Assembly Bill (AB) 52 tribal consultation as well as Senate Bill (SB) 18 consultation prior to amending or adopting any general plan amendment, if needed.

#### 4.2.6 Geology and Soils

The EIR will describe the existing geologic setting, including a general characterization of County terrain, soils, seismicity, and other geologic features, such as groundwater basins and faults; describe the existing regulatory setting, including the County's Seismic Safety and Safety Element, Grading Ordinance, existing community plans and Land Use Element policies, the Alquist-Priolo Act, Uniform Building Code, etc.; assess direct, indirect, and cumulative geologic hazards and impacts posed by new cannabis cultivation and related operations, including grading for terracing and access roads; and identify recommended mitigation measures as needed to address geologic impacts, building from the California Building Code and the County Code.

#### 4.2.7 Hazards and Public Safety

The EIR will describe the hazards and hazardous materials setting for the County based on existing reports and maps; assess hazards and hazardous materials impacts from cultivation and manufacturing sites by considering storage, handling, and application practices of hazardous materials; and identify mitigation measures necessary to address hazards and hazardous material concerns, including consideration of existing regulation and best management practices (BMPs) or development standards to address how and where hazardous materials would occur on cultivation sites. The EIR will further assess the Project for consistency with requirements in federal, state, and county regulations of hazardous materials.

#### 4.2.8 Hydrology and Water Resources

Construction of new cultivation sites could impact in-stream water quality and hydrology through increased grading, vegetation clearing, erosion, and sedimentation or be impacted by flood flows from nearby rivers and creeks. The EIR will describe the existing hydrologic setting,

provide an estimate of current water use, describe the existing regulatory setting for management of ground and surface waters within the County, and analyze potential impacts to water supply, including supplies from groundwater. The EIR will also review the potential for significant impacts related to water quality and/or drainage/flooding, and will identify mitigation measures where necessary.

#### 4.2.9 Land Use and Planning

The CLU ordinance would apply to the unincorporated County—specifically, certain agricultural, commercial, mixed use, and industrial zoned properties—and would regulate the cultivation, manufacturing, distribution, and sale of cannabis. The EIR analysis will examine the Project and identify potential land use conflicts and quality of life impacts.

In addition, the Project will involve regulations that will apply to cannabis activities in the Coastal Zone. The EIR will include an analysis of the consistency of the Project with coastal land uses and any potential significant adverse impacts on coastal resources resulting from the Project.

##### *Cultivation*

Potential land use conflicts between agriculture and residences may result from normal agricultural practices, such as noise, dust, and lights, as well as potential land use conflicts that are unique to the cultivation of cannabis (e.g., odors) as compared to other agricultural products.

##### *Manufacturing*

Potential land use conflicts between existing manufacturing uses and this new proposed use may result from the additional security measures that cannabis manufacturers would install on the site, including additional lights and fencing.

##### *Commercial Sales*

Commercial sales are anticipated to occur in existing buildings. No additional impacts are foreseen besides indirect impacts associated with public safety and services, which will be analyzed separately in the EIR.

The EIR will identify potential mitigation measures as needed to address any adverse land use impacts, including adjustments in proposed geographic restrictions, cultivation limits, and setbacks.

#### 4.2.10 Noise

The Project EIR will describe the existing noise setting, focusing on roadway corridor and agricultural operation-related noise particularly in relation to proximity with sensitive receptors, consider both short-term construction impacts and long-term operational impacts; analyze long-term impacts based on potential increased traffic along roadways associated with changes or intensification of cannabis-related operations; analyze noise caused by cannabis processing facilities and cultivation areas that may require electricity by a generator. Mitigation measures will be identified for locations where noise levels may exceed regulatory standards or cause a substantial increase in the ambient noise levels for adjoining areas.

#### 4.2.11 Public Services

The Project may incrementally increase demand for public services, particularly fire and police protection. Incremental increases in demand for code enforcement along with other services (e.g., road maintenance) may also occur. The EIR will assess existing service capabilities of applicable public services such as schools, police protection, and fire protection; assess fire protection issues and potential increases in demand for other public services associated with cannabis cultivation and production sites while accounting for existing regulations and development standards; identify Project impacts to established service standards, including emergency response standards. Where feasible, mitigation measures will be proposed to reduce or eliminate significant impacts.

#### 4.2.12 Transportation and Circulation

Traffic and circulation impacts may result from the distribution of cannabis, the establishment of cultivation sites, and from consumers traveling to and from commercial retail locations. The EIR will review existing County traffic volume data, project trip generation/distribution, level of service calculations, accident data, and safety issues; identify potential construction-related traffic impacts; assess the Project's long-term operational impacts associated with cannabis-related development; evaluate the Project's cumulative effects to traffic and transportation based on regional development trends; and identify feasible mitigation options to address significant impacts.

#### 4.2.13 Public Utilities

The Project would increase demand for water and power to support cannabis activities and may generate wastewater requiring treatment and solid waste requiring landfill disposal. While many cultivation sites are anticipated to be rural and served by wells, indoor cultivation is likely to require municipal water sources and use of existing infrastructure. In accordance with CEQA Guidelines, Appendix F: Energy Conservation, the EIR would investigate the energy availability and demand associated with commercial-scale cannabis cultivation and manufacturing, including energy diversity and options for alternative energy sources; describe the capacity of existing systems that would serve cultivation sites, including water, wastewater, solid waste, and energy systems; identify impacts from cannabis cultivation sites upon the existing utility system and services and operation-related impacts from existing and new cultivation sites related to the increase in demand for utility services and increase in waste associated with cultivation; assess energy impacts consistent with Appendix F of the CEQA Guidelines; describe cumulative impacts associated with proposed projects in the vicinity; and identify potential mitigation measures as needed to address impacts.

#### 4.2.14 Cumulative Impacts

Pursuant to CEQA Guidelines Section 15130, the EIR shall discuss the cumulative impacts of the Project when the Project's incremental contribution to a significant cumulative impact is considered to be "cumulatively considerable." A cumulative impact consists of an impact that is created as a result of the combination of the proposed Project together with other projects causing related impacts.

The EIR will assess the potential cumulative impacts in each environmental topical section. The EIR will describe buildout impacts of the Project's land uses considered along with development of reasonably foreseeable (proposed and approved, not yet built) projects in the area.

#### **4.3 Alternatives Analysis**

The EIR will describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project, as required by CEQA Guidelines Section 15126.6. The alternatives discussion in the EIR will include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Project. The EIR will programmatically describe the major characteristics and significant environmental effects of each alternative. The EIR analysis will also include a brief discussion of each alternative considered, but rejected from further analysis in the EIR, if any, as suggested by CEQA Guidelines Section 15126.6.

#### **4.4 Other CEQA Required Discussions**

The EIR will include a section that addresses other issues for which CEQA Guidelines Section 15126 requires analysis beyond the environmental topical areas described above. In this section, the EIR will analyze the additional possible impacts of the proposed Project including growth inducement and significant irreversible environmental changes.

**Attachments:** Attachment A, Santa Barbara County Land Use & Development Code  
Draft Cannabis Land Use Ordinance

## INDEX TO NOP COMMENTS

Appendix A includes a copy of the Notice of Preparation (NOP) for the proposed Commercial Cultivation of Medical Cannabis Regulations and Licensing Program (Project), copies of all comment letters received on the NOP during the public comment period, and an indication (Section or sub-Section) where each individual comment is addressed in the Draft EIR. **Table A-1** lists all comments and shows the comment set identification number for each letter or commenter. **Table A-2** identifies the location where each individual comment is addressed in the Draft EIR.

**Table A-1. Commenters on The Notice of Preparation**

Individual/Agency/Affiliation	Format of Comment	Date Comment Received	NOP Comment Set	NOP Comment No.
Adrian	Email	7/20/2017	1	1
Alison Mastri (1)	Email	8/10/2017	2	1
Alison Mastri (2)	Email	8/11/2017	3	1-4
Alison Mastri (3)	Email	8/11/2017	4	1-5
Allan Weil	Email	8/11/2017	5	1-4
Alyssa & Barak Moffitt	Email	7/26/17	6	1-15
Andrew Hazi	Email	8/11/2017	7	1-3
Barbara Kloos (1)	Email	7/20/17	8	1
Barbara Kloos (2)	Email	8/11/2017	9	1
Barbara Widmer	Email	8/11/2017	10	1-2
Bob Brown	Letter	7/31/2017	11	1
Bob Jordan	Email	8/6/17	12	1
Bonnie Freeman	Email	8/11/2017	13	1
Bonnie Muench (1)	Email	8/8/17	14	1-2
Bonnie Muench (2)	Email	8/10/2017	15	1
Bruce Watkins	Email	7/28/2017	16	1
California Department of Fish and Wildlife	Email	8/10/2017	17	1-5
California Department Transportation	Email	8/10/2017	18	1
California Strategies, LLC	Email	42958	19	1-2
Carl William Hein	Email	8/11/2017	20	1
Carpinteria Unified School District	Email	8/11/2017	21	1
Carpinteria Valley Association	Email	8/7/17	22	1
Cathleen McIsaac Bowman	Email	8/6/17	23	1-3
Cecelia Brown	Email	8/11/2017	24	1-10
Chernis Law Group P.C.	Email	8/11/2017	25	1
Cheryl Mrachek	Email	8/1/2017	26	1



Appendix A

<b>Individual/Agency/Affiliation</b>	<b>Format of Comment</b>	<b>Date Comment Received</b>	<b>NOP Comment Set</b>	<b>NOP Comment No.</b>
City of Carpinteria	Email	8/10/2017	27	1-21
City of Santa Barbara	Email	8/10/2017	28	1-2
Craig Bittner	Email	8/9/2017	29	1
Dave and Lillian Clary	Email	8/11/2017	30	1-3
David Kloos	Email	8/10/2017	31	1-3
Dennis LaLumandiere	Email	8/2/17	32	1-4
Derek McLeish and Susan Ashbrook	Letter	8/3/17	33	1-2
Diane Cook	Email	8/11/2017	34	1-3
Doug Burbank	Email	8/11/2017	35	1-2
Doug McGinnis	Email	7/28/17	36	1-2
Edo McGowan	Email	7/19/17	37	1-3
Eric & Katherine Larsen	Email	8/9/2017	38	1
Gart and Kathy Nobis	Email	8/11/2017	39	1-6
Heidi Carver	Email	8/9/2017	40	1
Helen Larsen	Email	7/24/2017	41	1
HERBL Distribution Solutions	Email	8/11/2017	42	1
Hubert Leveque	Email	8/10/2017	43	1
Hunter Jameson	Email	8/8/17	44	1
Jackie Silverman	Email	7/26/17	45	1
James and Jeanne-Marie Malone	Email	8/8/2017	46	1-16
Jan Baker	Letter	8/5/17	47	1-2
Janet Booth	Email	8/8/17	48	1
Janet Kruger	Email	8/8/2017	49	1-3
Janet Shaw	Email	7/31/17	50	1-2
Jeanne Spencer	Email	8/11/2017	51	1-4
Jim & Karen Siffert	Email	7/28/17	52	1-1
Jim and Kathy Sterken	Email	8/9/2017	53	1-2
Jim Taylor	Email	8/11/2017	54	1
Joe and Janet Schuster	Email	8/10/2017	55	1-7
John Culbertson	Email	8/9/2017	56	1-9
John De Friel	Email	7/26/17	57	1
Julia Crookston	Email	7/27/17	58	1
Jansma Von	Email	8/7/17	59	1-
June Gill	Email	8/11/2017	60	1
Karen Friedman (1)	Email	8/5/2017	61	1
Karen Friedman (2)	Email	7/20/17	62	1
Karen Haddigan	Email	7/31/2017	63	1
Kathy Perrizo	Email	7/28/17	64	1

<b>Individual/Agency/Affiliation</b>	<b>Format of Comment</b>	<b>Date Comment Received</b>	<b>NOP Comment Set</b>	<b>NOP Comment No.</b>
Kim Miller	Email	7/28/17	65	1
Kurt Smith	Email	8/5/17	66	1-3
Kyle Wolf	Email	8/11/2017	67	1
Lee Kell	Email	8/10/2017	68	1
Leisa Cosentino	Email	8/7/2017	69	1
Leo Elovitz	Email	8/10/2017	70	1-5
Linda and Curtis Tunnell	Letter	8/11/2017	71	1-6
Linda Muzinich	Letter	8/9/2017	72	1-7
Linda Price	Email	8/10/2017	73	1
Lisa Overstreet	Email	8/11/2017	74	1
Marc Cosentino	Email	8/11/2017	75	1
Marsha Messmore	Email	8/6/17	76	1
McCloskey Nursery	Email	8/10/2017	77	1
Meg Mori	Email	8/8/2017	78	1-3
Merilly Peebles	Email	8/12/2017	79	1
Michael Holliday	Email	8/8/2017	80	1
Michael Palmer	Email	8/10/2017	81	1-4
Mollie Culver	Email	8/11/2017	82	1-7
Native American Heritage Commission, Gayle Totton	Email	7/27/2017	83	1
Patricia Hansen	Email	7/27/2017	84	1-3
Patricia Henmi	Email	8/11/2017	85	1
Patricia Kohlen	Email	8/8/2017	86	1
Patricia Ruben	Email	7/20/2017	87	1
Peggy Zachariou	Email	7/28/17	88	1-2
Rachel Amundsen	Email	7/24/17	89	1
Randy Jones	Email	7/27/17	90	1
Riva and Kevin McLernon	Email	8/9/2017	91	1-2
Robert Lilley	Email	8/11/2017	92	1
Roxanne Lapidus	Email	7/25/2017	93	1-7
Russell R. Ruiz	Email	8/10/2017	94	1-5
Sandy Mezzio	Email	7/25/17	95	1
Santa Barbara Channelkeeper	Email	8/11/2017	96	1-3
Sara Rotman	Email	8/10/2017	97	1-3
Santa Barbara Air Pollution Control District	Email	8/10/2017	98	1-4
Sheryl Robinson	Letter	8/10/2017	99	1-2
Susan Murphy	Email	8/11/2017	100	1-7
Thomas and Charmaine Rogers	Email	8/8/17	101	1-3

Appendix A

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<b>Individual/Agency/Affiliation</b>	<b>Format of Comment</b>	<b>Date Comment Received</b>	<b>NOP Comment Set</b>	<b>NOP Comment No.</b>
Tim Mossholder	Email	8/11/2017	102	1-2
Todd and Rosa Booth	Email	7/31/17	103	1
Tom and Denise Peterson	Letter	8/9/2017	104	1-11
Unknown Letter	Letter	8/9/2017	105	1-3
Valerie Bentz	Email	7/26/17	106	1-2
Vicky Lorelli	Email	7/31/2017	107	1-2
William T. Potts	Email	7/29/2017	108	1

Table A-2. Responses to the NOP Comments

Comment #	Responses
<b>Comment Received from Adrian by Email</b>	
1	Thank you for your comment. Please refer to Section 2.3.3, <i>Summary of Proposed Project</i> , in Chapter 2, <i>Project Description</i> , for a summary of permitted license types and associated cannabis activities applicable to the Project, as well as a list of the allowed license types by zone district. Also, see Tables 2-3 and 2-4. Final approval of licenses and zoning will be made by the County Board of Supervisors, with recommendation from the Planning Commission and subsequent action by the California Coastal Commission.
<b>Comment Received from Alison Mastri by Email (1)</b>	
2-1	Thank you for your comment. However, this comment does not directly pertain to the analysis conducted as part the EIR, which has been prepared in accordance with the requirements of the California Environmental Quality Act. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comment Received from Alison Mastri by Email (2)</b>	
3-1	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which discusses air quality related health issues. For land use and zoning concerns please refer to Section 3.9. <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> . Since the EIR does not evaluate economic impacts, only environmental impacts, the decision makers will review comments related to the project merits and economics.
3-2	Thank you for your comment. Please refer to Section 3.7, <i>Hazards and Hazardous Materials</i> , Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.4, <i>Biological Resources</i> , which discuss impacts associated with use of fertilizers and pesticides, water quality, water tables, and plant life.
3-3	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which discusses air quality related health issues.
3-4	Thank you for your comment. Please refer to Section 3.13, <i>Utilities and Energy Conservation</i> , for information on water availability in the County and water usage of the Project. See also Section 3.2 <i>Agriculture Resources</i> .
<b>Comment Received from Alison Mastri by Email (3)</b>	
4-1	Thank you for your comment. Please refer to Section 3.1, <i>Aesthetics and Visual Resources</i> , for a discussion on lighting and glare as well as mitigation measures to reduce issues related to lighting and glare. Also, refer to Section 3.4, <i>Biological Resources</i> , for a discussion on the impacts on wildlife.
4-2	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for an analysis and discussion of the Project's air quality impacts.
4-3	Thank you for your comment. Please refer to Section 3.7. <i>Hazards and Hazardous Materials</i> , Section 3.8. <i>Hydrology and Water Resources</i> , and Section 3.4 <i>Biological Resources</i> which discuss hazardous materials, water quality, and plant life.
4-4	Thank you for your comment. Refer to Section 3.11, <i>Public Services</i> , which discusses impacts associated with public safety and effects on law enforcement services.
4-5	Thank you for your comment. Please refer to Section 3.9, <i>Land Use and Planning</i> , and Section 3.2, <i>Agricultural Resources</i> , as they discuss zoning and allowed agricultural

**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
	uses. Your comment will be considered by decision makers in the review process of the Project.
<b>Comment Received from Allan Weil by Email</b>	
<b>5-1</b>	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis.
<b>5-2</b>	Thank you for your comment. Since the EIR does not evaluate impairment impacts, only environmental impacts, the decision makers will review comments related to your concerns about driving under the influence of cannabis.
<b>5-3</b>	Section 3.1, <i>Aesthetics and Visual Resources</i> addresses the Project's impact to night lighting. Section 3.4, <i>Biological Resources</i> , addresses impacts on sensitive biological resources, including wildlife. Chapter 4, <i>Alternatives Analysis</i> , identified and analyzes alternatives to the proposed Project which may reduce environmental impacts of the Project, including impacts from night lighting.
<b>5-4</b>	Since the EIR does not evaluate economic impacts, only environmental impacts, the decision makers will review comments related to your concerns about economic impacts.
<b>Comment Received from Alyssa and Barak Moffitt by Email</b>	
<b>6-1</b>	Thank you for your comments. Please refer to Section 3.13, <i>Utilities and Energy Conservation</i> and Section 3.8, <i>Hydrology and Water Resources</i> , which address water quality, water supply and availability, and demand for water supplies under the Project.
<b>6-2</b>	Please refer to Section 3.4, <i>Biological Resources</i> , which addresses impacts to biological resources, including sensitive plants and wildlife, from the use of agricultural chemical.
<b>6-3</b>	Please refer to Section 3.4, <i>Biological Resources</i> , with addresses impacts to sensitive biological resources, including special status plant or wildlife species.
<b>6-4</b>	Please refer to Section 3.4, <i>Biological Resources</i> , which addresses impacts associated with the potential clearing and removal of trees, as well as impacts to other important biological resources.
<b>6-5</b>	Section 3.8, <i>Hydrology and Water Resources</i> , addresses potential impacts to water quality, runoff, flood and drainage, and groundwater recharge related to the Project. Please refer to Section 3.4, <i>Biological Resources</i> , with addresses impacts to sensitive biological resources, including special status plant or wildlife species.
<b>6-6</b>	Thank you for your comments. Please refer to Section 3.13, <i>Utilities and Energy Conservation</i> and Section 3.8, <i>Hydrology and Water Resources</i> , which address water quality, water supply and availability, and demand for water supplies under the Project.
<b>6-7</b>	Please refer to Section 3.4, <i>Biological Resources</i> , with addresses impacts to sensitive biological resources, including special status plant or wildlife species, their habitat, and migratory corridors.
<b>6-8</b>	Section 3.1, <i>Aesthetics and Visual Resources</i> , for information on the impacts and considerations of Santa Barbara County Scenic Highways and what is considered to have scenic value.
<b>6-9</b>	Please refer to Section 3.12, <i>Transportation and Traffic</i> for impacts concerning traffic. Please refer to section 3.11, <i>Public Services</i> for analysis of emergency services and the Project's impact on emergency services.

Table A-2. Responses to the NOP Comments

Comment #	Responses
6-10	Section 3.11, <i>Public Services</i> , provides discussion and analysis of impacts associated with security and demand for law enforcement services.
6-11	Section 3.1, <i>Aesthetics and Visual Resources</i> , analyzes the potential impact of lighting and glare which may result from operation of cannabis sites under the Project.
6-12	Please refer to Chapter 5, <i>Other CEQA</i> , which discusses impacts associated with potential continued and future operation of unlicensed cannabis operations.
6-13	Please refer to Section 3.10, <i>Noise</i> and Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which address your noise and air pollution concerns related to the use of portable diesel and gasoline generators.
6-14	Section 3.2, <i>Agricultural resources</i> , analyzes agricultural concerns related to cannabis cultivation and compatibility with existing agricultural resources. Refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses impacts related to odors.
6-15	Since the EIR does not evaluate legal issues, only environmental impacts. Your comment will be considered by decision makers in the review process of the Project.
<b>Comment Received from Andrew Hazi by Email</b>	
7-1	Thank you for your comments. Water availability and water use impacts as a result of the Project are addressed in Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.13, <i>Utilities and Energy Conservation</i> .
7-2	Please refer to Section 3.7, <i>Hazards and Hazardous Materials</i> , Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.4 <i>Biological Resources</i> which address the Project's impacts related to pesticides, rodenticides, and fertilizers.
7-3	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , and Section 3.10, <i>Noise</i> , analyze impacts related to carbon emissions and noise pollution. Section 3.1, <i>Aesthetics and Visual Resources</i> addresses impacts due to lighting and glare.
<b>Comment Received from Barbara Kloos by Email (1)</b>	
8-1	Thank you for your comment. Please refer to Section 3.9, <i>Land Use and Planning</i> , which addresses land use and zoning impacts related to the Project. Your comments will be considered by decisions makers.
<b>Comment Received from Barbara Kloos by Email (2)</b>	
9-1	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comment Received from Barbara Widmer by Email</b>	
10-1	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
10-2	Please see Section 3.1, <i>Aesthetics and Visual Resources</i> , which analyzes visual impacts, Section 3.11, <i>Public Services</i> , which addresses the Project's impact to police and law enforcement services and Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses impacts related to odor. Economic impacts are not considered under CEQA and are therefore not discussed in the EIR. However, all your comments will be considered by decision makers in the review process.

Table A-2. Responses to the NOP Comments

Comment #	Responses
<b>Handwritten Comment Received from Bob Brown by Mail</b>	
11-1	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comment Received from Bob Jordan by Email</b>	
12-1	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to the Project. Your comments will be considered by decision makers in the review process.
<b>Comment Received Bonnie Freeman from by Email</b>	
13-1	Thank you for your comment. Section 3.9, <i>Land Use and Planning</i> , analyses impacts associated with zoning and land use compatibility. Section 3.11, <i>Public Services</i> , addresses parks and public facilities. Section 3.10, <i>Noise</i> , addresses noise related impacts. Section 3.13, <i>Utilities and Energy Conservation</i> , addresses impacts related to demand for energy resources, and Section 3.1, <i>Aesthetics and Visual Resources</i> , addresses lighting related impacts. Your comment will be considered by decision makers during the review process.
<b>Comment Received from Bonnie Muench by Email (1)</b>	
14-1	Thank you for your comments. Sensitive receptors, such as schools, as well as necessary setback requirements are considered in Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , Section 3.10, <i>Noise</i> , and Section 3.1, <i>Aesthetics and Visual Resources</i> .
14-2	Please refer to Section 3.7, <i>Hazards and Hazardous Materials</i> , and Section 3.8, <i>Hydrology and Water Resources</i> , which analyze potential hazardous materials such as fertilizers and the impacts on water quality respectively. See Section 3.11, <i>Public Services</i> , for impacts to law enforcement and emergency services. Section 3.12, <i>Transportation and Traffic</i> , discusses traffic impacts related to the Project and Section 3.1 <i>Aesthetics and Visual Resources</i> , which addresses visual impacts. Your comments will be considered by decision makers in the review process.
<b>Comment Received from Bonnie Muench by Email (2)</b>	
15-1	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comment Received from Bruce Watkins by Email</b>	
16-1	Thank you for your comment. Your comments and the information received as part of the email comment submittal will be considered by decision makers in the review process of the Project.
<b>Comment Received from California Department of Fish and Wildlife by Email</b>	
17-1	Thank you for your comment. Chapter 2, <i>Project Description</i> , addresses Project activities in detail. Section 3.4, <i>Biological Resources</i> , addresses the biological environmental setting for the Project, the Project's impacts and cumulative impacts on biological resources, and associated mitigation measures, as well as the Project's regulatory setting in regards to biological resources, and required permits. Section 3.7,

Table A-2. Responses to the NOP Comments

Comment #	Responses
	<i>Hazards and Hazardous Materials</i> , address the issue of pesticides in relation to the Project.
17-2	Section 3.8, <i>Hydrology and Water Resources</i> , analyzes the Project's impact on surface and groundwater availability, supply and recharge.
17-3	Thank you for your comment. The necessity for agency permits shall be determined by County staff during the licensing application review processes. All agency permits required for an individual site would be determined by County staff and acquired by an applicant prior to approval of a license.
17-4	Section 3.8, <i>Hydrology and Water Resources</i> , addresses potential impacts to water quality, runoff, flood and drainage, and groundwater recharge related to the Project.
17-5	Please refer to Section 3.4, <i>Biological Resources</i> , which identify impacts to biological resources, including sensitive, threatened, and/or endangered plant and wildlife species, nesting birds, sensitive or unique habitat, migratory corridors, wetland resources, etc. This analysis includes identification of mitigation measures which would be necessary to reduce Project impacts to the maximum extent feasible.
<b>Comment Received from California Department Transportation by Email</b>	
18-1	Thank you for your comment. Please refer to Section 3.12, <i>Transportation and Traffic</i> , for transportation and traffic related impacts and mitigation measures associated with the Project.
<b>Comment Received from California Strategies, LLC by Email</b>	
19-1	Thank you for your comment. Please refer to Chapter 2, <i>Project Description</i> , for a discussion on required setbacks under the Project.
19-2	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comment Received from Carl William Hein by Email</b>	
20-1	Thank you for your comment. Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , analyzes air quality impacts of the Project. Your comments will be considered by decision makers during the review process.
<b>Comment Received from Carpinteria Unified School District by Email</b>	
21-1	Thank you for your comment. Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , analyzes odor related impacts. Your comments will be considered by decision makers in the review process.
<b>Comment Received from Carpinteria Valley Association by Email</b>	
22-1	Thank you for your comment. Please refer to section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which analyzes odor related impacts. Your comments will be considered by decision makers in the review process.
<b>Comment Received from Cathleen McIsaac Bowman by Email</b>	
23-1	Thank you for your comment. Please refer to section 3.11, <i>Public Services</i> , and Chapter 2, <i>Project Description</i> , which address law enforcement and related impacts.



**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
<b>23-2</b>	Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.13, <i>Utilities and Energy Conservation</i> , analyze water availability and water use impacts related to the Project. Section 3.7, <i>Hazards and Hazardous Materials</i> , addresses impacts related to pesticides, herbicides, and rodenticides. Section 3.4, <i>Biological Resources</i> , addresses impacts to wildlife from these chemicals. Your comments will be considered by decision makers in the review process.
<b>23-3</b>	Please refer to Section 3.11, <i>Public Services</i> , for an analysis of the county's ability to respond to unpermitted or illegal activity related to this Project.
<b>Comment Received from Cecelia Brown by Email</b>	
<b>24-1</b>	Thank you for your comments. Please see Section 3.1, <i>Aesthetics and Visual Resources</i> , which addresses lighting, scenic highways, and aesthetics related to fencing. Section 3.9, <i>Land Use and Planning</i> , provides development standards related to fencing and Section 3.4, <i>Biological Resources</i> , addresses impacts related to fencing and wildlife corridors.
<b>24-2</b>	Please refer to Section 3.2 <i>Agricultural Resources</i> , for a discussion of how multiple leases will be addressed.
<b>24-3</b>	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which analyzes odor related impacts
<b>24-4</b>	Please refer to section 3.5, <i>Cultural Resources</i> , and Section 3.1, <i>Aesthetics and Visual Resources</i> , for a discussion of the impacts related to cultural and visual resources.
<b>24-5</b>	Section 3.7, <i>Hazards and Hazardous Materials</i> , addresses impacts related to fire hazards and hazardous waste.
<b>24-6</b>	Please refer to Chapter 2, <i>Project Description</i> , and Section 3.9, <i>Land Use and Planning</i> , for a discussion on the zoning allowances of the Project, and other land use related concerns including parking. In addition, please refer to Section 3.12, <i>Transportation and Traffic</i> , for traffic related impacts.
<b>24-7</b>	Section 3.11, <i>Public Services</i> , analyze police services and Project related impacts.
<b>24-8</b>	Section 3.7, <i>Hazards and Hazardous Materials</i> , addresses impacts related to hazardous wastes generated by cannabis activities, and Section 3.14, <i>Utilities and Energy Conservation</i> , address impacts associated with demand for waste disposal services.
<b>24-9</b>	Chapter 2, <i>Project Description</i> , addresses required buffers under the Project. Your comments will be considered by decision makers during the review process.
<b>24-10</b>	Please see Section 3.1, <i>Aesthetics and Visual Resources</i> which addresses impacts to aesthetic and visual resources, including scenic highways within the County.
<b>Comment Received from Chernis Law Group P.C. by Email</b>	
<b>25-1</b>	Thank you for your comment. Please refer to Chapter 2, <i>Project Description</i> , for a discussion on the proposed Cannabis Licensing Program and permitting process. Your comments will be considered by decision makers during the review process.
<b>Comment Received from Cheryl Mrachek by Email</b>	
<b>26-1</b>	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which analyzes odor and health related air quality impacts Your comment will be considered by decision makers in the review process of the Project.

Table A-2. Responses to the NOP Comments

Comment #	Responses
<b>Comment Received from City of Carpinteria by Email</b>	
27-1	Thank you for your comment. Please refer to and Section 3.9, <i>Land Use and Planning</i> , for Project consistency with Carpinteria Valley Greenhouse Program and General Plan/Coastal Plan Objective LU-4 and Policies LU-4a, -4b, -4c. Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3, <i>Environmental Impact Analysis</i> , of the EIR.
27-2	Please refer to Chapter 2, <i>Project Description</i> , addresses and describes the proposed permitting requirements for cannabis land uses by eligible zone, as well as includes discussion of cannabis activities as they relate to traditional agricultural practices and processes permitted within the County. See also Chapter 4, <i>Alternatives Analysis</i> , which includes discussion and consideration of a number of Project alternatives related to providing greater restrictions or allowances for cannabis activities.
27-3	Please refer to Chapter 2, <i>Project Description</i> , addresses and describes the proposed permitting requirements for cannabis manufacturing and processing uses by eligible zone, as well as includes discussion of cannabis activities as they relate to traditional agricultural practices and processes permitted within the County. With regard to impacts from employee traffic and truck trips, Section 3.12, <i>Transportation and Traffic</i> , describes the Project's potential to result in changes in the transportation environment from the permitting of cannabis uses in eligible zone districts. See also Chapter 4, <i>Alternatives Analysis</i> , which includes discussion and consideration of a number of Project alternatives related to providing greater restrictions or allowances for cannabis activities.
27-4	Please refer to Chapter 5, <i>Other CEQA</i> , for impacts related to employment, population growth and housing impacts.
27-5	Section 3.9, <i>Land Use and Planning</i> , addresses land use impacts. Section 3.12, <i>Transportation and Traffic</i> , addresses Project related traffic impacts. Section 3.11, <i>Public Services</i> , discusses public safety and Sections 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , 3.4, <i>Biological Resources</i> , 3.6, <i>Geology and Soils</i> , 3.8, <i>Hydrology and Water Resources</i> , address environmental effects.
27-6	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for concerns related to odor. Section 3.10, <i>Noise</i> , for noise related impacts. Sections 3.1, <i>Aesthetics and Visual Resources</i> , for lighting related impacts. Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3, <i>Environmental Impact Analysis</i> , of the EIR.
27-7	Please refer to and Section 3.9, <i>Land Use and Planning</i> , and Section 3.2, <i>Agricultural Resources</i> , for discussion of cannabis growth in the coastal zone. Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3, <i>Environmental Impact Analysis</i> , of the EIR.

**Table A-2. Responses to the NOP Comments**

Comment #	Responses
27-8	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
27-9	Please refer to Section 3.12, <i>Transportation and Traffic</i> , which addresses Project related traffic impacts. Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3, <i>Environmental Impact Analysis</i> , of the EIR.
27-10	Please refer to Section 3.12, <i>Transportation and Traffic</i> , which addresses Project related traffic impacts, including demand for public transit and other alternative modes of transportation. Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3 of the EIR.
27-11	Section 3.12, <i>Transportation and Traffic</i> , analyzes the county's public transportation and Project related impacts.
27-12	Impacts related to lighting, fencing, visual impairment are discussed in Section 3.1, <i>Aesthetics and Visual Resources</i> . Project related setbacks and buffers are discussed in Chapter 2, <i>Project Description</i> . Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3 of the EIR.
27-13	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , analyses air quality impacts related to health and odors. Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3 of the EIR.
27-14	Impacts related to pesticide, fertilizer and other chemical use are discussed in Section 3.7, <i>Hazards and Hazardous Materials</i> , and Section 3.4 <i>Biological Resources</i> .
27-15	Please refer to Section 3.10, <i>Noise</i> , for noise related impacts.
27-16	Please refer to Section 3.11, <i>Public Services</i> , for an analysis on Project related impacts to law enforcement, fire and emergency services. Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3 of the EIR.
27-17	Please refer to Section 3.11, <i>Public Services</i> , for an analysis on Project related impacts to law enforcement, fire and emergency services. Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a range of alternatives designed to have the effect of resulting in potentially less severe impacts than the proposed Project, and provides brief comparative analysis of the alternative's impact with regards to the resources analyzed in Chapter 3, <i>Environmental Impact Analysis</i> , of the EIR.

Table A-2. Responses to the NOP Comments

Comment #	Responses
27-18	Section 3.8, <i>Hydrology and Water Resources</i> and Section 3.13, <i>Utilities and Energy Conservation</i> address water availability and water use related to the Project. This discussion includes comparison and analysis of water demands of cannabis to traditional agricultural crops grown within the County. Where appropriate, discussion of region or area specific impacts to water supply and groundwater has been provided.
27-19	Section 3.13, <i>Utilities and Energy Conservation</i> , provides discussion on energy use related to the Project.
27-20	Section 3.8, <i>Hydrology and Water Resources</i> , addresses potential impacts to water quality, runoff, flood and drainage, and groundwater recharge related to the Project.
27-21	Biological related impacts are discussed in Section 3.4, <i>Biological Resources</i> . Additionally, fertilizer and pest-control related impacts are found in Section 3.4, <i>Biological Resources</i> , as well as in Section 3.7, <i>Hazards and Hazardous Materials</i> . Your comments will be considered by decision makers during the review process.
<b>Comment Received from City of Santa Barbara by Email</b>	
28-1	Thank you for your comment. Please refer to Section 3.1, <i>Aesthetics and Visual Resources</i> , for an analysis on lighting impacts. See Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for impacts related to odor and dust. Section 3.10, <i>Noise</i> , addresses issues related to noise. Sections 3.7, <i>Hazards and Hazardous Materials</i> , and 3.4, <i>Biological Resources</i> , analyze impacts related to pesticide use and exposure.
28-2	Agriculture related impacts are discussed in Section 3.2, <i>Agricultural Resources</i> . Chapter 2, <i>Project Description</i> , provides information on setbacks. Impacts related to additional security measures related to cannabis are discussed in their associated resources areas, (i.e. security lighting impacts are analyzed in Section 3.1, <i>Aesthetics and Visual Resources</i> , etc.). Your comments will be considered by decision makers in the review process.
<b>Comment Received from Craig Bittner by Email</b>	
29-1	Thank you for your comment. Project related impacts due to odor, air pollution and health related air quality impacts are discussed in Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> . Your comment will be considered by decision makers in the review process of the Project.
<b>Comment Received from Dave and Lillian Clary by Email</b>	
30-1	Thank you for your comment. Zoning is discussed in to Section 3.9, <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
30-2	Sections 3.8, <i>Hydrology and Water Resources</i> and 3.13. <i>Utilities and Energy Conservation</i> , address water availability and usage impacts related to the Project.
30-3	Section 3.11, <i>Public Services</i> , analyzes impacts to emergency services including fire and police response times. Your comments will be considered by decision makers during the Project review process.
<b>Comment Received from Dave Kloos by Email</b>	
31-1	Thank you for your comments. Please refer to Chapter 2, <i>Project Description</i> and Section 3.9, <i>Land Use and Planning</i> for a description of zoning.
31-2	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses issues related to odor.

Table A-2. Responses to the NOP Comments

Comment #	Responses
31-3	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comment Received from Dennis Lalumandiere by Email</b>	
32-1	Thank you for your comment. A discussion on zoning can be found in Section 3.9, <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
32-2	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses issues related to odor.
32-3	Section 3.11, <i>Public Services</i> , analyzes impacts to law enforcement services related to the Project.
32-4	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comment Card Received from Derek McLeish and Susan Ashbrook by Email</b>	
33-1	Thank you for your comment. Please refer to Chapter 2, <i>Project Description</i> , for a detailed discussion of specific permitting and licensing requirements for cannabis activities.
33-2	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses issues related to odors generated by cannabis activities, as well as emissions which may be generated by cannabis activities. Section 3.1, <i>Aesthetics and Visual Resources</i> , addresses impacts associated with light pollution and standard thresholds for assessing impacts associated with light pollution. With regard to pesticides and fertilizers, impacts resulting from the use of such materials are discussed in Section 3.4, <i>Biological Resources</i> , Section 3.7, <i>Hazards and Hazardous Materials</i> , and Section 3.8, <i>Hydrology and Water Resources</i> .
<b>Comments Received from Diane Cook by Email</b>	
34-1	Thank you for your comment. A discussion on zoning can be found in Section 3.9, <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
34-2	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses issues related to odors generated by cannabis activities, as well as emissions which may be generated by cannabis activities. Refer to Section 3.10, <i>Noise</i> , which provides discussion of impacts associated with noise generated by cannabis activities and associated equipment. Refer to Section 3.11, <i>Public Services</i> , which discusses impacts associated with public safety and effects on law enforcement services.
34-3	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from Doug Burbank by Email</b>	
35-1	Thank you for your comment. A discussion on zoning can be found in Section 3.9, <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> . With regard to impacts to neighborhoods, schools, and air quality, impacts are described in appropriate sections of the EIR. See Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , Section 3.9,

Table A-2. Responses to the NOP Comments

Comment #	Responses
	<i>Land Use and Planning</i> , Section 3.10, <i>Noise</i> , Section 3.11, <i>Public Services</i> , and Section 3.12, <i>Transportation and Traffic</i> .
35-2	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from Doug McGinnis by Email</b>	
36-1	Thank you for your comments. Impacts related to cannabis odors are discussed and analyzed in Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> .
36-2	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , address the Project's impacts on air quality. Section 3.13, <i>Utilities and Energy Conservation</i> , addresses the Project's impact on water use. Section 3.11, <i>Public Services</i> , addresses impacts associated with public safety and effects on law enforcement services. Regarding population and housing impacts of the Project, impacts are considered in Chapter 5, <i>Other CEQA</i> .
<b>Comments Received from Edo McGowan by Email</b>	
37-1	Thank you for your comments. Refer to Section 3.8, <i>Hydrology and Water Resources</i> , for discussion of the Project's impacts on water quality, particularly related to the potential for use of pesticides, insecticides, fertilizers, and other agricultural chemicals.
37-2	Section 3.8, <i>Hydrology and Water Quality</i> , describes the regulatory setting for the Project, including governing regulatory agencies and applicable policies and programs related to water quality. This section also describes impacts related to groundwater resources.
37-3	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from Eric and Katharine Larsen by Letter</b>	
38-1	Thank you for your comment. For discussion of impacts related to zoning and land use compatibility, see Section 3.9, <i>Land Use and Planning</i> .
<b>Comments Received from Garth and Kathy Nobis by Email</b>	
39-1	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
39-2	Refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which describes the Project potential impacts associated with odors from cannabis activities.
39-3	Refer to Section 3.13, <i>Utilities and Energy Conservation</i> , for discussion of supply and demand for utility services which include electricity and water supplies and services.
39-4	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
39-5	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.

**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
<b>39-6</b>	Thank you for your comment. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from Heidi Carver by Email</b>	
<b>40-1</b>	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from Helen Larsen by Email</b>	
<b>41-1</b>	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from HERBL Distribution Solutions by Letter</b>	
<b>42-1</b>	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from Hubert Leveque by Email</b>	
<b>43-1</b>	Thank you for your comments. Chapter 2, <i>Project Description</i> , addresses required buffers under the Project. Your comments will be considered by decision makers during the review process. For discussion of impacts related to odors and noxious fumes, see Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> .
<b>Comments Received from Hunter Jameson by Email</b>	
<b>44-1</b>	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from Jackie Silverman by Email</b>	
<b>45-1</b>	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>Comments Received from James and Jeanne-Marie Malone by Letter</b>	
<b>46-1</b>	Thank you for your comments. Refer to Section 3.8, <i>Hydrology and Water Resources</i> , for discussion of impacts associated with the quality of surface and groundwater resources.
<b>46-2</b>	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
<b>46-3</b>	Section 3.13, <i>Utilities and Energy Conservation</i> , provides discussion of impacts associated with potential increases in demand for electricity and energy resources.
<b>46-4</b>	Section 3.11, <i>Public Services</i> , addresses impacts associated with safety of the public and law enforcement services. Chapter 5, <i>Other CEQA</i> , discusses impacts associated with potential continued and future operation of unlicensed cannabis operations.

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Comment #	Responses
46-5	Section 3.13, <i>Utilities and Energy Conservation</i> , provides discussion of impacts associated with potential increases in demand for water supplies.
46-6	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
46-7	Chapter 2, <i>Project Description</i> , and proposed amendments to County codes which are included as Appendix B of the EIR describe proposed licensing and permitting requirements for cannabis activities.
46-8	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
46-9	Section 3.11, <i>Public Services</i> , addresses impacts associated with safety of the public and law enforcement services.
46-10	Section 3.12, <i>Transportation and Traffic</i> , addresses impacts associated with changes in traffic and the safety of the transportation network. Potential increases in the use of vehicles and associated emissions are described in Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> .
46-11	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
46-12	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
46-13	Thank you for your comments. Since these comments do not refer to environmental issues, they are not addressed in the EIR, but will otherwise be considered by decision makers.
46-14	Thank you for your comments. Section 3.11, <i>Public Services</i> , addresses impacts associated with safety of the public and law enforcement services.
46-15	Thank you for your comments. Since these comments do not refer to environmental issues, but will otherwise be considered by decision makers.
46-16	Thank you for your comment. Discussion of operation of unlicensed and unpermitted that may result from the Project is provided in Chapter 5, <i>Other CEQA</i> .
<b>Comments Received from Jan Baker by Letter</b>	
47-1	Thank you for your comment. A discussion on zoning can be found in Section 3.9, <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
47-2	Thank you for your comments. Refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for discussion of impacts related to odors.
<b>Comments Received from Janet Booth by Email</b>	
48-1	Thank you for your comments. Chapter 2, <i>Project Description</i> , addresses required buffers under the Project. Refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for discussion of impacts related to odors. Refer to Section 3.1, <i>Aesthetics and Visual Resources</i> , for discussion of impacts relating to fencing requirements and effects on visual resources.



Table A-2. Responses to the NOP Comments

Comment #	Responses
<b>Comments Received from Janet Kruger by Email</b>	
49-1	Thank you for your comments. A discussion on zoning can be found in Section 3.9, <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
49-2	Thank you for your comments. Refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for discussion of impacts related to odors.
49-3	Thank you for your comments. With regard to impacts to neighborhoods, schools, and air quality, impacts are described in appropriate sections of the EIR. See Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , Section 3.9, <i>Land Use and Planning</i> , Section 3.10, <i>Noise</i> , Section 3.11, <i>Public Services</i> , and Section 3.12, <i>Transportation and Traffic</i> .
<b>Comments Received from Janet Shaw by Email</b>	
50-1	Thank you for your comments. Since these comments do not refer to environmental issues, but will otherwise be considered by decision makers.
50-2	Thank you for your comments. Refer to Section 3.13, <i>Utilities and Energy Conservation</i> , for discussion of cannabis water demands and comparison to water demands of traditional agricultural products. For discussion of impacts relating to security, safety, and law enforcement services, refer to Section 3.11, <i>Public Services</i> .
<b>Comments Received from Jeanne Spencer by Email</b>	
51-1	Thank you for your comment. Please refer to Chapter 2, <i>Project Description</i> , and Section 3.9, <i>Land Use and Planning</i> , for a discussion on the land use and zoning allowances of the Project.
51-2	Project related setbacks and buffers to sensitive receptors are discussed in Chapter 2, <i>Project Description</i> .
51-3	Thank you for your comment. However, this comment does not directly pertain to the analysis conducted as part the EIR, which has been prepared in accordance with the requirements of CEQA. Your comment will be considered by decision makers in the review process of the proposed Project.
51-4	Thank you for your comment. However, this comment does not directly pertain to the analysis conducted as part the EIR, which has been prepared in accordance with the requirements of CEQA. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Jim and Karen Siffert by Email</b>	
52-1	Thank you for your comment. However, this comment does not directly pertain to the analysis conducted as part the EIR, which has been prepared in accordance with the requirements of CEQA. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Jim and Kathy Sterken by Email</b>	
53-1	Thank you for your comment. However, this comment does not directly pertain to the analysis conducted as part the EIR, which has been prepared in accordance with the requirements of CEQA. Your comment will be considered by decision makers in the review process of the proposed Project.

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Comment #	Responses
53-2	Thank you for your comment. Refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for discussion of impacts related to odors. Section 3.11, <i>Public Services</i> , discusses impacts to law enforcement services.
<b>Comments Received from Jim Taylor by Email</b>	
54-1	Thank you for your comment. Please refer to section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which analyzes odor related impacts. Your comments will be considered by decision makers in the review process.
<b>Comments Received from Joe and Janet Schuster</b>	
55-1	Thank you for your comment. However, this comment does not directly pertain to the analysis conducted as part the EIR, which has been prepared in accordance with the requirements of CEQA. Your comment will be considered by decision makers in the review process of the proposed Project.
55-2	Thank you for your comment. However, this comment does not directly pertain to the analysis conducted as part the EIR, which has been prepared in accordance with the requirements of CEQA. Your comment will be considered by decision makers in the review process of the proposed Project.
55-3	Thank you for your comment. However, this comment does not directly pertain to the analysis conducted as part the EIR, which has been prepared in accordance with the requirements of CEQA. Your comment will be considered by decision makers in the review process of the proposed Project.
55-4	Thank you for your comment. Refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for discussion of impacts related to odors.
55-5	Please refer to Section 3.11, <i>Public Services</i> , which analyzes police services, Section 3.12, <i>Transportation and Circulation</i> , which assesses traffic impacts, and Section 3.10, <i>Noise</i> , which addresses noise related impacts.
55-6	Chapter 2, <i>Project Description</i> , and Section 3.9 <i>Land Use and Planning</i> , provide a discussion on zoning allowances related to the project.
55-7	Chapter 2, <i>Project Description</i> , and Section 3.9 <i>Land Use and Planning</i> , provide a discussion on zoning allowances related to the project. Your comments will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from John Culbertson by Email</b>	
56-1	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR for Santa Barbara County. Your comment will be considered by decision makers in the review process of the proposed Project.
56-2	Chapter 2, <i>Project Description</i> , addresses buffers under the project. Your comments will be considered by decision makers during the review process.
56-3	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
56-4	Chapter 2, <i>Project Description</i> , addresses buffers under the project. Your comments will be considered by decision makers during the review process.
56-5	Chapter 2, <i>Project Description</i> , addresses buffers under the project. Your comments will be considered by decision makers during the review process.

**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
<b>56-6</b>	Thank you for your comment. Refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , for discussion of impacts related to odors. Please refer to Section 3.1 of <i>Aesthetics and Visual Resources</i> , for a discussion on lighting and glare as well as mitigation measures to reduce issues related to lighting and glare. Also, refer to Section 3.4, <i>Biological Resources</i> , for a discussion on the impacts of lighting and glare on wildlife.
<b>56-7</b>	Please refer to Chapter 2, <i>Project Description</i> , and Section 3.9, <i>Land Use and Planning</i> , for a discussion on zoning and buffers under the project. Your comments will be considered by decision makers during the review process.
<b>56-8</b>	Air quality impacts are addressed in Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , water availability and water use impacts as a result of the Project are addressed in Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.13, <i>Utilities and Energy Conservation</i> . Impacts to public services, including law enforcement services are discussed in Section 3.11, <i>Public Services</i> . Traffic related impacts are discussed in Section 3.12, <i>Transportation and Circulation</i> .
<b>56-9</b>	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from John De Friel by Email</b>	
<b>57-1</b>	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Julia Crookston</b>	
<b>58-1</b>	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Jansma Von by Email</b>	
<b>59-1</b>	Thank you for your comment. Please refer to Chapter 2, <i>Project Description</i> , and Section 3.9, <i>Land Use and Planning</i> , for a discussion on zoning and land use compatibility under the Project. Your comments will be considered by decision makers during the review process.
<b>59-2</b>	Impacts related to air quality and effects of odors from cannabis are described in Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> .
<b>59-3</b>	Impacts related to disposal of wastes generated by cannabis activities, including plant waste, are described in Section 3.13, <i>Utilities and Energy Conservation</i> . Impacts related to the handling, use, transportation, and disposal of chemical or hazardous wastes are described in Section 3.7, <i>Hazards and Hazardous Materials</i> .
<b>59-4</b>	Impacts related to light pollution, glare, and nighttime views are described in Section 3.1, <i>Aesthetics and Visual Resources</i> .
<b>59-5</b>	Please refer to Section 3.12, <i>Transportation and Circulation</i> , which assesses traffic impacts and Section 3.10, <i>Noise</i> , which addresses impacts from both stationary and mobile noise sources.
<b>59-6</b>	Please refer to Section 3.11, <i>Public Services</i> , which provides discussion and analysis of impacts associated with security and demand for law enforcement services.

Table A-2. Responses to the NOP Comments

Comment #	Responses
59-7	Thank you for your comments. Please refer to Chapter 2, <i>Project Description</i> , which addresses proposed buffer setbacks under the Project. Refer also to Section 3.9, <i>Land Use and Planning</i> , which addresses impacts associated with land use compatibility.
59-8	This EIR considers and analyzes the environmental effects of the proposed Project. Where applicable, comparative analysis of the effects of cannabis in various states and cities is provided.
<b>Comments Received from June Gill by Email</b>	
60-1	Please refer to Chapter 2, <i>Project Description</i> , and Section 3.9, <i>Land Use and Planning</i> , for a discussion on zoning under the Project. Your comments will be considered by decision makers during the review process.
<b>Comments Received from Karen Friedman by Email</b>	
61-1	Please refer to Section 3.11, <i>Public Services</i> for an analysis of the County's ability to respond to unpermitted or illegal activity related to this project. See also Chapter 5, <i>Other CEQA</i> , which addresses impacts specific to operation of unlicensed cannabis operations.
<b>Comments Received from Karen Friedman by Email (2)</b>	
62-1	Please refer to Section 3.7, <i>Hazards and Hazardous Materials</i> , Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.4 <i>Biological Resources</i> which address the project impacts related to chemical use. The remainder of this comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Karen Haddigan by Email</b>	
63-1	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Kathy Perrizo by Email</b>	
64-1	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Kim Miller</b>	
65-1	Please refer to Chapter 2, <i>Project Description</i> , and Section 3.9, <i>Land Use and Planning</i> , for a discussion on zoning under the project. Your comments will be considered by decision makers during the review process.
<b>Comments Received from Kurt Smith by Email</b>	
66-1	Thank you for your comment. Please refer to Section 3.11, <i>Public Services</i> for an analysis of the county's ability to respond to unpermitted or illegal activity related to this project. Please see Section 3.1, <i>Aesthetics and Visual Resources</i> which addresses aesthetics related to fencing. Water availability and water use impacts as a result of the project are addressed in Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.13, <i>Utilities and Energy Conservation</i> . Section 3.11, <i>Public Services</i> provides an

**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
	analysis of the county's ability to respond to unpermitted or illegal activity related to this project.
<b>66-2</b>	Section 3.11, <i>Public Services</i> provides an analysis of the county's ability to respond to unpermitted or illegal activity related to this project.
<b>66-3</b>	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Kyle Wolf by Email</b>	
<b>67-1</b>	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Lee Kell by Email</b>	
<b>68-1</b>	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor impacts. Section 3.10, <i>Noise</i> , which discusses noise related impacts, Section 3.1, <i>Aesthetics and Visual Resources</i> , which analyzes impacts from light pollution. Section 3.11, <i>Public Services</i> provides an analysis of the county's ability to respond to unpermitted or illegal activity related to this project.
<b>Comments Received from Leisa Cosentino by Email</b>	
<b>69-1</b>	Please refer to Chapter 2, <i>Project Description</i> , and Section 3.9, <i>Land Use and Planning</i> , for a discussion on zoning under the project. Please refer to Section 3.11, <i>Transportation and Traffic</i> , which analyzes the Project's impact on traffic and Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor impacts.
<b>Comments Received from Leo Elovitz by Email</b>	
<b>70-1</b>	Thank you for your comment. Water availability and water use impacts as a result of the project are addressed in Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.13, <i>Utilities and Energy Conservation</i> .
<b>70-2</b>	Please refer to Section 3.12, <i>Transportation and Traffic</i> , for impacts concerning traffic on public roads.
<b>70-3</b>	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor impacts. See Section 3.1, <i>Aesthetics and Visual Resources</i> , provides an analysis of the impacts from light pollution.
<b>70-4</b>	Please refer to Section 3.7, <i>Hazards and Hazardous Materials</i> , Section 3.8, <i>Hydrology and Water Resources</i> , and Section 3.4 <i>Biological Resources</i> , which address the Project impacts related to pesticides, rodenticides, and fertilizers.
<b>70-5</b>	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor impacts. Your comments will be considered by decision makers during the review process.
<b>Comments Received from Linda and Curtis Tunnell by Letter</b>	
<b>71-1</b>	Thank you for your comment. Please refer to Section 3.6, <i>Geology and Soils</i> and Section 3.7, <i>Hazards and Hazardous Materials</i> , which analyzes the potential for landslides, slope instability, erosion, and collapsible soils.

Table A-2. Responses to the NOP Comments

Comment #	Responses
71-2	Section 3.8, <i>Hydrology and Water Resources</i> and Section 3.13, <i>Utilities and Energy Conservation</i> , discuss the availability, and demand of water related to the project. In addition, Section 3.8, <i>Hydrology and Water Resources</i> , discusses stormwater flow and the related hazards.
71-3	Please see Section 3.12, <i>Transportation and Traffic</i> , for an analysis of the project impacts to traffic.
71-4	Section 3.11, <i>Public Services</i> , discusses fire services and the projects impact on the county's ability to respond to fire emergencies.
71-5	Thank you for your comment. This EIR was prepared in accordance with the rules and guidelines of CEQA. Please refer to Sections 3.4, <i>Biological Resources</i> , 3.8, <i>Hydrology and Water Resources</i> , and 3.6, <i>Geology and Soils</i> , which address resource impacts specifically in Tepusquet Canyon.
71-6	Please refer to Chapter 4, <i>Alternatives</i> , for a discussion of alternatives to the currently proposed project. Your comments will be considered by decision makers during the review process.
<b>Comments Received from Linda Muzinich by Letter</b>	
72-1	Thank you for your comments. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor impacts.
72-2	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor impacts. Section 3.12, <i>Transportation and Traffic</i> , for an analysis of the project impacts on traffic and Section 3.11, <i>Public Services</i> , for an analysis of the county's ability to respond to unpermitted or illegal activity related to this project.
72-3	Please see Section 3.11, <i>Public Services</i> , for an analysis of the county's ability to respond to unpermitted or illegal activity related to this project.
72-4	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
72-5	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
72-6	Please see Section 3.11, <i>Public Services</i> , for an analysis of the county's ability to respond to unpermitted or illegal activity related to this project.
72-7	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Linda Price by Email</b>	
73-1	Thank you for your comments. Chapter 2, <i>Project Description</i> , addresses required buffers under the project. Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor impacts. Your additional comments, while not directly pertaining to the analysis conducted as part of the EIR, will be considered by decision makers in the review process.
<b>Comments Received from Lisa Overstreet by Email</b>	

**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
<b>74-1</b>	Thank you for your comment. Please refer to Chapter 2, <i>Project Description</i> , which addresses proposed buffer setbacks under the Project. Your comments will be considered by decision makers during the review process.
<b>Comments Received from Marc Cosentino</b>	
<b>75-1</b>	Thank you for your comments. Please refer to Chapter 2, <i>Project Description</i> , which addresses proposed buffer setbacks under the Project. Refer also to Section 3.9, <i>Land Use and Planning</i> , which addresses impacts associated with land use compatibility.
<b>Comments Received from Marsha Messmore by Email</b>	
<b>76-1</b>	Thank you for your comments. Chapter 2, <i>Project Description</i> , describes zones where cannabis operations would be considered and proposed setback requirements. See also Chapter 4, <i>Alternatives Analysis</i> , which includes discussion of alternatives which consider revised eligible zone districts.
<b>Comments Received from McCloskey Nursery by Email</b>	
<b>77-1</b>	Thank you for your comment. This comment does not directly pertain to the analysis conducted as part the EIR. However, Section 3.2, <i>Agricultural Resources</i> , and Section 3.9, <i>Land Use and Planning</i> , provide discussion of compatibility of the Project with regard to agricultural resources, agricultural zoned lands, and compatibility with such lands and surrounding non-agricultural zoned lands. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Meg Mori by Email</b>	
<b>78-1</b>	Thank you for your comments. Please refer to Chapter 2, <i>Project Description</i> , and Section 3.9, <i>Land Use and Planning</i> , for a discussion on zoning under the project.
<b>78-2</b>	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis.
<b>78-3</b>	In accordance with the 2017 CEQA Statutes and Guidelines, the analysis contained within this EIR is intended to provide a complete analysis of the reasonably potential environmental impacts associated with implementation of the proposed project. As part of this analysis, project impacts to biological resources has been analyzed in Section 3.4, <i>Biological Resources</i> .
<b>Comments Received from Merilly Peebles by Email</b>	
<b>79-1</b>	Thank you for your comments. Please refer to Chapter 2, <i>Project Description</i> , addresses and describes the proposed permitting requirements for cannabis land uses by eligible zone, as well as includes discussion of cannabis activities as they relate to traditional agricultural practices and processes permitted within the County. For impacts resulting from the potential permitting of volatile manufacturing activities on agricultural zoned lands, please refer to Section 3.9, <i>Land Use and Planning</i> , which addresses potential land use compatibility conflicts from allowance of cannabis activities within eligible zones.
<b>Comments Received from Michael Holiday by Email</b>	
<b>80-1</b>	Thank you for your comments. Impacts associated with permitting of cannabis activities on eligible zone districts and potential for land use incompatibility are analyzed in Section 3.9, <i>Land Use and Planning</i> .

Table A-2. Responses to the NOP Comments

Comment #	Responses
<b>Comments Received from Michael Palmer by Email</b>	
81-1	Thank you for your comments. Please refer to Chapter 2, <i>Project Description</i> , addresses and describes the proposed permitting requirements for cannabis land uses by eligible zone, as well as includes discussion of cannabis activities as they relate to traditional agricultural practices and processes permitted within the County. The proposed project currently considers allowance for volatile manufacturing and distribution in AG-1 and AG-II zones.
81-2	Thank you for your comments. As described in Chapter 2, <i>Project Description</i> , the proposed project currently proposes the allowance of distribution licenses on AG-I and AG-II zoned lands.
81-3	Thank you for your comments. As described in Chapter 2, <i>Project Description</i> , the proposed project does not currently propose the allowance of testing licenses in AG-I and AG-II zoned lands. However, your comments will be considered by decision makers in the review process of the proposed Project.
81-4	Thank you for your comments. As described in Chapter 2, <i>Project Description</i> , the proposed Project currently proposes the allowance of volatile manufacturing licenses on AG-I and AG-II zoned lands.
<b>Comments Received from Mollie Culver by Email</b>	
82-1	Thank you for your comment. Please refer to Section 3.2, <i>Agricultural Resources</i> , and Section 3.9, <i>Land Use and Planning</i> , for discussion and analysis of cannabis as it relates to the County's Right-to-Farm Ordinance and typical agricultural practices.
82-2	Thank you for your comments. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
82-3	Thank you for your comments. Inclusion and requirement for best management practices that may have the effect of reducing impacts of the Project will be considered in this EIR, as well as considered by decision makers in the review process of the proposed Project. Applicability of these practices, as well as comparative analysis of cannabis to other agricultural crops is provided in Section 3.2, <i>Agricultural Resources</i> .
82-4	Discussion of unlicensed or "black market" cannabis operations currently occurring within the County is provided in Chapter 2, <i>Project Description</i> , and Chapter 3, <i>Environmental Impact Analysis</i> . Analysis of impacts associated with such operations is provided in Chapter 5, <i>Other CEQA</i> , under discussion of secondary impacts of the proposed Project.
82-5	As described in Chapter 2, <i>Project Description</i> , the proposed Project currently proposes the allowance of volatile manufacturing licenses on AG-I and AG-II zoned lands.
82-6	As described in Chapter 2, <i>Project Description</i> , the proposed Project currently proposes the allowance of distribution licenses on AG-I and AG-II zoned lands.
82-7	While not considered under the proposed Project, consideration of allowance of retail licenses on AG-I and AG-II zoned lands within the County is provided in Chapter 4, <i>Alternatives Analysis</i> .
<b>Comments Received from the Native American Heritage Commission by Email</b>	



**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
<b>83-1</b>	Thank you for your comments. This EIR has been prepared in accordance with the 2017 CEQA Statutes and Guidelines. Analysis of cultural and tribal cultural resources has been conducted in conformance with the requirements of CEQA and is provided in Section 3.5, <i>Cultural Resources</i> .
<b>Comments Received from Patricia Hansen by Email</b>	
<b>84-1</b>	Thank you for your comment. Discussion of impacts associated with polluted runoff from cannabis operations is provided in Section 3.8, <i>Hydrology and Water Resources</i> .
<b>84-2</b>	Discussion of impacts associated with vulnerability to and threat by wildfires and other natural hazards is provided in Section 3.7, <i>Hazards and Hazardous Resources</i> . Section 3.12, <i>Transportation and Traffic</i> , includes discussion and analysis of impacts associated with changes in traffic patterns, as well as changes in the safety of roadways, particularly in rural areas of the County. Section 3.10, <i>Noise</i> , addresses impacts associated with increases in the noise environment, both from construction and operational stationary or mobile noise sources.
<b>84-3</b>	Please refer to Section 3.6, <i>Geology and Soils</i> , which analyzes the potential for grading of slopes and subsequent potential for landslides, slope instability, erosion, and collapsible soils.
<b>Comments Received from Patricia Hemni by Email</b>	
<b>85-1</b>	Thank you for your comments. As described in Chapter 2, <i>Project Description</i> , the proposed Project does not currently propose the allowance of testing licenses in AG-I and AG-II zoned lands. However, your comments will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Patricia Kohlen by Email</b>	
<b>86-1</b>	Thank you for your comment. Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , includes discussion and analysis of potential impacts associated with cannabis odors. Section 3.8, <i>Hydrology and Water Resources</i> , includes discussion of impacts to water resources, including groundwater supplies while Section 3.13, <i>Utilities and Energy Conservation</i> , addresses the Project's potential impact on increased demand for water and the availability of water supplies. Section 3.12, <i>Transportation and Traffic</i> , discuss and analyze the Project's potential to result in impacts from changes in traffic and the transportation network.
<b>Comments Received from Patricia Ruben by Email</b>	
<b>87-1</b>	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis.
<b>Comments Received from Peggy Zachariou by Email</b>	
<b>88-1</b>	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis. Section 3.1, <i>Aesthetics and Visual Resources</i> , includes discussion and analysis of impacts associated with lighting from cannabis operations. Section 3.11, <i>Public Services</i> , provides discussion and analysis of impacts associated with security and demand for law enforcement services. Section 3.9, <i>Land Use and Planning</i> , addresses impacts resulting from potential incompatibility of cannabis operations with surrounding land uses.

Table A-2. Responses to the NOP Comments

Comment #	Responses
88-2	Chapter 2, <i>Project Description</i> , addresses required buffers under the Project. Your comments will be considered by decision makers during the review process.
<b>Comments Received from Tony and Rachel Amundsen by Email</b>	
89-1	Thank you for your comments. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Randy Jones by Email</b>	
90-1	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis.
<b>Comments Received from Riva and Kevin McLernon by Email</b>	
91-1	Thank you for your comments. Project related setbacks and buffers are discussed in Chapter 2, <i>Project Description</i> . Section 3.11, <i>Public Services</i> , addresses impacts associated with safety of the public and law enforcement services. Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts associated with air quality and pollution, as well as odors from cannabis. Section 3.1, <i>Aesthetics and Visual Resources</i> , addresses impacts resulting from new light sources generated by cannabis operations.
91-2	Thank you for your comments. This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Robert Lilley by Email</b>	
92-1	Thank you for your comments. Chapter 2, <i>Project Description</i> , addresses required buffers under the Project and Section 3.9, <i>Land Use and Planning</i> , addresses land use impacts, compatibility, and concerns related to the Project.
<b>Comments Received from Roxanne Lapidus by Email</b>	
93-1	Thank you for your comment. A discussion of cannabis as it relates to the compatibility with Williamson Act lands and the County's Right-to-Farm Ordinance is provided in Section 3.2, <i>Agricultural Resources</i> . In addition, Chapter 4, <i>Alternatives Analysis</i> , includes consideration and analysis of a Williamson Act Preclusion Alternative, which would preclude cannabis from Williamson Act provisions.
93-2	Please refer to Chapter 2, <i>Project Description</i> , which addresses proposed buffer setbacks under the Project. Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts associated with air quality and pollution, as well as odors from cannabis.
93-3	This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
93-4	For discussion of impacts associated with cannabis water demands and availability of current and future water supplies, please refer to Section 3.13, <i>Utilities and Energy Conservation</i> .
93-5	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts odors from cannabis while Section 3.9, <i>Land Use and Planning</i> , addresses impacts

**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
	associated with eligible zoning and compatibility with surrounding land uses. Section 3.1, <i>Aesthetics and Visual Resources</i> , addresses impacts resulting from new light sources generated by cannabis operations.
<b>93-6</b>	Section 3.11, <i>Public Services</i> , addresses impacts associated with the demand for law enforcement and fire protection services that may result from implementation of the Project.
<b>93-7</b>	Section 3.13, <i>Utilities and Energy Conservation</i> , provides discussion of both Project-specific and cumulative impacts associated with potential increases in demand for water and the current and future availability of water supplies.
<b>Comments Received from Russell R. Ruiz by Email</b>	
<b>94-1</b>	Thank you for your comments. Discussion of cannabis as it relates to agriculture and County policies and programs designed to protect agricultural resources is provided in Section 3.2, <i>Agricultural Resources</i> .
<b>94-2</b>	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts odors from cannabis while Section 3.9, <i>Land Use and Planning</i> , addresses impacts associated with eligible zoning and compatibility with surrounding land uses.
<b>94-3</b>	Section 3.13, <i>Utilities and Energy Conservation</i> , addresses impacts associated with impacts associated with cannabis water demands and availability of current and future water supplies.
<b>94-4</b>	Thank you for your comment. Chapter 3, <i>Environmental Impact Analysis</i> , provides detailed discussion of assumptions that have been used to inform the analysis contained within this EIR while Chapter 2, <i>Project Description</i> , outlines existing environmental baseline to which the Project has been compared.
<b>94-5</b>	This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Sandy Mezzio by Email</b>	
<b>95-1</b>	Thank you for your comment. Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts odors from cannabis.
<b>Comments Received from Santa Barbara Channelkeeper by Email</b>	
<b>96-1</b>	Thank you for your comment. Impacts associated with runoff from cannabis operations which may result in adverse effects to water quality and hydrology are addressed in Section 3.8, <i>Hydrology and Water Resources</i> .
<b>96-2</b>	Section 3.8, <i>Hydrology and Water Resources</i> , includes discussion of impacts to water resources, including groundwater supplies while Section 3.13, <i>Utilities and Energy Conservation</i> , addresses the Project's potential impact on increased demand for water and the availability of water supplies. As such impacts related to species and habitat, discussion is provided in Section 3.4, <i>Biological Resources</i> .
<b>96-3</b>	Where development standards, best management practices, or additional measures are required to reduce impacts on the environment from increases in water demands and runoff, mitigation has been considered and incorporated into appropriate sections of this EIR.
<b>Comments Received from Sara Rotman by Email</b>	

Table A-2. Responses to the NOP Comments

Comment #	Responses
97-1	Thank you for your comment. Comparative analysis of water demands of cannabis and most common agricultural crops grown in the County is provided in Section 3.13, <i>Utilities and Energy Conservation</i> , to help inform the analysis of potential impacts of the Project on water demand.
97-2	To the extent relevant, comparative analysis of the impacts associated with runoff and waste generated by cannabis and other agricultural crops is provided in Section 3.8, <i>Hydrology and Water Quality</i> .
97-3	Comparative analysis of cannabis to other agricultural crops grown within the County is provided in Section 3.2, <i>Agricultural Resources</i> . However, comprehensive analysis of the impacts of each crop is not considered within the scope of this EIR.
<b>Comments Received from Santa Barbara Air Pollution Control District by Email</b>	
98-1	Thank you for your comment. Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts odors from cannabis and measures included as part of the general development standards of the Project which would serve to reduce odor-related impacts associated with the Project. Included in this discussion is consideration of applicable Air Pollution Control District standards for addressing and mitigating impacts from odors.
98-2	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts associated with construction and operational stationary and mobile source emissions. Where necessary, mitigation measures consistency with Air Pollution Control District standards have been required to reduce Project impacts to air quality.
98-3	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts associated with construction and operational stationary and mobile source emissions. Where necessary, mitigation measures consistency with Air Pollution Control District standards have been required to reduce Project impacts to air quality.
98-4	Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , addresses impacts associated with construction and operational stationary and mobile source emissions. Where necessary, mitigation measures consistency with Air Pollution Control District standards have been required to reduce Project impacts to air quality.
<b>Comments Received from Sheryl Robinson by Letter</b>	
99-1	Thank you for your comments. These comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
99-2	Thank you for your comment. Section 3.9, <i>Land Use and Planning</i> , addresses impacts associated with eligible zoning and compatibility with surrounding land uses.
<b>Comments Received from Susan Murphy by Email</b>	
100-1	Thank you for your comments. These comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
100-2	Chapter 2, <i>Project Description</i> , describes zones which are eligible for permitting of cannabis activities under the proposed Project. For land use and zoning concerns please refer to Section 3.9. <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .

**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
<b>100-3</b>	Please refer to Chapter 2, <i>Project Description</i> , which addresses proposed buffer setbacks under the Project. Your comments will be considered by decision makers during the review process.
<b>100-4</b>	Thank you for your comment. For land use and zoning concerns please refer to Section 3.9. <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
<b>100-5</b>	Chapter 2, <i>Project Description</i> , describes zones which are eligible for permitting of cannabis activities under the proposed Project. For land use and zoning concerns please refer to Section 3.9. <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
<b>100-6</b>	This EIR considers and analyzes the environmental effects of the proposed Project. Where applicable, comparative analysis of the effects of cannabis in various states and cities is provided.
<b>100-7</b>	Thank you for your comment. For land use and zoning concerns please refer to Section 3.9. <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> . Impacts of the Project on farmland and agricultural resources is provided in Section 3.2, <i>Agricultural Resources</i> .
<b>Comments Received from Thomas and Charmaine Rogers by Email</b>	
<b>101-1</b>	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis.
<b>101-2</b>	Please refer to Chapter 2, <i>Project Description</i> , which addresses proposed buffer setbacks under the Project. Since the EIR does not evaluate economic impacts, only environmental impacts, the decision makers will review comments related to the Project merits and economics.
<b>101-3</b>	Thank you for your comments. These comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from Tim Mossholder by Email</b>	
<b>102-1</b>	Thank you for your comments. Impacts related to additional security measures and demand for law enforcement services related to cannabis are discussed in Section 3.11, <i>Public Services</i> . For land use and zoning concerns please refer to Section 3.9. <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
<b>102-2</b>	Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis.
<b>Comments Received from Todd and Rosa Booth by Email</b>	
<b>103-1</b>	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis.
<b>Comments Received from Tom and Denise Peterson by Email</b>	
<b>104-1</b>	Thank you for your comments. For detailed discussion of the cannabis Licensing Program and permit review process, refer to Chapter 2, <i>Project Description</i> .
<b>104-2</b>	This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.

Table A-2. Responses to the NOP Comments

Comment #	Responses
104-3	Section 3.7, <i>Hazards and Hazardous Materials</i> , addresses impacts associated with hazardous wastes, contamination, and release of hazardous materials into the environment.
104-4	Section 3.8, <i>Hydrology and Water Resources</i> , addresses potential impacts to water quality, runoff, flood and drainage, and groundwater recharge related to the Project.
104-5	Section 3.8, <i>Hydrology and Water Resources</i> , addresses potential impacts to water quality, runoff, flood and drainage, and groundwater recharge related to the Project.
104-6	Refer to Section 3.13, <i>Utilities and Energy Conservation</i> , for discussion of supply and demand for utility services which include electricity and water supplies and services.
104-7	Please refer to Section 3.10, <i>Noise</i> and Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which address your noise and air pollution concerns related to the use of portable diesel and gasoline generators.
104-8	Impacts related to additional security measures and demand for law enforcement services related to cannabis are discussed in Section 3.11, <i>Public Services</i> . Impacts associated with lack of or demand for wastewater services, including installation of Onsite Wastewater Treatment Systems, are analyzed in Section 3.13, <i>Utilities and Energy Conservation</i> .
104-9	Regarding impacts from employee traffic and truck trips, Section 3.12, <i>Transportation and Traffic</i> , describes the Project's potential to result in changes in the transportation environment from the permitting of cannabis uses in eligible zone districts.
104-10	Please refer to Section 3.4, <i>Biological Resources</i> , which addresses impacts associated with the potential clearing and removal of trees, as well as impacts to other important biological resources.
104-11	Please refer to Section 3.4, <i>Biological Resources</i> , with addresses impacts to sensitive biological resources, including special status plant or wildlife species.
<b>Comments Received from Unknown Letter</b>	
105-1	Thank you for your comment. For land use and zoning concerns please refer to Section 3.9, <i>Land Use and Planning</i> and Chapter 2, <i>Project Description</i> .
105-2	This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
105-3	Refer to Section 3.11, <i>Public Services</i> , which discusses impacts associated with public safety and effects on law enforcement services.
<b>Comments Received from Valerie Bentz</b>	
106-1	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis.
106-2	Thank you for your comment. For discussion of impacts related to zoning and land use compatibility, see Section 3.9, <i>Land Use and Planning</i> .
<b>Comments Received from Vicky Lorelli by Email</b>	
107-1	Thank you for your comment. Please refer to Section 3.3, <i>Air Quality and Greenhouse Gas Emissions</i> , which addresses odor issues related to cannabis. For discussion of

**Table A-2. Responses to the NOP Comments**

<b>Comment #</b>	<b>Responses</b>
	impacts related to zoning and land use compatibility, see Section 3.9, <i>Land Use and Planning</i> .
<b>107-2</b>	This comment does not directly pertain to the analysis conducted as part the EIR. Your comment will be considered by decision makers in the review process of the proposed Project.
<b>Comments Received from William T. Potts by Email</b>	
<b>108-1</b>	Thank you for your comments. Refer to Section 3.13, <i>Utilities and Energy Conservation</i> , for discussion of supply and demand for utility services which include electricity and water supplies and services. Refer to Section 3.11, <i>Public Services</i> , which discusses impacts associated with public safety and effects on law enforcement services. For discussion of impacts related to zoning and land use compatibility, see Section 3.9, <i>Land Use and Planning</i> .

## Cruz, Patrick

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**From:** adrianlar@gmail.com  
**Sent:** Thursday, July 20, 2017 1:42 PM  
**To:** Metzger, Jessica  
**Subject:** Re: recreational marijuana grow license

Jessica,

1-1 It was nice speaking with you today. I would like to ask that you allow AG-1 parcels of 20 acres to receive a microbusiness, Type-1, Type-2 or Type-3 license. We are large enough and located in a rural area, that we would not cause any disturbance to our neighbors.

Thanks,  
Adrian

On Thu, Jul 20, 2017 at 8:08 AM, Metzger, Jessica <[jmetzger@co.santa-barbara.ca.us](mailto:jmetzger@co.santa-barbara.ca.us)> wrote:

> Adrian,  
> No license are are being issued at this time. Please review these websites and sign up for our email list. After reviewing them if you have additional questions feel free to call me.  
> <http://www.countyofsb.org/cannabis-committee.sbc>  
> <http://longrange.sbcountyplanning.org/programs/Cannabis/cannabis.php>

>  
> Cheers,

>  
> Jessica Metzger, AICP  
> Senior Planner  
> Long Range Planning - County of Santa Barbara  
> 123 East Anapamu Street  
> Santa Barbara, CA 93101  
> p: 805-568-3532

>  
>  
>  
> -----Original Message-----  
> From: [adrianlar@gmail.com](mailto:adrianlar@gmail.com) [<mailto:adrianlar@gmail.com>]  
> Sent: Wednesday, July 19, 2017 6:59 PM  
> To: Metzger, Jessica  
> Subject: recreational marijuana grow license

>  
> I am interested in applying for a recreational/commercial grow license in the unincorporated part of Santa Barbara County. We have 20 acres in the city of Goleta and the unincorporated part of Santa Barbara County. What is the current process and whom do I speak with?

>  
> Thanks,  
> Adrian  
> 805-455-5836



**Metzger, Jessica**

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**From:** Alison Matri [alison8261@gmail.com]  
**Sent:** Thursday, August 10, 2017 5:13 PM  
**To:** Cannabis Info  
**Subject:** Cannabis Cultivation

Dear Supervisors

RE: Proposed Cannabis Cultivation

2-1 | It is understood that our two North County supervisors have now been hidden away working as an ad-hoc committee on the cannabis grow plan for over 6 months. This is illegal and must be disbanded immediately. The Brown Act requires that all five supervisors be directly involved and with full public disclosure.

Alison Matri  
5002 Oak Ridge Rd  
Santa Barbara, CA 93111

## Metzger, Jessica

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**From:** Alison Matri [alison8261@gmail.com]  
**Sent:** Friday, August 11, 2017 10:47 AM  
**To:** Cannabis Info  
**Subject:** Cannabis Cultivation

Dear Supervisors

RE: Proposed Cannabis Cultivation: Warnings

- 3-1 | Please be aware that SB County communities will be paying an extremely high price both health wise and financially if the commercial cultivation of cannabis is permitted and especially if within one mile of residential areas, schools, and wherever people congregate such as for sporting events.
- 3-2 | Cannabis requires huge amounts of fertilizer the run off of which will poison and deplete our water tables and kill our plant life.
- 3-3 | Grow house emissions are highly toxic not only to the environment but also to we humans, our pets and livestock.
- 3-4 | Due to the enormous demands upon our limited natural resources the eventual consequence of permitting cannabis grow operations will be the desertification of our beautiful SB county.

Help save our environment for future generations.

Alison Matri  
5002 Oak Ridge Rd  
Santa Barbara, CA 93111

## Metzger, Jessica

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**From:** Alison Matri [alison8261@gmail.com]  
**Sent:** Friday, August 11, 2017 1:38 PM  
**To:** Cannabis Info  
**Subject:** Land and other Issues

The big issue regarding the cannabis industry is the effect on our land. Its inherently high traffic will result in increased dust problems particularly so in our dry climate. Also the 24/7 need for grow house heat and light will affect our local climate in that our night sky

4-1 | will become more like that of dawn thus upsetting our ability to sleep. This could be harmful to our animal world especially birdlife.

4-2 | Air quality will be downgraded due to the toxicity of the grow house emissions.

4-3 | Biological issues such as run-offs from 'grows' will poison our plant life and water sources.

4-4 | Public safety will be affected particularly from the cash nature of the grow business.

4-5 | Surely allowing such an activity is inappropriate in mixed use zoning and Ag1 land.

Alison Matri  
5002 Oak Ridge Rd  
Santa Barbara, CA 93111

## Metzger, Jessica

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**From:** Allan Weil [alweil@cox.net]  
**Sent:** Friday, August 11, 2017 3:37 PM  
**To:** Williams, Das; Cannabis Info  
**Cc:** Metzger, Jessica; Leyva, Petra  
**Subject:** Obnoxious Cannabis Odors

I have been and still am deeply concerned with the continuous obnoxious Cannabis odors in our beautiful Carpinteria Valley.

5-1 The smell is especially strong along Casitas Pass Rd near the Casitas Pass/ Foothill Rd. junction area, eastward and westward.

Also, the smell is very strong along Foothill Road from Linden and in front of and behind the Carpinteria High School area.

What can be done to mitigate this foul odor? I am embarrassed when friends, relatives and acquaintances come to visit. This affects our area, businesses, real estate and representation of being a small beach town "paradise!"

5-2 The impact of Cannabis will only add to the existing hazards of driving under the influence of alcohol and/or driving while using a smart phone.

Now driving under the influence of Cannabis has no reliable test or penalty!

5-3 Increasing unwanted and invasive nightly light pollution in these same areas are another intrusion into our Carpinteria way of living.

I am personally exposed to the recent explosion of building new greenhouses, many of the makeshift variety, with recent added lighting.

5-4 With the increase amount of cash and cash transactions being dumped into our area, it is only a matter of time before the criminal element and the influence of money on city, county government and the public becomes a major problem.

I am strongly encouraging your continued attention to these vitally important issues for all of Carpinteria Valley.

Al Weil  
7165 Shepard Mesa Rd.  
Carpinteria, CA 93013

805-453-8815

Dear Ms. Metzger,

We are residents of Blazing Saddle Drive in the Tepusquet Canyon. We have the following concerns about the Environmental Impact of Cannabis farming in Santa Barbara County and specific concerns regarding Tepusquet Canyon, especially in light of the recent Alamo fire and the vulnerabilities it illustrated regarding our specific area.

Tepusquet Canyon is a unique ecosystem, and one that is specifically unable to support this kind of agriculture. Allowing cannabis farming in our community and environment would cause considerable damage to the wildlife, protected ancient oak woodlands, and to the well-being of the long term residents, their families, and their homesteads.

Many of these negative impacts are already being experienced recently due to cannabis growers' recent land acquisition, excavation, construction, well digging, and other preparation of the area for growth, as well as existing unpermitted, illegal operations currently active in the canyon.

This community, much of which intimately knows and has helped manage this delicate ecosystem over decades and generations, is unanimously opposed to the development of this business in our canyon and mountains. We intend to challenge this development with our voices, our resources, and our votes.

PLEASE CONSIDER:

- 6-1 | 1. The impact of a high-water use crop like Cannabis on Oak Woodlands. For example, Tepusquet Canyon and mountains have a significant and unique but struggling population of Valley Blue, (both old growth and young) that depend on significant groundwater availability, have already suffered a record drought, and now the Alamo Fire. The woodlands also include Live Oaks.
- 6-2 | 2. The impact on wildlife of pesticides, rodenticides, fungicides and fertilizers that are often used in cannabis farming due to its vulnerability to many pests and animals and the need for heavy amendments to nitrogen-poor soil.
- 6-3 | 3. Also consider the likely unpermitted poaching and thinning of the animal population such as deer which love to graze on this crop.
- 6-4 | 4. The impact of clearing oak woodlands and chapparal in the cannabis farmer's preferred locations of remote, mountainous areas for growing areas and paths through the Oak woodlands. The mountainous landscape is already vulnerable to erosion due to fire and loss of vegetation. It is not able to handle the grading and further destruction of slope stabilizing plant life.
- 6-5 | 5. The impact of runoff from the use of herbicides and pesticides, from mountain creeks into Tepusquet Creek, leading to the Santa Maria river. These chemicals also impact the red tail hawks and turkey vultures who may feed on poisoned rodents and impact their population.
- 6-6 | 6. Tepusquet Canyon is on a separate water table from Santa Maria and does not have enough water to support this crop. Residents have documented regular transport of water from Santa Maria to the canyon and mountains, which is a violation of CEQA.
- 6-7 | 7. The impact on wildlife of reduced habitat and the disruption of migratory wildlife corridors necessary for the conservation of habitat.
- 6-8 | 8. The aesthetic impacts on areas historically considered scenic corridors.
- 6-9 | 9. The increased commercial traffic on the single-lane road that takes residents in and out of the area and the danger to the lives of the residents in the event of fire and flood evacuation. Please reference the Berkeley Hills After Action Fire Report for important learnings of such industrial impacts on loss of life and property in remote limited-access communities.
- 6-10 | 10. The remote distance of Tepusquet Canyon from police services and protection from criminal activity associated with a crop that is forbidden by federal law.

- 6-11 | 11. Light trespass and light pollution from security-related and cultivation-related lighting and its impact on neighbors and the circadian rhythms of animals and trees.
- 6-12 | 12. The inability for the county to regulate this crop when placed in remote and hidden areas such as Tepusquet.
- 6-13 | 13. The use of Portable diesel and gasoline generators, its noise pollution and its impact on local air quality impacts and associated high emissions (PM10, PM2.5 and other criteria pollutants).
- 6-14 | 14. The possibility of wine taint when nearby cannabis plants and the accompanying odors affect the long-time winery's crops and interfere with their use of the land.
- 6-15 | 15. Please also consider that owners of properties nearby cannabis farmers can sue these farmers as racketeering enterprises that injure the plaintiff's use of business of property under the federal Racketeer-Influenced and Corrupt Organization Act. As Cannabis farming is a felony under federal law, it qualifies as racketeering activity. This has been established by the US Court of Appeals for the 10th Circuit in Safe Streets Alliance v Alternative Holistic Healing, LLC.

Thank you for your consideration.

Sincerely,

Alyssa and Barak Moffitt

August 11, 2017

TO: Jessica Metzger  
Project Manager, Planning and Development

FROM: Andrew Hazi  
[haziand@aol.com](mailto:haziand@aol.com)  
805-680-9461

SUBJECT: Preparation of the EIR for the Cannabis Land Use Ordinance and  
Licensing Program

The purpose of this email is to provide our input/comments on the scope and content of the environmental information to be included in the EIR.

We have lived in Tepusquet Canyon for over 43 years and have seen the changes brought on by the growth of the Santa Maria area during that time. We have serious concerns about the potential environmental impact of existing and future commercial cannabis operations in Tepusquet canyon (unincorporated area of the County). Our concerns include: (1) adverse impact on the local aquifer and the water supplies for local residents and (2) adverse environmental impact due to air, water and noise pollution.

(1) One of the important environmental issues to be included in the EIR is the impact of commercial cannabis operations on local water supplies. According to a survey of growers by the Mendocino Cannabis Policy Council, one plant uses about 480 gal of water during the growing season. On the other hand, a report by the CA Department of Fish and Wildlife estimated that in Mendocino and Humboldt Counties, a single cannabis plant uses about 900 gal of water per season. Using these numbers as bounds, one can estimate that one acre of land with 400 plants, which would produce about 800 lbs of cannabis, requires between 190,000 and 360,000 gallons of water. Commercial cultivation on a large scale (100's of acres) in Tepusquet would place a significant new demand on the local water supply. A large fraction of the water supply in the area is "geologic" water, i.e., it is not replenished on a short time-scale by the annual rainfall. When this water is used up, it is GONE for generations! Based on our own experience, there has already been a noticeable decrease in the water table in Tepusquet Canyon since the 1970's, due to the widespread planting and cultivation of wine grapes on the Santa Maria Mesa and increased residential use in the canyon.

At the recent meeting held in Santa Maria to gather public input to the preparation of the EIR, Bruce Watkins submitted a detailed report on the Sub-surface Geology and Aquifer Analysis of Upper Tepusquet Canyon. (Mr. Watkins manages the development of and operations on 410 acres of land – shown in Attachment C of the report – which is owned by Unified Investments, Inc, with a corporate address in Danville CA.) The following points should be noted about this report.

7-1  
Cont.

- (i) While the title of the report refers broadly to “Upper Tepusquet Canyon”, it’s primary focus is an area lying west of Tepusquet Road, and south of the ridge separating Tepusquet Canyon on the south and Buckhorn Canyon on the north. It does not address nearby areas lying east of Tepusquet Rd.
- (ii) While the report provides scientific evidence that the deep (200-500 ft) subterranean aquifer lying beneath the above-mentioned land is physically separated from the surface waters of Tepusquet Creek and the southerly portions of the canyon by the geologic formation in the area, it does not address the potential impact on the water supplies for adjacent properties (located off Blazing Saddle Rd.). Due to their close proximity, it is likely that the wells on some of these properties draw water from the same subterranean aquifer.
- (iii) Attachment E of the report analyzes the anticipated water use by the planned cannabis operations on the above-mentioned land and compares it to the amount of water estimated to exist in the subterranean aquifer. Based on this comparison, the lifetime of the aquifer is estimated about 10 years. A water supply that is expected to last a decade would hardly support a sustainable, water-use intensive, agricultural operation. Attachment E implies that this deep subterranean aquifer would be replenished by the annual rainfall, but the report provides no evidence or estimate of the replenishment rate, which would depend on the average annual rainfall, the size of the watershed that is potentially able to feed the aquifer based on the local geology, and the transport rates between the subsurface and the deep aquifer.
- (iv) With its specific focus on a particular area of upper Tepusquet Canyon, the report’ s conclusions do not apply broadly to the Tepusquet area, primarily because of the local variations in the underlying geological formations and in the depth of the water table below the surface. For example, there is a 49-acre parcel just east of the area discussed in the report, on the east side Tepusquet Road, where the headwaters and upper reaches of Tepusquet Creek are located. Currently, there are five wells (only 2 of them with permits) in operation on this parcel. One of the wells is apparently located in the creek bed. Water from these wells are used to support existing operations, and is also transported via trucks down the canyon to another parcel, where is no local water supply for the cannabis cultivation that has occurred for years.

7-2

(2) Other important environmental issues to be included in the EIR are the effects of air, water and noise pollution by commercial cannabis operations. It has been well documented that cannabis cultivation and processing in rural areas and forest lands often involve the discharge of pesticides, rodenticides, fertilizers and waste produced by operations into the soil and local waterways. This has a detrimental impact on the local environment including the native wildlife. In an area such as Tepusquet Canyon, which is on the rural-wildland interface, such contamination may constitute a health hazard to the local community and also to the wildlife. Hazardous material discharge into local waterways and the ground water is a



7-2  
Cont. | serious environmental concern. That is why wells located on land used for commercial agricultural operation in the Santa Maria basin are regularly tested for contaminants.

7-3 | Furthermore, many of the currently undeveloped parcels in the Tepusquet area, which could be developed for commercial cannabis cultivation, do not have electricity due to their remote locations relative to existing (PGE) power lines. Thus, such operations, which require power-intensive water pumping/irrigation, would necessitate the use of large generators or solar power farms. The former would lead to excessive carbon emissions and noise pollution. There already are ongoing cannabis operations in Tepusquet Canyon, where neighboring property owners have complained about excessive noise pollution from large generators, as well as light pollution from operations conducted at night.

Submitted respectfully by:

Andrew Hazi  
P.O. Box 6161  
Santa Maria, CA 93456  
805-680-9461  
haziand@aol.com

## **Cruz, Patrick**

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**From:** Klemann, Daniel  
**Sent:** Monday, July 24, 2017 8:26 AM  
**To:** 'barbk77@cox.net'  
**Cc:** Metzger, Jessica; Fogg, Mindy; Black, Dianne; Russell, Glenn; Bozanich, Dennis  
**Subject:** RE: CANNABIS QUESTION

Good Morning, Ms. Kloos:

Ms. Black and Dr. Russell forwarded your email (below) to me, in order to provide you with a response.

The Board of Supervisors (Board) formed an ad hoc committee, headed by Sup. Williams and Sup. Lavagnino, to advise the Board on cannabis regulations. Staff on the ad hoc committee (in coordination with the environmental consultants who are preparing the environmental impact report for this project) was primarily responsible for drafting the project description and other scoping documents for the environmental analysis of the ordinance amendments, based on the Board's input so far on this project.

With regard to the zones in which cannabis activities might be allowed (be it in the Eastern Goleta Valley or elsewhere in the unincorporated areas of the County), no decision has been made regarding where these activities will be allowed. The ad hoc committee drafted a project description that was purposefully broad (i.e., it included a number of zones in which cannabis activities may or may not be allowed) in order to provide the Board with as many policy options as possible. The Board has the discretion to determine in which zones (if any) it will allow cannabis activities. If the project description does not include a potential zone in which cannabis activities could be allowed, the Board cannot consider allowing the cannabis activities in that zone. Therefore, the project description includes a number of zones in which the Board may allow cannabis activities.

With regard to the Planning Commissions' input on the ordinance amendments, the Planning Commissions will have an opportunity to formally consider and advise the Board on what ordinance amendments should be adopted. Given the State's intention to start issuing State licenses for cannabis activities starting on January 1, 2018, we are trying to establish the County's local regulations in compliance with State law, as close as possible to that date. Currently, we are shooting for a Board hearing in February 2018. Due to this accelerated schedule, we did not have the luxury of developing the ordinances as part of a series of Planning Commission hearings, public workshops, etc., before initiating the environmental analysis for the project. However, we will be scheduling an informal update for the County Planning Commission on September 6, 2018, and intend to schedule the Montecito Planning Commission hearing in December 2017 and County Planning Commission hearing in January 2018, at which the Commissions will consider and provide a formal recommendation to the Board regarding the ordinance amendments and associated environmental document. In doing so, we will fulfill the regulatory requirements of CEQA and the Government Code, cited in your email below.

Finally, State law will prohibit cannabis activities located within 600 feet of a youth facility. Furthermore, the Board has the discretion to increase the 600 buffer from youth facilities, if it finds that there is a compelling reason to do so. This setback requirement—along with a number of other site-specific factors—will be considered when making a recommendation to the Board about where cannabis activities should be allowed. By no means should it be assumed that cannabis activities will be allowed in all of the zones identified in the environmental scoping documents; we expect the Board will limit where and under what conditions cannabis activities will be allowed.

If you have any other questions about this project, please give me a call at the number below to discuss them.

Best.

**Dan Klemann, Deputy Director**  
Long Range Planning Division

Santa Barbara County Planning and Development Department  
123 E. Anapamu Street  
Santa Barbara, CA 93101  
805.568.2072 | dkleemann@countyofsb.org

**From:** Barbk <[barbk77@cox.net](mailto:barbk77@cox.net)>

**Date:** July 20, 2017 at 10:21:39 PM PDT

**To:** Glenn Russell <[grussell@co.santa-barbara.ca.us](mailto:grussell@co.santa-barbara.ca.us)>, <[dianne@co.santa-barbara.ca.us](mailto:dianne@co.santa-barbara.ca.us)>

**Subject:** CANNABIS QUESTION

Hi Glenn and Dianne,

I've been attending and tracking the marijuana meetings to stay informed about the upcoming land use regulations that will take effect this year. I've read the *Scoping Document* and the *Land Use Ordinance* and am surprised at how much of the zoning in the Eastern Goleta Valley is set to include all phases of marijuana manufacturing and distribution/sales. It is staggering! I am wondering how this got so far without the public having an opportunity to weigh in, and what the process has been for deciding all this? Who is proposing this draft ordinance since neither the Planning Commission nor the Supervisors have seen it?

One glaring omission is that the Planning Commission seems to be omitted from giving guidance on this project. Is this true? If so, isn't this a departure of the normal process the County adheres to and the State law governing zoning (see below), as well as a violation of CEQA?

It appears that the Hollister corridor (between 154 and Magnolia Shopping Center) is slated to become the marijuana capitol for the County. There are numerous youth organizations in this area and I feel sure that it would be completely unacceptable for residents here to allow the cannabis industry to use our community for their gain. I don't understand how something so expansive that will negatively impact our community has evolved to this place without the public being more involved and the Planning Commission excluded from the process. Glenn, do you have the authority to make sure the PC is included **EARLY** in the process of the vetting of this project?

Thank you for your attention to this.

Kindly,

Barb Kloos

Eastern Goleta Valley

#### **TITLE 7. PLANNING AND LAND USE**

The planning commission shall hold a public hearing on the proposed zoning ordinance or amendment to a zoning ordinance. Notice of the hearing shall be given pursuant to Section 65090 and, if the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, notice shall also be given pursuant to Section 65091.

## Metzger, Jessica

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**From:** Barbk [barbk77@cox.net]  
**Sent:** Friday, August 11, 2017 10:25 AM  
**To:** Metzger, Jessica  
**Cc:** Wolf, Janet; Brown, Cecilia  
**Subject:** COMMENTS RE: CANNABIS ORDINANCES

### Comments on Scoping Document and Implementation of Cannabis Ordinances in County:

The ordinance process has been in progress since February, 2017. The public is just now becoming aware of the issues as there has been little, if any, notification sent to the residents of the County, and particularly, the Eastern Goleta Valley where I reside. The only noticing that has been sent out is to people who signed-up to be informed, which has been primarily, the cannabis community. This significant issue should have been communicated to everyone in the County so that all citizens would have an understanding of what is being proposed and have adequate time to respond. Why was it decided to not inform the residents of the communities that will be impacted?

Interestingly, this is an excerpt of an article that appears in the L.A. Times today: "Many residents and former city officials complain that they've had little input in drafting a marijuana ordinance that has undergone several revisions and amendments. They accuse city leaders of failing to address major questions about the costs and benefits of allowing commercial marijuana activities."

The Draft EIR was released 6 days prior to the public Scoping meeting. That is hardly enough time for the Supervisors to look it over, or for the public to review it and comment at the meeting. Looks suspicious.

9-1 The ad-hoc committee should be disbanded and the remainder of the process be carried out among all 5 Supervisors. This project is way too large scale to be conducted by only 2 Supervisors with deferred updates to the other Supervisors. There is no way for the public to know what is going on and it appears to be rather secretive. The public wants transparency and knowledge about what is being discussed and who attends the meetings. These kinds of private meetings breed distrust from the public. Additionally, Supervisor Wolf is not part of these proceedings and her district is the one that will potentially be the most impacted. This is highly unorthodox and needs to be corrected by coming under the Brown Act.

What are the Supervisors doing to learn from the expansion of the marijuana industry in Colorado? I have heard first-hand, read, and researched so much about the negative impacts to communities, neighborhoods, and businesses. Despite the frenzy to get cannabis into our communities, we cannot close our eyes to the bigger picture and the long-term effects it will have on our society. This is a game changer in many ways and I hope that revenue and ideology do not blind the County leaders in this process. As I've read and talked to pro-cannabis people, they seem hostile and aggressive with limited capacity to understand the bigger picture of how the community will be affected. Their main message is to ridicule and condemn people who want to act responsibly and reasonably about sensible placement and operation in our community.

The date set to finalize the ordinances, February 2018, is much too soon. The Planning Commission has spent YEARS working through land use issues, specifically the wine country in North County. They will have about 4 months to review the Cannabis ordinances and the EIR which is far too little time for an industry with huge impacts to the entire community and surrounding cities.

There is no driving urgency to finalize ordinances at break-neck speed. The State has given cities and counties wide latitude to take their time in implementing regulations, or banning cannabis altogether. We need to slow down and do smart planning. We need to start small and add more industry based businesses if needed, perhaps in 2-5 years. We need to see how the small steps impact our semi-rural community. The overall process to date has been reckless and deficient considering the scope of potential changes to our community.

Respectfully,  
Barbara Kloos  
Eastern Goleta Valley

**Metzger, Jessica**

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**From:** Barbara Widmer [blwidmer@gmail.com]  
**Sent:** Friday, August 11, 2017 10:26 AM  
**To:** Cannabis Info  
**Cc:** Wolf, Janet  
**Subject:** rezoning for pot

Jessica Metzger, Project Manager,

10-1 | I have just heard that there are efforts to rezone Lane Farms to be used for growing marijuana. Though I believe that marijuana should be legalized, it seems that there is a rush to allow marijuana fields within our community without properly informing the community, having open discussions and finding areas within the county that are appropriate.

10-2 | There evidently have been problems associated with the growing of pot in Camarillo including, but not limited to unsightly fences with razor wire, increase of petty crime nearby, people having to purchase the product with cash, and odor.

These issues must be openly considered prior to designating any farms, particularly those close or adjacent to neighborhoods, as eligible to grow marijuana.

Yours,

Barbara Widmer  
805-272-5498

JULY 30, 2017

GOOD AFTERNOON,  
JESSICA MELZER,  
PLANNING AND DEVELOPMENT.

IF YOU SMOKE MARIJUANA  
FOR 10 YEARS YOUR I. Q.  
WILL BE LOWERED BY 8 POINTS.

11-1 IT COST 50-60-DOLLARS  
FOR A 3<sup>g</sup> PACKAGE. YOU  
COULD SPEND 1,000-TO  
2,000.<sup>00</sup> A YEAR, SMOKING  
MARIJUANA.

I HAVE GIVEN A LECTURE  
ABOUT MARIJUANA, TO  
HIGH SCHOOL STUDENTS.

RESPECTFULLY,

Bob Brown,

R. PH.

PURDUE-'S,

## Cruz, Patrick

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**From:** Donna and Bob Jordan [bdjordan@cox.net]  
**Sent:** Sunday, August 06, 2017 10:56 AM  
**To:** Metzger, Jessica  
**Subject:** Cannabis Land Use Ordinance and Licensing Program

Jessica,

My wife and I live in the City of Carpinteria. This morning we woke up and smelled something foul in the air. It approximated the odor made by a skunk, but I've smelled enough of that odor to judge that it wasn't. The morning air was very still so there was little movement and the odor persisted.

12-1 I'm not opposed to cannabis as a crop, but I will become opposed unless effective steps can be taken to eliminate the odor problem. Why should a small population of people be permitted to foul the air breathed by all of us?

The greenhouse industry has gone high tech so they should be able to address this problem by employing hepa-filters to scrub exhaust air and perhaps processing their products in climate controlled clean rooms where odors can be removed. I'm not against them making a buck, but I'll draw the line when it creates a stink.

Bob Jordan  
1360 La Mesa Plaza  
Carpinteria, CA 93013  
684-0414



## Metzger, Jessica

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**From:** Bonnie Freeman [bonniegoleta@cox.net]  
**Sent:** Friday, August 11, 2017 3:34 PM  
**To:** Villalobos, David  
**Cc:** Metzger, Jessica  
**Subject:** Comments re MAUCRSA

Dear County and Montecito Planning Commissioners,

13-1 As a concerned community member and EGVPAC on the EGV Community Plan, I would like to say that i have many concerns re the proposed Cannabis Land Use Ordinance that I've finally had the opportunity to go through. While I appreciate the work gone into this project I have so many questions and concerns that I fear the average person will also find confusing if more public meetings are not planned (than what I see is already proposed) and since my computer crashed I cannot go into details on my cell just now.

But main areas of concern are some allowed uses in AG-1 properties, shopping centers, nearby schools, parks, public facilities, and many environmental impacts with noise, energy, lighting, etc for the EIR that need to be defined further and/or explained in small group meetings at times working community members could attend. This is a huge project and getting this short notice is problematic. Please do not leave this to just the upcoming PC or Montecito land use committees for explanation, it requires much more comprehension, and scrutiny.

Thank you for your consideration,  
Bonnie Freeman  
415 W Quinto St, SB 93105  
805/683-1878

Sent from my iPhone

## Cruz, Patrick

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**From:** Bonnie Muench [bonniemuenchart@gmail.com]  
**Sent:** Tuesday, August 08, 2017 8:01 AM  
**To:** Cannabis Info  
**Subject:** opposition permits to grow marijuana in neighborhoods

Attention: Jessica Metzger  
Project Manager  
SB County Planning Commission

Dear Jessica Metzger,

Our Sungate Ranch Community has been notified, regarding the proposed permitting of growing marijuana in our

surrounding neighborhoods. Besides Sungate Ranch, I would like to list all of the schools , etc., which can be located on

a large map, to best clarify effected areas to the commission. Please include: San Marcos High School, Hollister Elementary

14-1 School, El Camino Elementary School, Girls Inc, Salvation Army pre-school and after school care, Montessori future school

site, and The Episcopal Church. Our community of Sungate Ranch and some of the schools would share property lines

with pot-crops, if permitted. We propose the commission help us take care of our neighborhoods with all due respect to the

future generations of children in our Santa Barbara and Goleta environment. San Marcos Growers, Lane Farms and The

Orchard are just fine growing non polluting crops.

We are well aware, as you are, of all the negative forces the drug industry poses to our neighborhoods. No one wants pollution

of water and traffic or the criminal elements to further burden our police and hospitals. Our home values will plummet along

14-2 with the building of high fences, looking more like an industrial zone than a community. YES, not in my back yard. SB County

is a large area to seek out growing cannabis... not within an established community. The increase in tax revenue is just not

worth pollution of our homes, just as the decision was made not to pollute our ocean for gas and oil. Solutions between growers

of this recreational drug and the county need to be made in outback locations. Please do not succumb to the tax dollars proposed

by the mega marijuana growers industry. Be creative... there is a better way!

Thank you for your attention,

Bonnie Muench  
Sungate Ranch

## Metzger, Jessica

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**From:** Bonnie Muench [bonniemuenchart@gmail.com]  
**Sent:** Thursday, August 10, 2017 5:24 PM  
**To:** Cannabis Info  
**Subject:** No on cannabis permits along the Hollister Corridor

Attn: Jessica Metzger

Senior Planner  
Long Range Planning  
County of Santa Barbara  
123 East Anapumu St.  
Santa Barbara, CA 93101

Dear Jessica Metzger,

Please help to see that the committee of "2" ... holding secret and private meetings... will be stopped.

It's time to share information and ideas with the public (the people they work for). The plans being discussed

need to be public. The Hollister Corridor is in our county too... with communities, schools, organizations,

homes and businesses. For all concerned, time is overdue and now ideas on pot growing permits are

up for public input and review.

I encourage all of us, as citizens living and working in this most beautiful place, to do what we can to protect our

environment for the future of our children... just as we rallied to Save the Ocean. Are not the futures of our

children and grandchildren most important and not to be compromised for dollars and questionable revenue?

The news today informs us regarding the illegal influx of opioids on the market and certainly to affect prices

of man made pain (?) drugs. Why gamble investments by degrading communities on pot growers when there are

so many other solutions. Please do not overburden our police and hospital resources with the permitting of growing

cannabis in our midst.

Thank you for your time,

Bonnie Muench

From: Bruce Watkins <bwileywatkins@gmail.com>  
Sent: Friday, July 28, 2017 7:20 AM  
To: Metzger, Jessica  
Subject: Reports from Bruce Watkins; email 1 of 3  
Attachments: Geology and Aquifer Analysis Tepusquet Canyon.pdf

Jessica,

It was a pleasure meeting you last night, and thank you for providing me the proper email address to share this information with you. I had previously submitted this information to the email address "cannabisinfo@countyofsb.org"; and was surprised I had not received any acknowledgements.

16-1 I am sending you three emails this morning; this first one is the report on the local geology and subsurface aquifers of upper Tepusquet Canyon where our land is held. Another is in response to Tepusquet resident concerns expressed at the June 30 public hearing. The third is a presentation I had provided at an in-person meeting with Supervisor Lavagnino that I had with him on June 23. Due to the file sizes of these attachments, I'm sending this information as three separate emails.

I hope you will see from these that we are earnest in being strong, supportive members of the community. Please do not hesitate to contact me with questions, or let me know how I might assist the County now and in the future. With best regards,

Bruce Watkins  
bwileywatkins@gmail.com  
(m) 858.336.4324  
[www.linkedin.com/in/bwileywatkins](http://www.linkedin.com/in/bwileywatkins)

From: Bruce Watkins <bwileywatkins@gmail.com>  
Sent: Friday, July 28, 2017 7:24 AM  
To: Metzger, Jessica  
Subject: Reports from Bruce Watkins; email 2 of 3  
Attachments: 070717 Tepusquet Neighbor Concerns.pdf

Jessica,

In follow up to the email I just sent you, please find attached the second of three reports I had previously submitted to the email address "cannabisinfo@countyofsb.org".

The first email I just sent is the report on the local geology and subsurface aquifers of upper Tepusquet Canyon where our land is held. This report is in response to Tepusquet resident concerns expressed at the June 30 public hearing. The third and final email I will send you is a presentation I had provided at an in-person meeting with Supervisor Lavagnino that I had with him on June 23.

Again, due to the file sizes of these attachments, I'm sending this information as three separate emails. Thank you again for your consideration.

Bruce Watkins  
bwileywatkins@gmail.com  
(m) 858.336.4324  
[www.linkedin.com/in/bwileywatkins](http://www.linkedin.com/in/bwileywatkins)

From: Bruce Watkins <bwileywatkins@gmail.com>  
Sent: Friday, July 28, 2017 7:31 AM  
To: Metzger, Jessica  
Subject: Reports from Bruce Watkins; email 3 of 3  
Attachments: 062317 Intro Steve Lavagnino.pdf

Jessica,

In follow up to the two emails I just sent you, please find attached the final of three reports I had previously submitted.

This third and final email is a presentation I had provided at an in-person meeting with Supervisor Lavagnino that I had with him on June 23.

When you get a moment, please confirm with me that you received all three emails with their attachments from me so I'm not guessing whether these were received again.. :)

Thanks again for your consideration, and please do not hesitate to contact me if I may answer questions or be of further assistance.

Bruce Watkins  
bwileywatkins@gmail.com  
(m) 858.336.4324  
[www.linkedin.com/in/bwileywatkins](http://www.linkedin.com/in/bwileywatkins)



## **SUB-SURFACE GEOLOGY AND ACQUIFER ANALYSIS OF UPPER TEPUSQUET CANYON**

### **Synopsis:**

There is little scientific evidence to suggest cannabis cultivation in the higher altitudes of Tepusquet Canyon can meaningfully influence the water levels of Tepusquet creek or subterranean wells to the lower altitudes further south;

However

There is a strong body of scientific data to suggest deep wells into potential aquifers in the higher altitudes of Tepusquet are physically separated from Tepusquet Creek and the lower altitudes by the subterranean geology of the area. From this body of existing scientific data, it can be understood that the use of deep subterranean water wells for cannabis cultivation within California state cannabis regulations will not negatively impact water availability for Tepusquet residents.

Based on all of this scientific data, we applied for and drilled a permitted water well 500' into the bottom of the aquifer represented in attachment D (*syncline A2*), such that we tapped a clearly-identified, ten-year supply of water assuming no future rains over the next ten years - but that will predictably remain self-sustaining now and in the future assuming average annual rainfalls - and that is geologically isolated so it cannot flow north or south to impact water levels of Tepusquet Creek or other Tepusquet residents.

### **PREPARED FOR:**

**Ad Hoc Subcommittee Regarding Cannabis Operations  
in Unincorporated Santa Barbara County**

### **By:**

Bruce Watkins  
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**July 2017**

## **Sub-Surface Geology and Aquifer Analysis Upper Tepusquet Canyon**

### **A. Report Summary:**

Some residents of Tepusquet Canyon have expressed concern that deep wells drilled into properties located at the higher altitudes of Northern Tepusquet Canyon can deplete the waters of Tepusquet Creek, and water availability for residents along Tepusquet Road further to the south and at lower altitudes. While this may seem intuitive, the overwhelming body of scientific evidence and studies that have been performed in the area does not support this.

More specifically, this report and the attachments provided herewith overwhelmingly support that wells drilled into deep subterranean aquifers at the higher altitudes of northern Tepusquet cannot substantively impact the surface-level water of Tepusquet Creek, or any subterranean aquifers of residents at lower altitudes to the South. The waters of Tepusquet Creek are subject to depletion through evaporation and runoff to lower southern altitudes; not subterranean aquifer drilling. Where it relates to subterranean aquifers of residents further south, the documented geology of the region clearly shows potential aquifers at higher altitudes to the North are physically separated from potential aquifers at lower altitudes to the South by the documented geology of the area.

Over 2500 pages of research published between April 2015 and 1951 that specifically mention Tepusquet Canyon and Tepusquet Creek, were located and reviewed in the preparation of this report. Specific page numbers referencing Tepusquet are documented, and the publication name, publish dates, and authors are provided as Attachment A. Notably, although several deal with water flows, hydrology, sensitive species, precipitation and the geology of the Tepusquet area, there is no published science to support the assertion that drilling into northern Tepusquet aquifers effects the waters of Tepusquet Creek or aquifer levels further south on Tepusquet.

Conversely, a substantial body of scientific research exists from the US Geological Survey and nearby geologists that clearly show any potential subterranean aquifers run in a Northwest to Southeast direction that cross perpendicular to, not coincident with, the "North-South" surface topology of Tepusquet Creek. Moreover, at subterranean depths much below 20' where evaporation no longer occurs, it is not possible for these potential northern aquifers to re-supply Tepusquet creek at lower southern altitudes. The primary targeted aquifers exist at depths 200' to 500' below the surface, or deeper. A roughly parallel series of synclines and anticlines serves as a series of multiple physical geological barriers arranged from north to south that keeps aquifers at higher altitudes in the north from connecting water flow to potential aquifers at lower altitudes to the south along Tepusquet.

Finally, an analysis of one potential aquifer in the northern high altitudes of Tepusquet is paired with the water requirements of one intended cannabis cultivation submitted to the Santa Barbara County cannabis registry. This analysis supports that the geologically isolated aquifer can potentially support planned cultivation operations for ten years without replenishment by annual rainwater. There is little scientific evidence to suggest cannabis cultivation in the area can be a significant influence on the water levels of Tepusquet creek or subterranean water for Tepusquet residents.

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## Sub-Surface Geology and Aquifer Analysis Upper Tepusquet Canyon

### B. Review of Attachments:

#### **Attachment A: Existing Published Research on Tepusquet Creek and Canyon:**

Over 2500 pages of published data in nine separate publications published between April 2015 and 1951, and that specifically mention Tepusquet Canyon and Tepusquet Creek, have been located and reviewed. Specific page numbers referencing Tepusquet are documented, and the publication name, published dates, and authors are provided. Notably, although several deal with water flows, hydrology, sensitive species, precipitation and the geology of the Tepusquet area, not one analysis of the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow is discussed.

#### **Attachment B: Geologic Map of Tepusquet Canyon and Manzanita Mtn. Quadrangles, California**

Attachment B presents a detailed map by the US Geological Survey for Tepusquet Canyon, published 1964. On this map, Tepusquet Road is highlighted in yellow. The vicinity highlighted in orange is the highest elevation on Tepusquet Road. Tepusquet Creek flows downhill, in a North-to-South direction, alongside Tepusquet road from highest elevation to lowest elevation towards Sisquoc. The lines highlighted in pink show major fault, syncline and anticline formations. It can be seen that the pattern of faults, synclines and anticlines crosses Tepusquet road in a Northwest-to-Southeast direction.

Subterranean aquifers will follow the pattern of faults, synclines and anticlines. These have no correlation to the north-south surface level topography along which Tepusquet Creek flows. As can be easily seen, this implies that the availability of surface water in Tepusquet Creek has little correlation to potential subterranean aquifer flows along the faults and synclines beneath Tepusquet Creek. This is further reinforced by the geology presented in the following Attachments C and D.

#### **Attachment C: Map of Synclines and Anticlines in Upper Tepusquet Relative to Tepusquet Creek**

Attachment C is a Geological Foundation Map of the Tepusquet Canyon Quadrangle prepared by T.W. Dibblee Jr., published in 1994 for the US Geological Survey. It maps the pattern and slope of subterranean geological formations, synclines and anticlines in the area. Where bounded below by a geological formation through which water cannot permeate, a syncline will represent the deepest level of water in aquifer-bearing formations (*much like the bottom of a "water trough"*). An anticline can represent the highest level across which water cannot flow in the aquifer-bearing layer (*much like a "ridge"*); unless water levels are so high that water essentially "spills over" the anticline ridge. A geologic cross-section of such syncline trough and anticline ridges can be viewed in Attachment D as well.

In Attachment C, the orange highlighted lines show subterranean syncline troughs where aquifer waters will pool and collect, and the pink highlighted lines show subterranean anticline ridges that form physical geological barriers to water flow. The yellow line highlights Tepusquet Creek on the surface. "A" represents the beginning of a syncline that slopes generally in a subterranean Northwest direction from "A". "B" represents the beginning of another syncline to the south that slopes generally in a subterranean Southeast direction from "B". "C", "D", and "F" represent subterranean anticlines across which any subterranean aquifers found in "A" and "B" cannot generally flow in a North-South direction except in high-water conditions where the syncline aquifers might overflow. The anticlines are 200' to 500' above the synclines, meaning the aquifers can be 200' to 500' deep before waters can spill over the anticline ridges. "E" represents the northern end of Tepusquet creek during times of the year when it flows to the south along the surface. What this map shows is that water cannot flow from subterranean synclines in a southward direction to re-supply Tepusquet creek on the surface at depths above the anticlines (*which, in essence, can form a dam to block such water flows through the subterranean geology*).

The straight dotted-lines highlighted in Blue represent parcel boundaries for which cannabis cultivation registry submissions notifying the County of future intent to cultivate have been submitted. It can be seen from this that appropriately located deep subterranean wells can be located to tap synclines for cultivation water without impacting the surface-level flows of Tepusquet Creek.

## **Sub-Surface Geology and Aquifer Analysis Upper Tepusquet Canyon**

### **Attachment D: Map of Subterranean Topology in Upper Tepusquet**

Attachment D shows a vertical cross section of the depths at which the TM, TML, TMSS and KCSS lie relative to one another at subterranean depths, and is prepared by Cleath-Harris Geologists, Inc., of nearby San Luis Obispo, published in October, 2012.

What these show is that the "good aquifer" TM geology formation sits above the "impermeable" TML layer to a depth of approximately 200' to 500' below the surface. The impermeable TML formation is approximately 500' thick, before another "good aquifer candidate" layer of TMSS formation is reached. The TMSS layer is approximately 200' thick, below which another impermeable layer exists in the KCSS formation.

A1 represents the lowest elevation topography above the TM formation. A2 represents the syncline of the TM layer and corresponds to the "A" depicted on Attachment C. A3 represents the deeper syncline of the TML formation. These synclines can act as "troughs" into which water collects into subterranean aquifers. A4 represents the even deeper syncline of the TMSS formation. "F" represents the anticline of the TML formation depicted on Attachment C, also as "F", and serves as a "ridge barrier" to keep waters in the aquifer/syncline collects from flowing in a north/south direction.

An accurate interpretation of this geology is that the TM layer is water-bearing, and sits above the TML formation through which water cannot descend to deeper depths. As such, the A2 syncline represents the deepest subterranean aquifer level (*trough*) for the TM formation; approximately 200' to 500' below the surface. In addition, the TMSS formation represents another viable aquifer at its syncline, with access to surface-level rainwater captured further to the Southwest where the TMSS formation reaches the surface (*where-after water can drain and collect downwards towards the syncline trough*). As such, the A4 syncline represents the deepest subterranean level for the TMSS formation; approximately 1000' below the surface. This formation also sits atop another impermeable layer formed by the KCSS formation.

It can be seen that these deep synclines are bounded to the North and South by anticline formations through which water captured by the synclines at A2 and A4 cannot pass. As such, it can be seen that these formations cannot contribute meaningfully to the North-to-South flow of Tepusquet creek along the surface.

### **Attachment E: Northern High Altitude Aquifer Lifetime Analysis**

This analysis presents an estimate of the reservoir size for the potential aquifer contained within the TM (*Monterey Formation, Siliceous Shale*) formation from Attachment D and the syncline represented as "A2"; and also represented as the "A" syncline in Attachment C. The potential aquifer in this TM formation sits above the impermeable TML formation. Also presented is an estimate of water usage associated with planned future cannabis cultivation as submitted to the Santa Barbara County cannabis cultivation registry. By comparing this potential reservoir aquifer water-bearing capacity with planned cultivation water usage, and estimate of the lifetime of the potential aquifer assuming no new rainwater replenishes the aquifer can be estimated. The table shows the lifetime of the reservoir aquifer - with no recharge from rain and with the cannabis cultivation projected - can be somewhere over 10 years.

# Attachment A

## Existing Published Research on Tepusquet Creek

Over 2500 pages of published data in nine separate publications published between April 2015 and 1951, and that specifically deal with and mention Tepusquet Canyon and Tepusquet Creek, have been located and reviewed. Specific page numbers referencing Tepusquet are documented, and the publication name, published dates, and authors are provided. Notably, although several deal with water flows, hydrology, sensitive species, precipitation and the geology of the Tepusquet area, not one analysis of the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow is discussed.

1. Publication Name: 2014 Annual Report of Hydro-geologic Conditions, Water Requirements, Supplies and Disposition:
    - Published by: Santa Maria Valley Management Area
    - Publish Date: April 2015
    - Author(s): Luhdorff and Scalmanini; Consulting Engineers and Certified Hydrogeologists
    - Specific References to Tepusquet Creek: Pages 23, 24, 94, 112, 123 (*these are the .pdf document page numbers, not the actual numbered pages in the 142 page report*)
    - Synopsis:
      - At no point in this 142 page document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed. Deals only with the measurement of surface level water flows of Tepusquet creek itself.
      - Discusses discharge of Tepusquet Creek and States Discharge of Tepusquet Creek hasn't been measured since the early 1980's (*page 23, 24*)
      - Recommends reactivation of stream gauges (*page 94, 112, 113, 123*)
  2. Publication Name: 2040 Santa Barbara County Regional Transportation Plan and Sustainable Communities Strategy, Final Environmental Impact Report
    - Published for: Santa Barbara County Association of Governments
    - Publish Date: July 2013
    - Author(s): Rincon Consultants, Inc.
    - Specific References to Tepusquet Creek: Pages 174, 175 (*these are the .pdf document page numbers, not the actual numbered pages in the 634 page report*)
    - Synopsis:
      - At no point in this 634 page document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed. Deals only state and federally listed species considered to have potential to occur within Santa Barbara County and the vicinity of 2040 RTP-SCS construction projects.
      - More specifically; on page 175, *Table 4.3-1: Sensitive Communities and Critical Habitats Documented within Santa Barbara County* does not list Tepusquet as a community considered "Sensitive" by the California Department of Fish and Wildlife.
  3. Publication Name: Monitoring Program for the Santa Maria Valley Management Area
    - Published for: Superior Court of California, County of Santa Clara and Twitchell Management Authority
    - Publish Date: October 2008, with revisions April 2011 and Aril 2013.
    - Author(s): Luhdorff and Scalmanini; Consulting Engineers and Certified Hydrogeologists
    - Specific References to Tepusquet Creek: Pages 13, 14 and 24 (*these are the .pdf document page numbers, not the actual numbered pages in the 142 page report*)
    - Synopsis:
      - At no point in this 43 page document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed. Deals only with the measurement of surface level water flows of Tepusquet creek itself.
  4. Publication Name: Biological Assessment for the Twitchell Dam Watercourse Project – APN 014-271-031 – Santa Maria, San Luis Obispo and Santa Barbara Counties, California
    - Published for: Santa Maria Valley Water Conservation District
    - Publish Date: September 2008
    - Author(s): Althouse and Meade, Inc., Biological and Environmental Services
    - Specific References to Tepusquet Creek: Page 44. (*this is the .pdf document page numbes, not the actual numbered page in the 97 page report*)
    - Synopsis:
      - At no point in this 97 page document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed.
      - Deals only with the presence of the California (Silvery) Legless Lizard and notes that the closest reported occurrence of this species is at the confluence of Tepusquet Creek and the Sisquoc River, located at the very southern end of Tepusquet.
  5. Publication Name: Waste Discharge / Recycled Water Requirements: Order No. R3-2005-0014
    - Published for: City of Guadalupe Wastewater Facility; Santa Barbara County
    - Publish Date: September 2005
    - Author(s): Roger W. Briggs, Executive Officer and Robert A. Mulane; Planning Commission Secretary
-

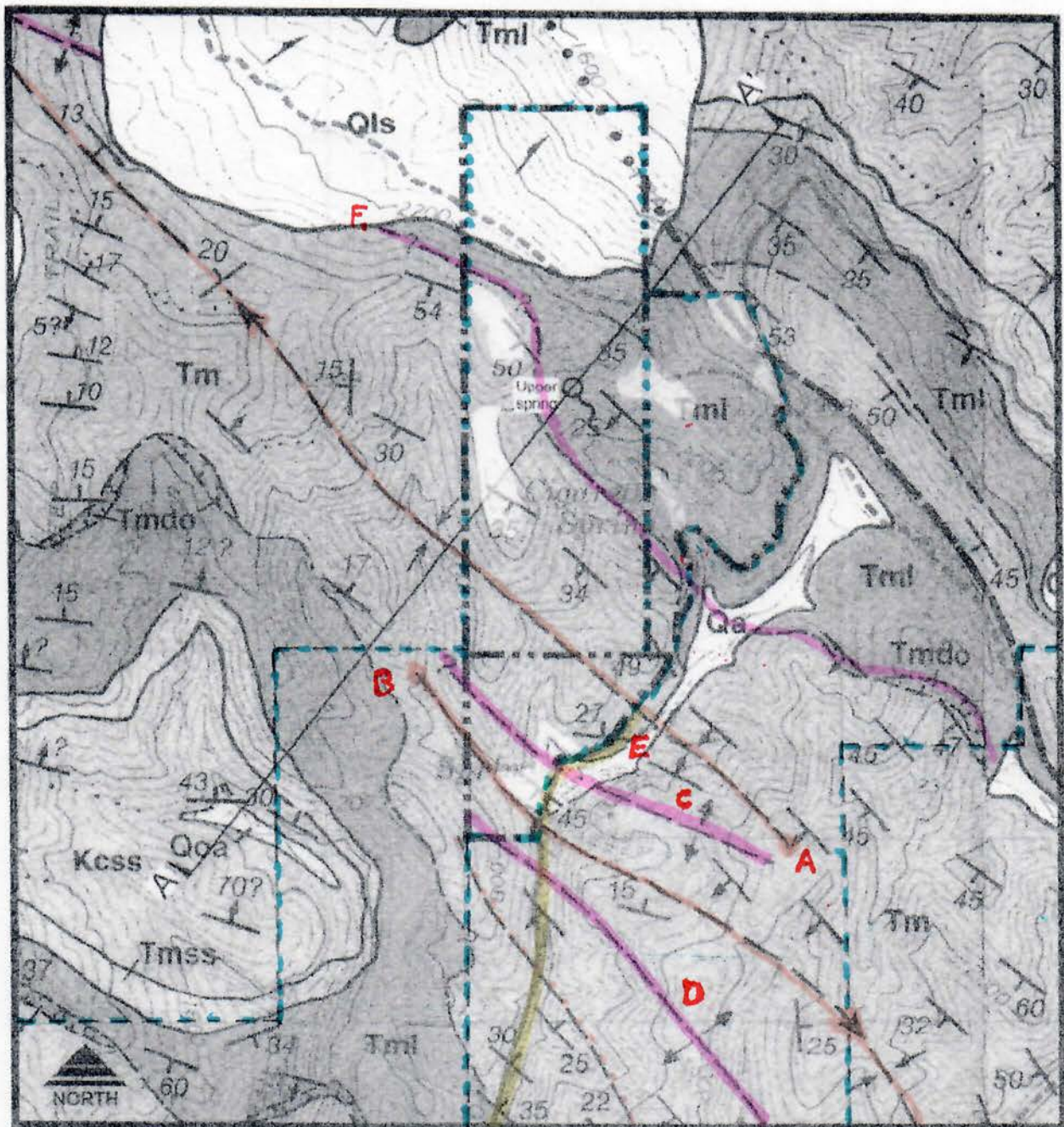
## Attachment A

### Existing Published Research on Tepusquet Creek

- Specific References to Tepusquet Creek: Pages 309, 325, 326, 391, 410, 411, 421 (*these are the .pdf document page numbers, not the actual numbered pages in the 434 page report*)
  - Synopsis:
    - At no point in this 434 page document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed. Deals only with the measurement of surface level water flows of Tepusquet creek itself.
6. Publication Name: *Sisquoc Steelhead Report Survey*
- Published by: Matt Stoecker and Jim Stoecker
  - Survey Publish Date: December 16, 2002
  - Specific References to Tepusquet Creek: Pages 62-65
  - Synopsis:
    - At no point in this document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed. Deals only with the surface level topography and water flows of Tepusquet creek itself, and more specifically with the location of culverts and waterfalls that would impede the upstream migratory patterns of Steelhead Trout.
7. Publication Name: *Development of a Numerical Ground-Water Flow Model and Assessment of Ground-Water Basin Yield; Santa Maria Valley Ground-Water Basin*
- Published for: Santa Maria Valley Water Conservation District
  - Publish Date: March, 2000
  - Author(s): Luhdorff and Scalmanini; Consulting Engineers and Certified Hydrogeologists
  - Specific References to Tepusquet Creek: Pages 48, 50, 264, 280, 281, 346, 365, 366, 376 (*these are the .pdf document page numbers, not the actual numbered pages in the 480 page report*)
  - Synopsis:
    - At no point in this 480 page document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed. Deals only with the measurement of surface level water flows of Tepusquet creek itself.
8. Publication Name: *Rainfall Analysis for Drainage Design, Volume II, Long-Duration Precipitation Frequency Data.*
- Published for: California Department of Water Resources
  - Publish Date: October, 1976
  - Author(s): J. D. Goodridge
  - Specific References to Tepusquet Creek: Pages 45 and 278 (*these are the .pdf document page numbers, not the actual numbered pages in the 412 page report*)
  - Synopsis:
    - At no point in this 412 page document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed. Deals only with the measurement of rainfall near Tepusquet.
9. Publication Name: *Geology and Ground-Water Resources of the Santa Maria Valley Area, California*
- Published by: The United States Printing Office
  - Published Date: 1951
  - Author: G.F. Worts, Jr.
  - Specific References to Tepusquet: Found on Pages 10, 27, 37, 48, 58, 59, 62, 68 and 71-74 (*these are the .pdf document page numbers, not the actual numbered pages in the 169 page book*).
  - Synopsis:
    - At no point in this 175 page document is the underlying geology of Tepusquet Canyon and its relationship to below-ground aquifer flow discussed. Deals only with the surface level topography and water flows of Tepusquet creek itself.
    - Addresses surface level topography feeding into Sisquoc Creek (*page 28*)
    - Addresses creek-bed rock-types, (*page 48*)
    - Addresses measured stream flow/discharge and location of stream flow gauging stations (*page 58, 59, 62, 68, 71-74*)



# Attachment C



Base map: T. W. Dibblee, Jr., 1994,  
 Geologic Map of the Tepusquet Canyon Quadrangle,  
 Santa Barbara County, California  
 Dibblee Geological Foundation Map #DF-52

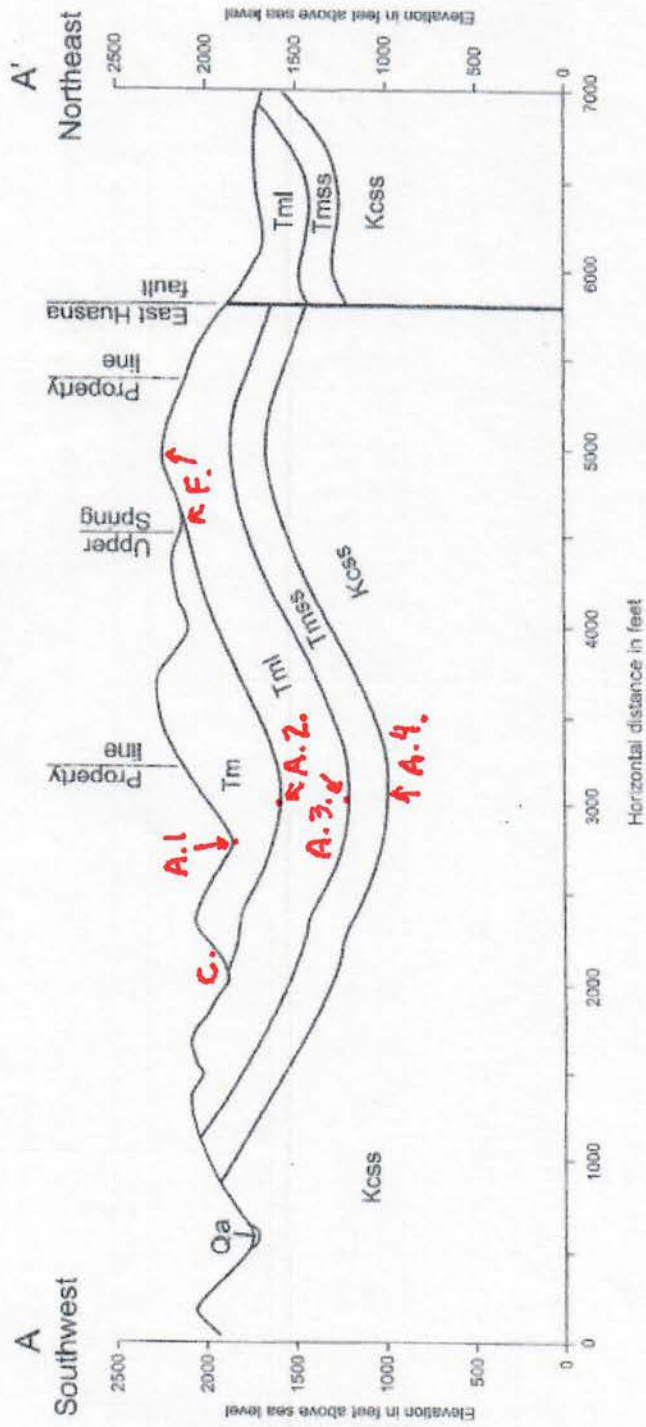
0 1000 2000  
 Scale: 1 inch = 1000 feet

Explanation	
Qa	Surficial sediments
Qls	Landslide debris
Qoa	Older surficial sediments
Tm	Monterey Fm. siliceous shale
Tmdo	Monterey Fm. dolomite
Tml	Monterey Fm. clay shale
Tmss	Sandstone of Hurricane Deck
Kcss	Cachuma Fm. hard sandstone
fault	
sinkhole	
Drainable areas	
syncline	
anticline	
Cross section alignment (Figure 2)	

Figure 1  
 Geologic Map  
 Emmett-Castor Properties  
 Tepusquet Canyon  
 Cleath-Harris Geologists, Inc.



# Attachment D



Cross section alignment shown on Figure 1

Figure 2  
 Cross-Section A-A'  
 Emmett-Castor Properties  
 Tepusquet Canyon  
 Cleath-Harris Geologists

**Attachment E**  
Northern Tepusquet High Altitude Aquifer Lifetime Analysis

This analysis presents an estimate of the reservoir size for the potential aquifer contained within the TM (*Monterey Formation, Siliceous Shale*) formation from Attachment D and the syncline represented as "A2"; and also represented as the "A" syncline in Attachment C. The potential aquifer in this TM formation sits above the impermeable TML formation. Also presented is an estimate of water usage associated with planned future cannabis cultivation as submitted to the Santa Barbara County cannabis cultivation registry. By comparing this potential reservoir aquifer water-bearing capacity with planned cultivation water usage, and estimate of the lifetime of the potential aquifer assuming no new rainwater replenishes the aquifer can be estimated.

It must be first shared and understood that this aquifer size and capacity is an estimate; the actual size and capacity are not truly known. Key assumptions used include the accuracy of the geology survey relative to what actually exists in the "real world", which can vary. As such, the width, depth, and length estimates can vary significantly – but as presented these are based on the apparent sizes of the potential TM aquifer depicted in attachments C, D, and E. Another key assumption is the "porosity" of the TM aquifer, where porosity is an estimate of how much space exists within the rock of the TM formation where water can collect. Where porosity is described, as well, it is probably better not to visualize the formation as a "sponge" where water can collect in a uniform fashion. Rather, aquifer waters are more likely to collect in cracks, fissures and seams throughout the formation; and any well drilled into the aquifer may involve a certain amount of luck to reach a water-bearing fissure within the aquifer zone, versus potentially missing any nearby water bearing seam or fissure by only a few feet.

That said, when looking at the drawing of Attachment D, the TM formation sits atop the TML formation, such that the TML formation can be thought of as "the bottom of a swimming pool". Rainwater that falls on the surface of the TM formation will drain downward through the formation until it reaches the "bottom of the pool" at the TM/TML boundary layer, and drain downward towards the bottom of the syncline represented at A2. When the "pool" fills enough such that the static water level (*the height of the water in the pool*) exceeds the height of A1 (*in Attachment D*), it will flow downhill as a surface level stream in A1 and/or C. Water cannot collect and rise above the anticlines represented at high points to the south of "C" and to the north of "F" on Attachment D, and so this is a good depiction of why waters potentially located in this aquifer cannot flow to the north or south in Tepusquet canyon.

Based on these assumptions, the table presented below and on the following page depicts the anticipated lifetime of this reservoir based on water consumption from the planned cannabis cultivation, assuming that no new rainwater falls on the surface of the TM formation shown in Attachments C, D and E. The table shows the lifetime of the reservoir aquifer - with no recharge from rain and with the cannabis cultivation projected - can be somewhere over 10 years.

**Reservoir Size Estimate:**

Item	Units	Notes
Reservoir Width	1500	Feet
Reservoir Depth	120	Feet ( <i>Assume water table begins below the lowest surface represented by A2 in Attachment D</i> )
Reservoir Length	1500	Feet
Reservoir Size	270,000,000	Cubic Feet
Porosity	1.00%	% H2O Capacity, remaining 99% is rock
Reservoir Water	2,700,000	Cubic Feet of Water
Cubic Feet to Gallons	7.48	Conversion Ratio for Water; Cubic feet into Gallons
<b>Reservoir Gallons</b>	<b>20,196,000</b>	<b>Gallons Water</b>

**Water Consumption Per Type 2B License**

Item	Units	Notes
Maximum Flowering Plants	1,500	Harvest-Ready Adults; entire canopy
Harvest Pounds per Plant	0.5	Dry Flower Weight

**Attachment E**  
Northern Tepusquet High Altitude Aquifer Lifetime Analysis

Gallons per pound dry flower	1.0	Per Day Peak Requirement, younger plants need less
Gallons per license per day	750	Peak daily water requirement assuming all plants at full size, Drip Irrigation and Covered Pots

**Maximum Water Consumption and Reservoir Lifetime (without rain replenishment)**

Item	Units	Notes
Maximum Type 2B Licenses	7	For this reservoir / location; assuming licenses granted
Maximum Gallons per Day	5,250	Gallons to supply 7 licenses, peak daily requirement
Days to Reservoir Depletion	3,847	Assuming no reservoir recharge
Years to Reservoir Depletion	10.5	Assuming no reservoir recharge from annual rains

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State of California – Natural Resources Agency  
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EDMUND G. BROWN JR., Governor  
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August 10, 2017

Jessica Metzger, Office of Planning and Research  
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Santa Barbara, CA 93101  
jmetzger@countyofsb.org

**Subject: Comments on the Notice of Preparation for the Cannabis Land Use Ordinance and Licensing Program draft Environmental Impact Report, SCH No.2017071016**

Dear Ms. Metzger:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) for the Cannabis Land Use Ordinance and Licensing Program for development of a draft Environmental Impact Report (DEIR). The Environmental Scoping Document (ESD) and draft Cannabis Land Use (CLU) Ordinance collectively, the Project (Project).

The proposed Project would amend both Santa Barbara County and Montecito Land Use and Development Code. The Santa Barbara County Coastal Zoning Ordinances (Ordinance). The ordinances amendments are specifically designated to regulate medicinal and non-medicinal cannabis activities. The Project also involves other amendments to the county code to establish a county licensing program for cannabis-related activities.

For California Environmental Quality Act (CEQA) purposes, the proposed Project includes future activities expected to be undertaken pursuant to the amended ordinances. Santa Barbara County had previously approved medicinal Cannabis use beginning in 2003 and up until 2016 when the Medicinal Cannabis Regulation and Safety Act (MRCSA), was enacted. In response, Santa Barbara County adopted ordinances banning both medicinal cannabis dispensaries and medicinal cannabis cultivation, except in few unincorporated areas of the County where cannabis-related activities were still allowed to operate.

Proposition 64 , Regulate and Tax Adult Use of Marijuana Act, “(also known as the Adult Use of Marijuana Act, or AUMA)” (ESD, page 4) establishes a comprehensive regulatory protocol for legalization of marijuana, its control, and specific regulation for cultivation, processing, manufacturing, distribution, testing, sale, tax, and growth of the industry. The AUMA also promulgates provisions for cultivation of industrial hemp. However, all these cannabis-related activities require state licensing by January 1, 2018.

The Project area encompasses all Santa Barbara County, including the coastal zone, approximately 1,779,619 acres. Excluded are land under the jurisdiction of incorporated cities, the federal government (Los Padres National Forest and Vandenberg Air Force Base, and the University of California at Santa Barbara (UCSB).

The draft CLU Ordinance, to be analyzed in the EIR, would allow types of cannabis activities by zone district within unincorporated Santa Barbara County, as described below:

- Allow cultivation of cannabis in Agricultural I (AG-I), Agricultural II (AG-II), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2) zone districts;
- Allow manufacturing of non-volatile extraction in Agricultural I (AG-I), Agricultural II (AG-II), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2) zone districts;
- Allow manufacturing of volatile extraction in Agricultural II (AG-II), Light Industry (M-1), and General Industry (M-2) zone districts;
- Allow post-processing and packaging in Agricultural I (AG-I), Agricultural II (AG-II), Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2);
- Allow testing in General Commercial (C-3), Community Mixed Use - Los Alamos (CM-LA), Service Commercial (SC), Mixed Use (MU), Industrial Research Park (M-RP), Light Industry (M-1), General Industry (M-2), and Professional and Institutional (PI);
- Allow commercial retail sales in Limited Commercial (C-1), Retail Commercial (C-2), General Commercial (C-3), Service Commercial (SC), Mixed Use (MU), and Light Industry (M-1) zone districts;
- Allow wholesale commercial sales in General Commercial (C-3), Industrial Research Park (M-RP), Light Industry (M-1), and General Industry (M-2), and;
- Prohibit cannabis activities in all other zone districts including all Residential, Mountainous Areas, Highway Commercial (CH), Resort/Visitor Serving Commercial (C-V), Coastal Dependent Industry (M-CD), Coastal Related Industry (M-CR), Public Works Utilities and Private Service Facilities (PU), Recreation District (REC), Resource Management (RES), and Transportation Corridor (TC) zone districts. (Environmental Scoping Document, 2017)

The CDFW recognizes that the Lead Agency will need to analyze and determine if the Project, once implemented, may result in potentially significant impacts to native vegetation (habitat), biological resources, and special status plant and wildlife species. Project analysis should also consider the Project's impacts on a project-specific and cumulative effects basis.

The following comments and recommendations have been prepared pursuant to the Department's authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.*, and pursuant to our authority as Trustee Agency with jurisdiction over natural resources affected by the Project (California Environmental Quality Act, [CEQA] Guidelines § 15386) to assist the Lead Agency in avoiding or minimizing potential Project impacts on biological resources.

## Specific Comments

In particular, CDFW has three primary concerns addressing marijuana cultivation: 1) Land conversion, 2) Water supply, and 3) Pesticide use. This letter is to provide early guidance to assist the Lead Agency and the Project biologists regarding our concerns and recommended Project avoidance, minimization, and compensation measures to be included in the DEIR as enforceable mitigation measures.

### Monarch (*Danaus plexippus plexippus*) and La Purisima blue (*Philotiella speciose purisima*) Butterfly

These locally rare butterflies occur in both cool riparian corridor systems and open spaces grasslands of the Project area. Both species have a plant obligate relationship; and could be harmed directly by either pesticide or herbicide applications. Pesticide and herbicide restrictions should be closely restricted and closely monitored for CLU licensing permitting purposes. A Project wide Integrated Pest Management Plan should be developed to ensure protection of the Monarch and La Purisima blue butterfly, both of which are imperiled.

### California tiger salamander (*Ambystoma californiense*)

The California tiger salamander is an endemic amphibian in Santa Barbara County and are listed as federally and state endangered. Maintaining critical habitat and migration corridors should be paramount in developing CLU locations for Project(s) in unincorporated Santa Barbara County, as very few intact breeding ponds and upland hibernation habitat and movement corridors remain for this critically imperiled species.

### Red-legged frog (*Rana draytonii*)

Red-legged frog is listed as federally threatened and is protected by federal and California Species of Special Concern. The main cause of the population decline is habitat loss and destruction, but introduced predatory species, such as American bullfrogs, are also a factor. Remnant populations of this species occur throughout the Project area and should be given special protection under the new ordinance when they are considered.

### Blunt-nosed Leopard Lizard (*Gambelia sila*)

Blunt-nosed Leopard Lizard is known to occupy habitat within the Project area, which includes core habitat areas important for the species' continued existence. Blunt-nosed Leopard Lizard is fully protected, therefore, CDFW cannot authorize take of the species and full avoidance is required. BNLL protocol surveys are recommended if ground or vegetation disturbing activities will lead to habitat removal and if maintenance or other activities are to occur in suitable habitat. Suitable BNLL habitat includes all areas of grassland and shrub habitat in the San Joaquin Valley and the northern tip of Santa Barbara County that contains required habitat elements, such as small mammal burrows. BNLL are also known to utilize open space patches between suitable habitats including disturbed sites and unpaved access roadways.

To observe avoidance of BNLL, focused surveys following the 2004 survey methodology titled "Approved Survey Methodology for the Blunt-nosed Leopard Lizard", which was developed by CDFW, is recommended. These surveys, the parameters of which were designed to optimize

detectability, must be conducted to reasonably assure CDFW that take of this fully protected species will not occur as a result of project implementations. It is important to note that protocol level surveys must be conducted on multiple dates during late spring, summer, and fall and that within these time periods there are specific date, temperature, and time parameters which must be adhered to; as a result, protocol level surveys for this species are not synonymous with 30-day "pre-construction" surveys often recommended for other wildlife species.

In addition, CDFW advises that all potential burrows, which could be occupied by BNLL, and all individuals observed above-ground, be avoided. CDFW also recommends that in all areas where ground disturbing project activities would occur, suitable burrows within and adjacent to potential habitat for BNLL be avoided by a minimum 50 feet; that an appropriate number of qualified biologists be present during all ground disturbing project activities to ensure that BNLL above ground are not impacted; and that any individual that may enter a project activity area be allowed to leave unobstructed on its own.

#### Southern Steelhead Trout (*Oncorhynchus mykiss*)

It is anticipated that steelhead may potentially be impacted by the CLU in the Project area. All licensing permitting should specify and strictly regulate activity in critical habitat for steelhead. All permitted activities should be allowed to take place only when there is no flow present in identified critical habitat steelhead streams. If it becomes necessary to permit CLU Projects in the Project area to work in a wetted portion of any stream between October 31<sup>st</sup> and June 15<sup>th</sup> in anadromous waters, a provision should be included in licensing language that requires CLU permittees to notify the CDFW via phone or email prior to work.

#### Tidewater Goby (*Eucyclogobius newberryi*)

Tidewater goby is native to lagoons of streams along the coast of California. A fisheries biologist should sample in areas of ponded water in the Project area where there are stands of cattail or bulrush that may be required for removal prior to impacts. Specifically sampling for tidewater goby, a CDFW species of special concern, should follow survey techniques approved by the U.S. Fish and Wildlife Service. Any variations from these techniques should be approved by the U.S. Fish and Wildlife Service. The fishery biologist should have the required federal permits for sampling for a federally endangered species.

#### Swainson's hawk (*Buteo jamaicensis*)

The Project area includes areas of Swainson's hawk habitat, including nesting trees and foraging habitat. To avoid impacts to the species, CDFW recommends that surveys be conducted for projects that would impact potential habitat, following the survey methodology developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000), prior to any ground disturbance. These surveys, the parameters of which were designed to optimize detectability, must be conducted to reasonably assure CDFW that take of this species will not occur as a result of disturbance associated with Project activities. In the event that this species is detected during protocol-level surveys, consultation with CDFW is warranted to discuss how to implement proposed projects and avoid take, or if avoidance is not feasible, to acquire a California Endangered Species Act (CESA) Incidental Take Permit (ITP) prior to any ground disturbing activities.

Removal of mature trees is a potentially significant impact to nesting raptors that warrants compensatory mitigation and may be in violation of Fish and Game Code. CDFW considers removal of known raptor nest trees, even outside of the nesting season, to be a significant impact under CEQA, and, in the case of Swainson's hawk, it could also result in take under CESA. This is especially true with species such as Swainson's hawk that exhibit high site fidelity to their nest and nest trees year after year. Regardless of nesting status, CDFW recommends that trees that must be removed be replaced with an appropriate native tree species planting at a ratio of 3:1 in an area that will be protected in perpetuity. This mitigation is needed to offset potential impacts to the loss of potential nesting habitat.

Swainson's hawks generally forage within 10 miles of their nest tree. CDFW's Staff Report Regarding Mitigation for Impacts to Swainson's Hawks (CDFG, 1994) recommends the following:

- Projects within 1 mile of an active nest tree to provide a minimum of one acre of habitat management (HM) land for each acre of development authorized.
- Projects within 5 miles of an active nest but greater than 1 mile to provide a minimum of 0.75 acres of HM land for each acre of urban development authorized.
- Projects within 10 miles of an active nest tree but greater than 5 mile from an active nest tree to provide a minimum of 0.5 acres of HM land for each acre of urban development authorized.

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Funding of a sufficient long-term endowment for the management of the protected properties should be paid by the Project sponsors. In addition to fee title acquisition of grassland habitat, mitigation could occur by the purchase of conservation or suitable agricultural easements. Suitable agricultural easements would include areas limited to production of crops such as alfalfa, dry land and irrigated pasture, and cereal grain crops. Vineyards, orchards, cotton fields, and other dense vegetation do not provide adequate foraging habitat.

#### Coastal California Gnatcatcher, Coastal Cactus Wren, and Least Bell's Vireo

Coastal California gnatcatcher (*Polioptila californica californica*) is a federally endangered species and a California SSC; coastal cactus wren (*Campylorhynchus brunneicapillus*) is a California SSC; least Bell's vireo (*Vireo bellii pusillus*), is a federally and state threatened species. The coastal California gnatcatcher and coastal cactus wren use coastal sage scrub and cactus scrub habitats and are known to occur in close proximity to the Project area, if not within the Project area, as cactus scrub habitat has become more widely disbursed along the coastal range with changing climate. The least Bell's vireo uses riparian habitat, which occurs throughout the (Project area). CDFW recommends completing surveys for these species to better inform the Project's potential impacts prior to the circulation of the DEIR document. The results of the surveys may influence the mitigation measures ultimately adopted within the final CEQA document. Survey protocol and guidelines for coastal California gnatcatcher and least Bell's vireo can be found at <https://www.wildlife.ca.gov/Conservation/Survey-Protocols>.

#### Burrowing Owl (*Athene cunicularia*) (SSC)

Burrowing owl is a California SSC known to occupy habitat within the Project area. To avoid impacts to the species, we recommend that focused surveys be conducted following the survey methodology developed by the California Burrowing Owl Consortium (CBOC, 1993) and the



CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012) (Staff Report). These documents are considered the best methodologies currently available. Surveys should be conducted well in advance of any ground disturbance or other project-related activities including other survey efforts where potential habitat could be impacted.

If any ground disturbing activities will occur during the burrowing owl nesting season (approximately February 1 through August 31), and potential burrowing owl burrows are present within the Project footprint, implementation of avoidance measures are warranted. In the event that burrowing owls are found, the Staff Report recommends that impacts to occupied burrows be avoided by implementation of no-disturbance buffer zones (specified in the table below), unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

\* meters (m)

Failure to implement the recommended buffer zones could cause adult burrowing owls to abandon the nest, cause eggs or young to be directly impacted (crushed), and/or result in reproductive failure, in violation of Fish and Game Code and the Migratory Bird Treaty Act.

CDFW recommends that the DEIR describe all avoidance measures that would be employed in the event that owls are found on the Project site, as well as methods that would be used to evict owls from burrows (including passive relocation during the non-breeding season). We also recommend that the DEIR specify how the impact of evicting owls would be mitigated to a less than significant level. The Staff Report recommends that foraging habitat be acquired and permanently protected to offset the loss of foraging and burrow habitat. The CDFW also recommends replacement of occupied burrows with artificial burrows at a ratio of one burrow collapsed to one artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting a burrowing owl.

#### Mountain Lion (*Puma Concolor*)

The Mountain is a fully protected species with known ranges throughout most of the Project area. Secondary poisoning from rodenticides is a major concern to CDFW for all animals in the Project area; but especially carnivores. There seems to be a link between secondary poisoning and mange in mountain lions and coyotes, most likely because of a reduced immune system due to the poison affecting the normal physiological functions of the animal making them more susceptible to other diseases. The United States Environmental Protection Agency (U.S. EPA) regulates pesticides at the federal level and the California CDFW of Pesticide Regulation (DPR) regulates pesticides on the state level. There are currently no pesticides registered specifically for use directly on marijuana. Based on DPR guidance, the only pesticide products not illegal to use on marijuana are those that contain an active ingredient that is exempt from residue-

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tolerance requirements and (1) registered and labeled for use that is broad enough to include use on marijuana (e.g. unspecified green plants) or (2) exempt from registration requirements as a minimum risk pesticide under Federal Insecticide, Fungicide, and Rodenticide Act section 25(b) and 3 California Code of Regulations § 6147. Refer to DPR for additional pesticide regulations. Increased anticoagulant rodenticide use has been noted by CDFW staff in clandestine marijuana cultivation sites throughout the state. CDFW recommends that the DEIR address the use of pesticides, including but not limited to the risk of secondary poisoning to native species caused by the use of rodenticides. CDFW also advises limiting grow site selection criteria to preclude cultivation in or next to special status species habitat.

#### California sea otter (*Enhydra lutris*)

Coastal areas in the Project area (offshore) are known to occupy habitat and have known occurrences of the highly imperiled California sea otter. The California sea otter is protected under Title 14, California Code of Regulations, Section 460, which prohibits take of the species at any time. CDFW recommends that the avoidance measures within the USFWS “Standardized recommendations for protection of and prior to or during ground disturbance” (2011) be followed and that surveys be conducted accordingly and prior to commencing any Project-related ground-disturbing activities. If any active or potential are found Project-related site activities could create deleterious runoff into the Pacific Ocean near known locations of otter occurrences throughout the coastal zone of the known Project area, consultation with the CDFW Marine Region would be warranted for guidance on take avoidance measures for the California sea otter.

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#### Special Status Bat Species

Bats are known to occupy various roosting habitats available within the Project area. Known roosting habitats include mines, caves, rocky outcrops, bridges, trees, and buildings that provide the required localized climatic conditions and surrounding foraging opportunities needed. In some cases, multiple bat species can co-occur in roosts and they may have similar life histories, although it is important to note that in many instances bat species do not have the same habitat requirements and life histories. For instance, migratory patterns and winter roosts can vary significantly from species to species.

To minimize potential Project-related impacts to special status bat species, CDFW recommends that if any of the above listed roosting habitat elements are located within a project’s impact area that a reconnaissance survey be conducted by a qualified wildlife biologist to determine if bats are currently or could utilize the potential roosting habitat onsite. If a potential roosting site is confirmed to support bat species with 100 feet of ground disturbing activities, CDFW recommends that the project proponent conduct focused surveys to establish species usage and seasonal usage. Focused survey methodology is advised to include visual surveys of bats (observation of presence of bats during foraging period), inspection for suitable habitat or bat sign (*guano*), and use of ultrasonic detectors (*Anabat*, *Sonobat*, etc.) during all dusk emergence and pre-dawn re-entry. To maximize detectability, each survey needs to be conducted within one 24-hour period.

If bats are found to occupy a project site, CDFW recommends the project proponent implement the general bat avoidance, minimization and compensatory mitigation measures. These measures include but are not limited to establishing a 100-foot no-disturbance buffer around

roost sites and installing new roost sites to be in place prior to the initiation of Project related activities to allow enough time for bats to relocate.

#### Special Status Plant Species (SSC) Potentially Occurring in the Project area

Multiple special status plant species are known to occur within the Project area, and for many plant species, the Project area encompasses the only known existing populations. CDFW recommends that project sites are surveyed for special status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" (November 24, 2009). Additionally, A Manual of California Vegetation, Second Edition, and URL: <http://vegetation.cnps.org/> are useful tools intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period.

In the absence of protocol-level surveys being performed, additional surveys may be necessary. Further, avoidance of special status plant species is recommended whenever possible by delineation and observing a minimum no-disturbance buffer of at least 50 feet, however a 300-foot buffer is recommended from the outer edge of the plant population(s) or specific habitat type(s) required by special status plant species. If buffers cannot be maintained, then consultation with CDFW may be warranted to determine appropriate minimization and mitigation measures for impacts to special status plant species. If a State- or federally listed plant species are identified during botanical surveys, it is recommended consultation with CDFW and/or USFWS should be conducted to determine the need for an ITP.

In addition to a Project-related species analysis, CDFW recommends analyzing impacts to the following rare natural communities including, but not limited to, freshwater marsh, black cottonwood riparian forest, La Purisima Manzanita, stabilized strand dunes, valley needlegrass grassland, valley oak woodland, box elder riparian, valley saltbush scrub, Venturan coastal sage scrub. Known locations of these rare natural communities in Santa Barbara County are mapped in the California Natural Diversity Database (CNDDDB). It is important to note that the CNDDDB is a positive detection database. Records in the database exist only where species and rare natural communities have been recorded. There is a bias in the CNDDDB towards locations that have had more development pressures, and thus more biological survey work has been completed and evaluated. Places that have limited information in the CNDDDB often signify that little survey work has been conducted in that location.

#### Water Use

Water use estimates for marijuana plants are not well established in literature and however, early estimates show cannabis cultivation requires an average of one gallon of water per day per pound of cannabis produced or 6 gallons per plant per day (<http://cannabishelpnw.com/irrigating-marijuana-with-rainwater/>, <https://www.marijuanaventure.com/report-on-water-usage/>). Based on research and observations made by CDFW in northern California, marijuana grow sites have significantly impacted streams through water diversions resulting in reduced flows and dewatered streams (Bauer, S. et al. 2015). Groundwater use for clandestine marijuana cultivation activities have resulted in lowering the groundwater water table and have affected water supplies to streams in northern California.

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CDFW is concerned the Project may result in a long-term cumulative impact with a continued decline of groundwater in Santa Barbara County resulting in further decline of biological resources that depend on groundwater availability. Additional groundwater use may lower the groundwater table, which could eliminate flows or flow duration in drainages and the occurrence and persistence of wetlands. Lowering of the water table can also take water beyond the root zone resulting in mortality and decline of vegetation and reductions in wildlife populations. The Project could substantially deplete groundwater supplies or interfere substantially 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 preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). The Department recommends the lead agency describe groundwater extraction and recharge measures that will assure that the Project's use of groundwater will not further result in subsidence of the groundwater table.

### General Comments

- 1) Project Description and Alternatives. To enable CDFW to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish, and wildlife, we recommend the following information be included in the DEIR:
  - a) A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas; and,
  - b) A range of feasible alternatives to project component location and design features to ensure that alternatives to the proposed project are fully considered and evaluated. The alternatives should avoid or otherwise minimize direct and indirect impacts to sensitive biological resources and wildlife movement areas.

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- 2) Lake and Streambed Alteration Agreements (LSA). As a Responsible Agency under CEQA Guidelines section 15381, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream, or use material from a streambed. For any such activities, the project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the Negative Declaration or Environmental Impact Report of the local jurisdiction (Lead Agency) for the project. To minimize additional requirements by CDFW pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.<sup>1</sup>

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<sup>1</sup> A notification package for a LSA may be obtained by accessing the Department's web site at [www.wildlife.ca.gov/habcon/1600](http://www.wildlife.ca.gov/habcon/1600).

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- a) The Project area supports aquatic, riparian, and wetland habitats; therefore, a preliminary jurisdictional delineation of the streams and their associated riparian habitats should be included in the DEIR. The delineation should be conducted pursuant to the U. S. Fish, Wildlife Service wetland definition adopted by CDFW is some wetland, and riparian habitats subject to CDFW's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' Section 404 permit and Regional Water Quality Control Board Section 401 Certification.
- b) In Project areas which may support ephemeral streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of ephemeral channels and help maintain natural sedimentation processes; therefore, CDFW recommends effective setbacks be established to maintain appropriately-sized vegetated buffer areas adjoining ephemeral drainages.

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- c) Project-related changes in drainage patterns, runoff, and sedimentation should be included and evaluated in the environmental document.

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- 3) Wetlands Resources. CDFW, as described in Fish & Game Code § 703(a) is guided by the Fish and Game Commission's policies. The Wetlands Resources policy (<http://www.fgc.ca.gov/policy/>) of the Fish and Game Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement and expansion of wetland habitat in California. Further, it is the policy of the Fish and Game Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion which would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values".
  - a) The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, the project must include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions for the benefit to on-site and off-site wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the DEIR and these measures should compensate for the loss of function and value.
  - b) The Fish and Game Commission's Water policy guides the CDFW to ensure the quantity and quality of the waters of this state should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage

and support programs to maintain or restore a high quality of the waters of this state, and prevent the degradation thereof caused by pollution and contamination; and endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible.

- 4) California Endangered Species Act (CESA). CDFW considers adverse impacts to a species protected by CESA, for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, candidate species, or state-listed rare plant species that results from the Project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subds. (b), (c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
- 5) Biological Baseline Assessment. To provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, sensitive, regionally and locally unique species, and sensitive habitats, the DEIR should include the following information:
- a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]);
  - b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <http://www.dfg.ca.gov/habcon/plant/>);
  - c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the neighboring vicinity. *The Manual of California Vegetation*, second edition, should also be used to inform this

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mapping and assessment (Sawyer et al. 2008<sup>3</sup>). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;

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- d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by the project. CDFW's California Natural Diversity Data Base (CNDDDB) in Sacramento should be contacted to obtain current information on any previously reported sensitive species and habitat. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at [http://www.dfg.ca.gov/biogeodata/cnddb/submitting\\_data\\_to\\_cnddb.asp](http://www.dfg.ca.gov/biogeodata/cnddb/submitting_data_to_cnddb.asp);
  - e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines § 15380). Seasonal variations in use of the Project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service; and,
  - f) A recent, wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted period, or in phases.
- 6) Biological Direct, Indirect, and Cumulative Impacts. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR:
- a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address project-related changes on drainage patterns and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the

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<sup>3</sup>Sawyer, J. O., Keeler-Wolf, T., and Evens J.M. 2008. A manual of California Vegetation, 2<sup>nd</sup> ed.

project site. The discussion should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included;

- b) A discussion regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR;
- c) The impacts of zoning of areas for development projects or other uses nearby or adjacent to natural areas, which may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document; and,
- d) A cumulative effects analysis, as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

7) Avoidance, Minimization, and Mitigation for Sensitive Plants. The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts. CDFW considers these communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3 and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2008).

8) Compensatory Mitigation. The DEIR should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

9) Long-Term Management of Mitigation Lands. For proposed preservation and/or restoration, the DEIR should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include, but are not limited to, restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands.



- 10) Nesting Birds. CDFW recommends that measures be taken to avoid Project impacts to nesting birds. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Title 50, § 10.13, Code of Federal Regulations). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). Proposed Project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1 through September 1 (as early as January 1 for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, CDFW recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
- 11) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of moving an individual from the Project site and permanently moving it to a new location. CDFW generally does not support the use of, translocation or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant or animal species. Studies have shown that these efforts are experimental and the outcome unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving sensitive plants and animals, and their habitats.
- 12) Moving out of Harm's Way. The proposed Project is anticipated to result in clearing of natural habitats that support many species of indigenous wildlife. To avoid direct mortality, CDFW recommends a qualified biological monitor approved by CDFW be on site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project-related construction activities. It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.
- 13) Wildlife Movement and Connectivity. The Project area supports significant biological resources and is located adjacent to a regional wildlife movement corridor. The Project area contains habitat connections and supports movement across the broader landscape, sustaining both transitory and permanent wildlife populations. Onsite features, which contribute to habitat connectivity, should be evaluated and maintained. Aspects of the Project could create physical barriers to wildlife movement from direct or indirect project-related activities. Indirect impacts from lighting, noise, dust, and increased human activity may displace wildlife in the general area.
- 14) Revegetation/Restoration Plan. Plans for restoration and re-vegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and

17-5  
Cont.

assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient period to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

a) CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in the near future in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as appropriate.

b) Restoration objectives should include providing special habitat elements where feasible to benefit key wildlife species. These physical and biological features can include, for example, retention of woody material, logs, snags, rocks and brush piles (see Mayer and Laudenslayer, 1988<sup>1</sup>, for a more detailed discussion of special habitat elements).

#### CDFW Additional Comments

**Federally Listed Species:** Revisions to the Ordinance do not refer to Federal Endangered Species Act (FESA); however, CDFW also recommends consulting with the USFWS on potential impacts to federally listed species that may occur within project activity sites, including those listed in the tables above. Take under the FESA is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS, in order to comply with FESA, is advised well in advance of projects resulting in ground disturbance.

If you have any questions regarding CDFW's concerns, please contact Jamie Jackson, Senior Environmental Scientist at [jamie.jackson@wildlife.ca.gov](mailto:jamie.jackson@wildlife.ca.gov) or by telephone at (805) 382-6906.

Sincerely,



Betty Courtney  
Environmental Program Manager I  
South Coast Region

---

<sup>4</sup>Mayer, K. E. and W. F. Laudenslayer, Jr. 1988. Editors: A guide to wildlife habitats of California. State of California, The Resources Agency, Department of Forestry and Fire Protection, Sacramento, CA.

ec: Ms. Christine Found-Jackson, CDFW, Newbury Park  
Ms. Jamie Jackson, CDFW, Oxnard  
Ms. Sarah Rains, CDFW, Newbury Park  
Office of Planning and Research, State Clearinghouse, Sacramento  
Roger Root, USFWS, roger\_root@fws.gov  
Valerie Carrillo-Zara, RWQB, valerie.carrillozarra@waterboards.ca.gov  
Jacqueline Phelps, CCC, jacqueline.phelps@coastal.ca.gov  
Aaron O. Allen, Ph.D., USACE, splregventura@usace.army.mil

### References

Bauer, S. Olson, J., Cockrill, A., van Hattem, M., Miller, L., Tauzer, M., et al. 2015. Impacts of Surface Water Diversions for Marijuana Cultivation on Aquatic Habitat in Four Northwestern California Watersheds. PLoS ONE 10(3): e0120016. doi:10.1371/journal.pone.0120016

CBOC, 1993. Burrowing Owl Survey Protocol and Mitigation Guidelines. California Burrowing Owl Consortium, April 1993.

The California Burrowing Owl Consortium Survey Protocol are considered the best methods available currently. The protocols can be found at the following URL:  
<https://www.google.com/url?q=https://nrm.dfg.ca.gov/FileHandler.ashx%3FDocumentID%3D83842&sa=U&ved=0ahUKEwiar5i0hJvVAhWmrFQKHW4GBJgQFggGMAE&client=internal-uds-cse&usg=AFQjCNHwRtQg6wLwtqJoia2E9Xc0m6B33Q>

CDFG, 2012. Staff Report on Burrowing Owl Mitigation. California Department of Fish and Game.

CDFG, 2004. Approved Survey Methodology for the Blunt-nosed Leopard Lizard. Department of Fish and Game, May 2004.

CDFG, 2009. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. California Department of Fish and Game, November 2009.

**DEPARTMENT OF TRANSPORTATION**

CALTRANS DISTRICT 5  
50 HIGUERA STREET  
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PHONE (805) 549-3101  
FAX (805) 549-3329  
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*Making Conservation  
a California Way of Life.*

August 10, 2017

SB Various - Countywide  
SCH# 2017071016

Jessica Metzger, Project Planner  
Long Range Planning Division  
County of Santa Barbara, Planning and Development  
123 E. Anapamu Street  
Santa Barbara, CA 93101-2058

RE: COMMENTS TO NOP AND SCOPING OF EIR FOR CANNABIS LAND USE ORDINANCE AND LICENSING PROGRAM

Dear Ms. Metzger:

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Notice of Preparation (NOP) for the proposed Cannabis Land Use Ordinance and Licensing Program Environmental Impact Report (EIR). Caltrans understands that the Project will consist of amendments to the Santa Barbara County Land Use and Development Code, Santa Barbara County Montecito Land Use and Development Code, and Santa Barbara County Coastal Zoning ordinance to allow certain types of cannabis activities by zone district. The Project also involves other amendments to the County Code, in order to establish a County licensing program for cannabis-related activities.

18-1 In concurrence with the NOP, Caltrans notes that traffic and circulation impacts may result from the distribution of cannabis, the establishment of cultivation sites, and from consumers traveling to and from commercial retail locations. When available, Caltrans requests the opportunity to review and comment on any traffic impact studies conducted for the Project. The EIR should review existing state highway traffic volume data, project trip generation/distribution, vehicles miles travelled (VMT), level of service (LOS) calculations, accident data, and safety issues; identify long-term operational impacts associated with cannabis-related development; and evaluate the Project's cumulative effects to traffic and transportation based on regional development trends. Generally speaking, when reviewing local development projects for transportation-related impacts, Caltrans will consider how the project promotes the six principles of the California Smart Mobility Framework: Location Efficiency, Reliable Mobility, Health and Safety, Environmental Stewardship, Social Equity, and Robust Economy. Consequently, the EIR should identify feasible mitigation options to address any significant transportation impacts, including mitigation for direct project-related impacts and requiring contribution of fair share development fees for cumulative impacts.

Caltrans looks forward to continued involvement in the proposed Project, including the opportunity to review and comment on the draft EIR and associated studies. If you have any questions, please contact me at Michael.Hollier@dot.ca.gov or (805) 549-3131.

Sincerely,

A handwritten signature in blue ink that reads "Michael D. Hollier".

MICHAEL D. HOLLIER  
LD-IGR Coordinator  
Planning District 5, South Branch



CALIFORNIA STRATEGIES, LLC

August 11, 2017

Ms. Jessica Metzger  
Planning & Development  
123 East Anapamu Street  
Santa Barbara, CA 93101

Re: Public Comment, Environmental Scoping Document, Cannabis Land Use Ordinance and Licensing Program; Project Case No 17ORD-00000-00004

Ms. Metzger,

On behalf of our clients, thank you for your consideration of the following comments on the EIR Scoping Document and Draft Cannabis Ordinance. We would like to address two key issues, which are relevant for the scope of the environmental review: 1) distance requirements; and 2) non-storefront facing retail.

### **Distancing Requirements**

The Adult Use of Marijuana Act (AUMA) Section 26054 provides local jurisdictions with the authority to either defer to the State's minimum distance requirement of 600 feet from sensitive receptors or specify a different radius – greater or less than 600 feet. Sensitive receptors, as defined in AUMA, are as follows:

1. Schools providing instruction in kindergarten or any grades 1 through 12;
2. Day Care Centers; and
3. Youth Centers.

Many local jurisdictions are deferring to the State's distance requirement of 600 feet for retail, but not for the other license types. For example, the City of Santa Rosa requires a minimum distance of 600 feet from schools for retail facilities only (or establishments that have a storefront outlet). They do not require minimum distances for cultivation, manufacturing, distribution and testing labs.

Similarly, the City of Los Angeles's Draft Ordinance includes increased distance requirements for retail only - 800 feet - and additional sensitive receptors, including alcoholism/drug rehabilitation or treatment facilities, public libraries, public parks, and other cannabis retail. Cultivation, manufacturing, testing, distribution, and delivery facilities (with no retail outlets) are not subject to distance requirements.

The County of Santa Barbara's Draft Cannabis Ordinance includes 600 foot setbacks from sensitive receptors for all license types, except volatile manufacturing, which is subject to a 1,200 foot minimum distance requirement from sensitive receptors. The County should consider analyzing decreased distance requirements for all license types.

19-1

The new, robust State standards for all license types adequately safeguards against negative community impacts, risk of diversion, and threats to public health and safety. Imposing arbitrary minimum distance requirements does not achieve these objectives.

The minimum distance setback required for each license type in Santa Barbara County should be based on substantial evidence developed through the EIR process for each individualized license type proposed (i.e., determinations must be based on real-life, identifiable, substantiated impacts), not simply on an unsupported assumption that all cannabis-related businesses, regardless of license type, have impacts requiring a minimum 600 foot setback. We recommend a comprehensive environmental review for each license type before determining what the appropriate distance setback should be for each license type.

19-1  
Cont.

Santa Barbara County also has the authority to define the distance to be measured from sensitive receptors to cannabis facilities. Currently, the County’s draft policy proposes to measure the distance in a “straight line from the property line of the school to the closest property line of the lot” in which the cannabis facility is located. The County should consider defining the distance to be measured from sensitive receptors to cannabis facilities as a straight line from the *premise* of the cannabis use to the property line of the sensitive receptor. If the objective of distancing requirements is to avoid negative community impacts, measuring the distance from the actual site or building in which the operation is being conducted is more relevant and appropriate than from the property line. In many cases on large agricultural parcels in the unincorporated area, the cannabis use is setbacks hundreds of feet from the property line.

### **Non-Storefront Facing Retail**

Deliveries may only be made by a licensed retailer. However, the Budget Trailer Bill, SB 94, clarified that “retail” can also be non-storefront facing. In other words, a retailer may conduct sales exclusively by delivery, and close their premise to the public. Delivery services can be run out of a fulfilment center/warehouse, instead of a licensed dispensary.

Currently, Santa Barbara County consumers are largely served by delivery because there are limited storefront retail options. Furthermore, the American public is increasingly shopping online and demanding products delivered to their door. Hence the decline of traditional retail.

19-2

Non-storefront retail presents a strategic opportunity for the County to capture taxes from delivery services, which already exist. However, the County can only capture the revenue if the delivery business is based in the unincorporated area and licensed by the County.

The majority of existing warehouse buildings that could be utilized for delivery fulfilment centers in the County are on small agricultural parcels. Only a small amount of space is needed – around 3,000 square feet. Our clients are interested to lease space in existing agricultural buildings for this purpose. There could be increased efficiencies if a

19-2  
Cont.

delivery operator could secure a small permitted premise in the same warehouse shared with other licensed businesses – for example packaging. Therefore, we suggest it would be beneficial for the County to analyze permitting delivery fulfillment businesses on agricultural parcels.

Since non-storefront facing retail will not be open to the public, it will generate less community and environmental impacts. Fulfillment centers for other agricultural products already exist in the unincorporated area on small agricultural parcels.

Thank you for your consideration of these two issues.

Erin Weber  
Associate, California Strategies

## Metzger, Jessica

---

**From:** Carl Hein [cwhj59@cox.net]  
**Sent:** Friday, August 11, 2017 9:30 AM  
**To:** Cannabis Info  
**Subject:** cannabis

20-1

We are definitely against any cannabis being grown in our neighborhood, which currently is very family oriented and friendly, with good air quality. From what I understand, all this could be changed by this happening in our area. No on cannabis!

Dr. and Mrs. Carl William Hein  
Sungate Ranch



## Metzger, Jessica

---

**From:** Diana Rigby [drigby@cusd.net]  
**Sent:** Friday, August 11, 2017 2:25 PM  
**To:** Metzger, Jessica  
**Cc:** Andy Sheaffer; Diana Rigby; jaclyn Fabre; Jolene Colomy; Maureen Claffey; Michelle Robertson; Rogelio Delgado; Aaron LaPlante; Barnaby Gloger; David Weniger; Gerardo Corjeno; Jamie Persoon; Kirsten Escobedo; Mari Hornback; Maureen Fitzgerald; Michelle Fox; Ron Briggs  
**Subject:** Carpinteria Unified School District's Response to the Proposed Cannabis Land Use Ordinance and Licensing Program

Hi Jessica,

21-1 I am writing this email to meet the deadline at 5pm today for the EIR response by the Carpinteria Unified School District as the new School Superintendent responsible for student and staff safety in our schools, and particularly in Carpinteria High School. As currently reported by the Carpinteria High School Principal, Gerardo Cornejo, the air quality in the high school classrooms is compromised by the strong objectionable cannabis odors originating from agricultural operations located on properties in the unincorporated County area in close proximity to 4810 Foothill Road. As a high school school, we are considered a "sensitive receptor" and it is proposed in the Code Draft that a 600' radius is sufficient to protect our students and staff from the dangers or nuisance of the cannabis activities. I strongly recommend that you investigate a more effective distance( such as the 1000 ft. proposed in SLO County ) to ensure that the cannabis activities are not interfering with nor compromising the safety of our students and staff at Carpinteria High School.

Thank you for your consideration and I can be reached at 805.684.4511 for further discussion.

Thanks.

Diana Rigby

Diana F. Rigby, Superintendent  
Carpinteria Unified School District  
1400 Linden Ave.  
Carpinteria, CA 93013  
Phone: [805-684-4511](tel:805-684-4511)  
Email: [drigby@cusd.net](mailto:drigby@cusd.net)  
Twitter: [@CUSD\\_Super](https://twitter.com/CUSD_Super)

**Cruz, Patrick**

---

**From:** Villalobos, David  
**Sent:** Tuesday, August 08, 2017 9:36 AM  
**To:** Klemann, Daniel; Metzger, Jessica  
**Subject:** FW: Cannabis Odor Control- SLO Draft Ordinance as Example

fyi

---

**From:** Jim Taylor [<mailto:jim@carpedata.com>]  
**Sent:** Monday, August 07, 2017 4:20 PM  
**To:** Villalobos, David <[dvillalo@co.santa-barbara.ca.us](mailto:dvillalo@co.santa-barbara.ca.us)>  
**Cc:** Schunk, Cameron <[cSchunk@countyofsb.org](mailto:cSchunk@countyofsb.org)>; Anna Carrillo <[annacarp@cox.net](mailto:annacarp@cox.net)>; Mike Wondolowski <[cal@silcom.com](mailto:cal@silcom.com)>  
**Subject:** Cannabis Odor Control- SLO Draft Ordinance as Example

David,

22-1 | This is the SLO draft ordinance. Their paragraph on odor control is straightforward, and I think a similar approach might be appropriate in Carpinteria, where residential neighborhoods are adjacent to a large number of greenhouses.

<http://agenda.slocounty.ca.gov/agenda/sanluisobispo/7547/IVQyMyEgUkVWSVNFRCa2LTIwLTE3LnBkZg==/12/n/79248.doc>

**(4) Odors.** All cannabis cultivation shall be sited and managed in a manner that prevents cannabis odors from being detected. Indoor cannabis cultivation shall be equipped with ventilation controls (e.g. carbon scrubbers) to minimize nuisance odor emissions.

**(5) Pesticides.** Pesticides and fertilizers shall be p

DRAFT – REVISED 6/20/2017 – Page

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Jim Taylor  
Vice President  
Carpinteria Valley Association



[jim@carpdata.com](mailto:jim@carpdata.com)

5563 Calle Ocho  
Carpinteria CA 93013

408-666-7356

<http://www.carpinteriavalleyassociation.org>

## Cruz, Patrick

---

**From:** Catalina [catalina@peacechairproject.org]  
**Sent:** Sunday, August 06, 2017 6:24 AM  
**To:** Cannabis Info  
**Subject:** Cannabis is SB County - are you out of your mind?

**From:** Catalina [<mailto:catalina@peacechairproject.org>]  
**Sent:** Sunday, August 06, 2017 6:07 AM  
**To:** 'cannabisinfo@countyofsb.org'  
**Subject:** Cannabis is SB County - are you out of your mind?

Acapulco, a historical and beautiful vacation destination, on the Sea of Cortez, is located in the coastal state of Guerrero, now considered the most violent in Mexico due to cannabis and poppy farming proliferation and the drug cartels that feed the cannabis and heroin appetites of Americans. California and Santa Barbara County now flirt with the same distinction.

- 23-1 1. Now, legal in California, cannabis growers are proliferating without regulation. The small operations can't compete with the big growers and will continue to turn to the black market via cartels aka mafia aka gangs to sell their cannabis. They will skirt the regulations and regulators to survive.
- 23-2 2. Law enforcement is made more difficult by inviting the "drug manufacturers" to grow and sell their product in Santa Barbara County. Cartels aka mafia aka gangs make demands enforced with violence.
- 23-2 3. Environmental concerns are legitimate. The wine industry appetite for water is a drop in the bucket compared to the cannabis industry. The tightly controlled pesticide and fertilizer runoff requirements of Santa Barbara County for agriculture are not a concern for the small cannabis farms, growing under the radar, that are interested in fast cash profits paid by cartels aka mafia aka gangs.
- 23-3 4. Poppies and meth labs will follow cannabis in hoop houses as the heroin epidemic and general drug culture continues to mushroom. Cartels aka mafia aka gangs will be on hand to profit from the cash business violently regulated by their own small private armies.
- 23-3 5. Property owners and the general public of Santa Barbara County, and beyond, deserve leadership that protects their constituents from the plague of unregulated or casually regulated cannabis farming and marketplaces. **Strict regulations and the means to enforce them must be in place before the cannabis farms and marketplaces are ubiquitous in Santa Barbara County.**
6. Santa Barbara County can't have it both ways. Either we will continue to be a tourist mecca and legitimate agricultural prize or become a shabby-criminal-invested-unregulated-poorly-regulated-cannabis, or worse, empire. Witness the Mexican state of Guerrero.

Attempting to control the, ultimately, uncontrollable is a fools game. Egypt made cannabis illegal because ambition was nullified across the country. Stop the madness.

Respectfully submitted,

Cathleen McIsaac Bowman  
Resident of Santa Barbara County

## Aesthetics and Visual Resources

In the Eastern Goleta Valley Community Plan on p.168 there is a listing of the public scenic resources. The EIR should include a consideration of these for any impacts related to cannabis grown in the ag-zoned lands in that area. Also, the county's scenic highways are precious visual resources and changes to the viewsheds, vistas, scenic points surrounding these highways in the ag fields will be an impact: see attached links/references regarding the latest designation of 101 along the Gaviota Coast as a scenic highway in evaluating the impacts of cannabis activities in this and other corridors.

24-1

Any new exterior lighting associated with cannabis activities needs to be evaluated and mitigated. The county's current standards regarding exterior lighting are inadequate and out of date. The California Building Code uses principally dark sky lighting standards for any new exterior lighting. And three community planning areas, Eastern Goleta Valley, Santa Ynez, and Gaviota all have Dark Sky lighting standards in their community plans and any new lighting in these areas must meet those requirements. Mitigation for any new exterior lighting needs to be dark sky compliant to protect the night sky and the surrounding areas from the impacts of new exterior lighting.

Another issue is that of cannabis grown in greenhouses and hoop houses, where, without blackout tarps or some other mechanism to completely block out the lighting inside, interior lighting effectively becomes exterior lighting and thus "sky glow." Imagine, if you will, all the hoop houses on the east side of 101 in Santa Maria making the hillside glow at night. Currently, it is my understanding that the only night lighting in agricultural areas is used for a very short period of time during the grape harvests in the fall. Any changes to this scenario in the ag fields will be impactful affecting not only the character of the area and residents and depending upon where/how the cannabis is being grown, perhaps the nocturnal environment for wildlife as well..

Indoor cultivation can also occur in commercial/industrial zoned areas. Night lighting installed for safety and security purposes outside the building may be more than that traditionally found in those zone districts. Are there any impacts from this additional lighting on surrounding businesses/residential areas/streetscapes and what are the mitigations for ensuring that this additional lighting will dark-sky compliant to reduce impacts of new lighting?

Will the county's sign ordinance need to be updated with different standards for signs/advertising for cannabis related facilities? What is the process to do this and what development standards will be considered? Please list them in the EIR.

What are impacts of any fencing needed for security in either ag fields or in manufacturing/commercial areas? Establish development standards of what is acceptable and what is give examples of what is not acceptable (e.g. no black plastic fencing, no razor wire). Development standards should include kinds of fencing materials, wall and fence construction standards, heights, etc. Fenced cannabis cultivation sites should not look like an armed fortress. Include debris removal from outside fences and maintenance of fencing in the development standards as well. Consider mitigation for fencing that may block wildlife corridors if appropriate. If possible, provide fence development standards for the public to comment on.

24-2 | Agriculture  
Will multiple leases with different lessors be allowed on one ag parcel? ?

24-3 | Air Quality and GHG Emissions  
Anecdotal information indicates there might be an odor issue with the few plants that individuals are allowed to grow in their backyard. What enforcement will there be if neighbors are negatively impacted?

24-4 | Cultural  
Discuss the impact of growing cannabis on ag fields which are/may be considered cultural landscapes.

24-5 | Hazards and Public Safety  
Include in this section impacts both to the environment and to residents in high fire hazard areas of any cannabis-related activities..

### Land Use and Planning

Residential/Ag conflicts: Per the draft ordinance, cannabis is proposed for all ag zone districts, but not all ag zone districts are suitable for cannabis-related activities. As an example, in the 2<sup>nd</sup> district, there are Ag-1 zone districts in the heart of the urban area in the Eastern Goleta Valley. Some of these parcels are surrounded by homes, schools, near a hospital. Some Ag-1 zoned parcels on More Mesa have apartment buildings located on them. Another Ag-1 zone parcel located off LaGoleta Road is surrounded by RR zoning. Also, many of the AG-II zoned parcels in the Eastern Goleta Valley are adjacent to residential properties. EIR needs to address the conflicts and impacts of locating cannabis related activities near residential areas for both Ag-1 and Ag-2 parcels.

Similar situations exist in the Santa Ynez Valley with Ag-1 zoning where “hobby farms” are really just large residential properties and may not be suitable for the requirements of cannabis cultivation which would have impacts on nearby sensitive receptors either on the same or adjacent properties. Carpinteria already is experiencing Ag-1 and residential zoning conflicts. See attached article. There is no speculation as to the conflicts between cannabis activities on Ag in Carpinteria and nearby residents. What are mitigations?

24-6 | Commercial Zone District conflicts: While scoping document indicates that no additional impacts are foreseen in allowing cannabis related businesses in these zone districts, consider the following: Cannabis retail stores will have an influx of business with a steady stream of customers which may impact surrounding businesses. I believe that the shopping area where the retail outlet is located will be a magnet, drawing shoppers not only living close by but from afar. Parking will be expected and in demand, requiring more parking, not less. In older developed areas, parking needs outstrip county parking requirements (e.g., the Trader Joe’s parking lot on DeLaVina). Allow a cannabis retail outlet only in a shopping center with multiple tenants (like the Turnpike Center) where there is ample parking for all tenants. Small retail centers, like those at Modoc at Hollister often lack sufficient parking even for the in-place merchants. When locating cannabis retail stores in the community, a requirement should be there is ample parking.

Colorado has cannabis shops that are open 24 hours. What hours will retail outlets be allowed? Will they have longer “store open” hours than adjacent businesses, creating security issues for closed stores/ adjacent neighborhoods?

The presence of a cannabis business may change the carefully planned visual environment cultivated in commercial districts because of increased security footprint, special handling of waste, odor discharge from exhausts vents; fencing needed when not applicable to other business in the area, increased night lighting, etc. How will these aspects be mitigated so one tenant in the shopping complex doesn't stand out from the rest?

### Mixed Use Zoning

Housing: All residentially zoned properties have been excluded from any cannabis zoning except for the Mixed Use Zone District. However, in the Eastern Goleta Valley (EGV) Community Plan, housing in mixed use zoning is considered residential zoning. I believe there are similar considerations for the CM-LA zone district. The community planning processes never considered the impacts of allowing cannabis activities and/or businesses in mixed-use zone districts. Here are some of the impacts that need to be evaluated of a cannabis-related business in the same complex as a residential use: increased security footprint needed/required changing the residential character of the complex, activity related to cannabis business with impact on residents and residential character of neighborhood. There is the odor issue where sealing of walls to prevent odor migrating from cannabis-related activities in one space into adjacent residential space will be needed as well as preventing any odorous exhaust from manufacturing facilities should they be located in the MU zone district. Possibly increased traffic throughout the day and into the evening in the complex because of nature of cannabis retail outlet.

Parking: When mixed-use zoning was considered as a way to provide more housing; it was understood that parking would be limited in most cases. Considered at the time of this planning effort was the notion of "conjunctive-use parking" where hours of operation and demand for parking were envisioned for use by different entities during different times of the day. That is, residents would use the spaces at night and businesses would use the spaces during the day, thus serving more than one use. Allowing a retail cannabis outlet in mixed-use zoning will create parking demand on the complex never envisioned or provided for in the planning process. In the case of a retail outlet on Hollister in the EGV mixed-use area, there is no parking on Hollister and there will be limited parking in a mixed-use complex with residents expecting to be able to park their cars at night when a cannabis retail store will most likely be open at night, using spaces intended for the residential occupants.

The EIR needs to address the incompatibility in allowing cannabis-related businesses in mixed use zoning where other residential zone districts aren't faced with the impacts generated by these kinds of business activities. The Mixed-Use District is a residential zone district and, at least, in the Eastern Goleta Valley Community Plan even has its own development standards addressing the residential nature of the zoning. There should be no cannabis-related businesses allowed in this zone district or in any mixed-use district in the county for that matter.

Public Services: Increased security issues of cannabis related businesses affecting resident's safety could occur in both MU zone district and in residential areas adjacent to commercial areas. The following information is excerpted from the California Dept of Food and Agriculture Draft PFEIR p.4.11-6: *In Colorado, where cannabis was legalized for recreation in 2012, dispensaries faced frequent robbery and burglary attempts despite security measures. The Police Foundation reports burglary rates at licensed cannabis outlets in CO are much higher than other retail outlets. Because cannabis-related organizations are forced to deal in cash, this subjects them to a substantially increased risk for crime.* Will buffers be needed between commercial areas where retail outlets are

24-6  
Cont.

24-7

24-7  
Cont. | located and immediate adjacent residential areas to mitigate increase in crime? While the elevated risk of crime isn't an impact under CEQA, it is a great concern to neighbors and residents located near cannabis retail outlets to their quality of life.

24-8 | Public Utilities: Scoping document lists increased waste from cannabis cultivation, but I believe the waste issue is broader than that. Some cannabis waste may be hazardous and needs to be handled differently than waste that isn't. What are impacts and evaluate capabilities of local facilities/vendors in handling increased and hazardous waste.

24-9 | Buffers as mitigation: California has established a minimum of 600ft buffer for K-12 schools and day care facilities. EIR must examine if this is sufficient distance to mitigate the impacts from various aspects of cultivation and dispensaries in the commercial and residential neighborhoods. Also to be included in any 600ft or greater buffers are other youth oriented centers where youth congregate on a regular basis. Permanent facilities like the Boys and Girls Club, Girls, Inc., Ben Page Youth Center, all on Hollister as well as for tenants in commercial/retail buildings which cater to youth, like the Indoor Trampoline Club in the Turnpike Shopping Center, and the SB Gymnastics Club at 4179 State Street. Also buffers should occur for libraries and, public transit stops where youth take the bus..

See below for links/reference material from Aesthetics/Visual Resource Section and Land Use Planning

There are three scenic highways in Santa Barbara County, all important visual resources.

- 24-10
- Highway 101 along the Gaviota coast, from the western boundary of the City of Goleta, north to the intersection of Highway and State Route 1 at Las Cruces.
  - State Highway 1 from its intersection with Highway 101 at Las Cruces, north to the southerly city limits of Lompoc.
  - The entire length of Highway 154.

For your consideration is the initial Board Letter regarding the scenic highway designation for the Gaviota Coast

<https://santabarbara.legistar.com/LegislationDetail.aspx?ID=2847879&GUID=502721CA-BC4A-4F00-A023-CF3F3B035456>

The final application packet for the Gaviota Coast Scenic Highway Designation application to Caltrans is located here:

[http://longrange.sbcountyplanning.org/programs/gaviotascenichighway/Santa%20Barbara%20Co\\_%20Application%20Packet\\_NOV2016.pdf](http://longrange.sbcountyplanning.org/programs/gaviotascenichighway/Santa%20Barbara%20Co_%20Application%20Packet_NOV2016.pdf)

This is a useful page from Caltrans about the Scenic Highways program, that talks about the benefits of designation:

<http://www.dot.ca.gov/design/lap/livability/scenic-highways/faq.html>



## Grow operations out of control

The First District Supervisor's Office and Carpinteria City Council seem asleep at the wheel as greenhouses immediately adjacent to housing in Carpinteria are converted to cannabis grow operations. Residents are subjected to noxious odors, noise and night lighting in what has become a 24/7 industrial farming process. This is affecting residents' health, property values and quality of life. Some city residents have bedrooms within feet of the county greenhouses.

That the greenhouses are in county jurisdiction is no excuse for inaction by each agency. Greenhouses are being illegally converted to cannabis operations, and no agency is holding up a stop sign. A buffer zone of 1,000 feet seems a minimum setback between housing, schools and grow operations.

The lure of tax dollars should not override the government's duty to protect and serve the people. A wise decision would be to limit cannabis grow operations to rural areas far from housing and schools, in locations where water supply is available and rural residents are not affected. I doubt any such place exists.

A wiser decision would be to not permit commercial cannabis grow operations in Santa Barbara County. Our county's reputation as a clean, environmentally concerned and welcoming tourism destination will go down the drain with all the negative effects of cannabis operations. The direct impacts to individual residents and the cumulative effects to communities such as Carpinteria by grow operations will be disastrous.

**John Culbertson**  
*Carpinteria*



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August 11, 2017

VIA E-MAIL

Jessica Metzger, Program Manager  
Santa Barbara County Long Range Planning Division  
123 E. Anapamu St.  
Santa Barbara, CA 93101  
[cannabisinfo@countyofsb.org](mailto:cannabisinfo@countyofsb.org)

Re: Draft Cannabis Land Use Ordinance Public Comments

Dear Ms. Metzger:

I am writing on behalf of Chernis Law Group P.C. (“CLG”), a Santa Monica-based law firm, that represents collectives, dispensaries, deliveries, cultivators, manufacturers, landlords, patients, and other cannabis-related clients. I am writing concerning the Draft Cannabis Land Use Ordinance released on July 12, 2017, on behalf of a client in Santa Barbara County who resides in an Agriculture II zone, and who will be seeking multiple cultivation permits for her property.

CLG and its client greatly appreciate the efforts of the Santa Barbara County Long Range Planning Division and their Staff in promulgating the draft land use ordinance for commercial cannabis activity. Your office has been transparent, professional and helpful during this process. However, the Draft Cannabis Land Use Ordinance did not address a few issues of concern to our client, and likely other prospective applicants, and to that end we respectfully submit the following comments and recommendations for your consideration:

1. The Draft Cannabis Land Use Ordinance authorizes issuance of commercial cannabis cultivation in certain zones, and specifies the types of cultivation permits available along with the maximum square footage to be associated with that permit type, on a particular “premises.” However, it does not



CHERNIS LAW GROUP P.C.

August 11, 2017

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address whether an applicant may seek multiple cultivation licenses or permits on a single parcel of land, thereby creating multiple “premises” on their parcel. I would note that State law (SB 94) authorizes multiple “premises” on a single parcel of land, provided they are “separate and distinct” in some fashion. Ca. Business and Profession Code § 26053(c). The Draft Land Use Ordinance does not provide a “premises” definition, but states that if a word is not defined, the Director will determine the correct definition utilizing State law. Since State law permits issuance of multiple licenses or permits on a parcel provided each licensed or permitted “premise” is “separate and distinct,” we would recommend that a permittee in Santa Barbara County be able to seek multiple permits for cultivation on a single parcel provided they are on distinct “premises” as defined by State law. This would avoid any inconsistency between State and local laws.

25-1  
Cont.

2. Along the same lines, and assuming multiple “premises” on a single parcel for outdoor and/or mixed light cultivation are permissible in Santa Barbara County, we recommend that the Ordinance describe at least by example what type of division or separation would be required to create a “separate and distinct” premise. For example, we recommend for purely outdoor cultivations that each “premise” be separated by a surrounding fence line, and for mixed light cultivations that each “premise” merely identify the hoop structures or greenhouse that comprise such “premise.”
3. Still assuming multiple “premises” are to be permitted on a single parcel, and in turn multiple permits, the Draft Cannabis Land Use Ordinance does speak to any limits on the number of permits that may be obtained by a single applicant on a single parcel for multiple “premises.” State law (SB 94) generally imposes no limits in this regard. Likewise, it does not limit the aggregate amount of square footage that can be devoted to cultivation on a parcel of land. Rather, it provides that, “a person may apply for and be issued more than one license under this division, provided the licensed premises are separate and distinct.” Ca. Business and Profession Code § 26053(c). While Ca. Business and Profession Code § 26061(a)(8)-(10) notes that the State will limit the number of Type 3, 3A, and 3B licenses that the Department of Food and Agriculture can issue; it imposes no limits whatsoever with regard to Type 2, 2A, or 2B licenses. See Ca. Business and



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Page 3

25-1  
Cont.

Professions Code § 26061(a)(5)-(7). Thus, we recommend that Santa Barbara County not restrict the number of Type 2, 2A, or 2B permits or licenses a person may obtain for a single parcel of land with multiple “premises”, or if limits are to be imposed set the limit at an aggregate of no less than two acres of canopy on a single parcel (including the comprised “premises”), and no less than four acres of cultivation canopy per “Owner” across the County.

Thank you for taking the time to consider our comments and recommendations.

Sincerely,

Michael Chernis, Esq.

## Cruz, Patrick

---

**From:** Cheryl Mrachek [cherylmrachek@gmail.com]  
**Sent:** Tuesday, August 01, 2017 9:57 AM  
**To:** Cannabis Info  
**Subject:** Rezoning for marijuana growing

Attention of Jessica Metzger, Project Manager

26-1 I do not support the rezoning of the farm areas on Hollister, or any other residential area in Santa Barbara County, in order to grow marijuana plants. This will cause property devaluation as well as odor and breathing issues for all of us who live and work within this area.

We need you to stop this rezoning effort. Please listen to our needs.

Thank you,

Cheryl Mrachek  
340 Old Mill Rd #96  
Santa Barbara, CA  
93110

Sent from my iPhone

# CITY of CARPINTERIA, CALIFORNIA



August 10, 2017

Attention Ms. Jessica Metzger  
County of Santa Barbara Planning and Development Department  
Long Range Planning Division  
123 East Anapamu Street  
Santa Barbara, CA 93101-2058

Re: Notice of Preparation and Scoping of an Environmental Impact Report  
Cannabis Land Use Ordinance and Licensing Program EIR  
Case No. 17ORD-00000-00004

Dear Ms. Metzger:

Thank you for the opportunity to comment on the County's Notice of Preparation (NOP) for the Draft Environmental Impact Report (EIR) for the Cannabis Land Use Ordinance and Licensing Program. As described in the scoping document, the project under consideration is the adoption of a cannabis ordinance that would allow commercial cannabis cultivation, manufacturing/processing with non-volatile and volatile extraction, post-processing and packaging, testing, distribution and retail. The Draft EIR will describe the nature of these different aspects of commercial cannabis operations, identify the potential environmental impacts of uses, and identify alternatives and/or mitigation measures to address these impacts.

The City has reviewed and is generally in agreement with the issues and potential impacts identified in the County's Environmental Scoping Document. This includes the general topics of Aesthetics and Visual Resources, Agricultural Resources, Air Quality and Greenhouse Gas (GHG) Emissions, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Public Safety, Hydrology and Water Resources, Land Use and Planning, Noise, Public Services, Transportation and Circulation, and Public Utilities.

Due to the City's immediate adjacency to extensive agriculturally designated lands in the unincorporated area of the County, natural resources in the City and its residents, visitors and businesses, may be uniquely affected by any impacts resulting from expanded cannabis-related operations in the Carpinteria Valley. According to the County's recent voluntary registry effort, almost one quarter (52) of the 216 self-reported current cultivators countywide are located in the Carpinteria Valley. Of these 52 cultivators, it is not known how many are operating in a manner consistent with current law at the local and/or state levels. Furthermore, the number of self-registered cultivators located in the Valley underscores the desirability of the greenhouse and open field agricultural lands in the Carpinteria Valley for commercial cannabis operations. It is expected that many of the 506 self-registered "future cultivators" throughout Santa Barbara County are also looking at additional sites in the Carpinteria Valley.

The City has reviewed the County's Draft Cannabis Land Use Ordinance dated July 12, 2017. Comments herein identify issues, potential impacts, possible alternatives and/or mitigation measures that are germane to the City's statutory authority and are aimed at assuring that the project (i.e., Ordinance) and its potential impacts to the physical environment affecting the City are understood and properly disclosed. The City believes this is a project of area-wide significance and is responding in the belief that the project could affect residents, businesses, natural resources and public facilities within its jurisdiction.

This comment letter is provided for the limited purpose of assisting the County in scoping the project EIR. The City anticipates providing comments at the appropriate time on the various elements of the draft regulations applicable to the Carpinteria Valley including but not limited to what cannabis uses and activities are allowed, where certain uses are allowed, and development and operating standards.

### **Land Use and Agricultural Resources**

**Issue L1:** As part of the EIR for the pending Cannabis Land Use Ordinance, the County should consider the consistency of the project with the County's Carpinteria Valley Greenhouse Program (Program) and resultant Carpinteria Agricultural Overlay District, and the potential for any new cannabis regulations to encourage or promote further conversion of open field agricultural lands to greenhouse facilities in the context of the Program regulations. The adopted Program included a numerical cap on the total amount of permissible new greenhouses and greenhouse-related development (including packing and shipping facilities and hoop structures) in Area "A" of the Overlay District. The City is not aware of any available, current figures concerning the remaining acreage capacity for new greenhouse development in this Area. Furthermore, and as discussed throughout this letter, the City is generally concerned with the land use and environmental effects of any additional greenhouse development in the Carpinteria Valley. The proliferation of greenhouses and greenhouse-related development in the Valley has led to a continued industrialization of Carpinteria Valley agricultural lands. The City believes further development of such uses and facilities in the Carpinteria Valley is inappropriate and inconsistent with the intent of Agricultural land use designations in the Coastal Zone.

By way of background, in 2004, the County Board of Supervisors (BOS) finalized their adoption and incorporation of amendments to Article II of Chapter 35 of the Santa Barbara County Code to address the outcomes and findings of the Carpinteria Valley Greenhouse Program (Program), including the establishment of the Carpinteria Agricultural Overlay District. The purpose of the program was to identify, limit (through regulation) and mitigate the potential impacts to coastal resources in the Carpinteria Valley resulting from future cumulative greenhouse development. The City of Carpinteria worked closely with the County, providing feedback and comments on the Program throughout the adoption process, to address concerns over continued greenhouse development germane to the City.

The City of Carpinteria General Plan/Coastal Plan, certified in 2003, also includes a number of Objectives and Policies (i.e., Objective LU-4 and Policies LU-4a, -4b and -4c) meant to ensure that development patterns in the unincorporated Carpinteria Valley are supportive of the Coastal Act and City objectives to

preserve unique coastal resources by maintaining open field agricultural uses as the predominant use in the unincorporated Valley.

27-1  
Cont.

**Alternatives/Mitigation:** References in the Land Use and Development Code use tables should include a reference to compliance with the applicable provisions of the Carpinteria Agricultural Overlay District for any new cannabis operations contemplated in the Carpinteria Valley. If necessary, license or acreage caps could be considered to limit the proliferation of indoor/greenhouse cannabis operations in the Valley and/or to preserve available capacity for other non-cannabis agricultural uses.

**Issue L2:** The County's Draft Cannabis Land Use Ordinance dated July 12, 2017, contemplates allowing cannabis cultivation (Types 1-4) and non-volatile manufacturing (Type 6) in both the AG-I and AG-II zone districts, as well as volatile manufacturing (Type 7) in the AG-II zone district. The EIR should describe the nature of, intensity and processes involved in both types of cannabis-related manufacturing and compare these activities to the types and intensities of agricultural processing currently allowed in the AG-I and AG-II zones for "traditional" agricultural products. Those differences should be discussed in terms of intensity of uses (employment, traffic trips, etc.) and risks to public health, safety, and natural resources. Risks associated with allowing volatile manufacturing in areas of moderate or high fire hazards should be especially carefully considered and evaluated in coordination with fire protection agencies.

27-2

**Alternatives/Mitigation:** Alternatives considered should include further restricting or prohibiting where and/or to what extent manufacturing (Types 6/7) is permitted to occur, particularly in areas where manufacturing is determined to be inconsistent with current policies for preserving agriculture. Mitigation to be considered could include siting manufacturing facilities in areas that do not pose significant safety risks to surrounding land uses or wildlands, requiring the incorporation of additional safety measures (e.g., fire sprinkler systems, spill containment response plans, etc.) in all manufacturing facilities to minimize risk of accidents, fires, or spills, and requiring individual permitting/coordination of such facilities with applicable fire protection agencies (in the case of the Carpinteria Valley, this is primarily the Carpinteria-Summerland Fire Protection District).

27-3

**Issue L3:** The County's Draft Ordinance does not specify whether cannabis manufacturing/processing would be limited to on-premise products only, or whether off-premise product manufacturing/processing would also be allowed. We note that presently for other non-cannabis agricultural processing, only the processing of on-premise products are a permitted use in the AG-I and AG-II zones, with production of off-premise products being a conditionally permitted use only in the AG-II zone district. The EIR being prepared for the Cannabis Land Use Ordinance should identify and evaluate the potential environmental effects of allowing cannabis manufacturing/processing of off-premise products within the AG-I and AG-II zones. Specifically, the City is concerned with increased employee vehicle and/or truck traffic associated with deliveries to/from such facilities and the potential for the increased industrialization of activities occurring within Agriculturally-designated areas in the Coastal Zone.

**Alternatives/Mitigation:** Alternatives considered should include limiting cannabis production/manufacturing to on-premise products (only) in both the AG-I and AG-II zone districts (if



27-3  
Cont.

manufacturing/processing is to be allowed at all (see Issue L2 above). Such alternatives would help to discourage the likelihood of large scale “industrialized” cannabis operations in or among the smaller AG-I and AG-II designated parcels found in the Carpinteria Valley. Mitigation measures that limit the extent, number or location of such manufacturing/production facilities could also be considered.

27-4

**Issue L4:** The EIR Scoping Document prepared by the County did not identify possible effects to the CEQA issues of population and housing as an anticipated area of study. We believe that the potential for the project to result in socio-economic changes to the nature or intensity of agricultural employment, and/or agricultural employee housing demands must be analyzed and discussed in the EIR. The EIR must consider the employment demands generated by cannabis operations in comparison to other agricultural uses currently being practiced in the County (and specifically in the Carpinteria Valley), and the distribution of residency of employees for cannabis operations compared to other agricultural uses. Again, in light of the City’s immediate adjacency to extensive agricultural lands under the County’s jurisdiction and the City historically serving as a primary source of housing for many individuals employed in the Carpinteria Valley’s agricultural industries, the City is especially exposed to the potential impacts of any intensification of employment demands related to new or expanded commercial/medical cannabis operations.

**Alternatives/Mitigation:** Alternatives that are based upon the available potential work force, housing costs in the area, commute distances from affordable housing, etc. should be considered. If increased availability of housing affordable to the work force is anticipated, the availability of suitably designated and located land in the County should be identified. Possible mitigation measures to consider include revisiting allowances for agricultural employee housing in the AG zone districts, and/or implementing a Development Impact Fee or In-Lieu fee program to set aside funds for additional affordable housing for increased agricultural employees resulting from any intensification of agricultural operations over existing conditions as a result of the considered Ordinance.

27-5

**Issue L5:** The EIR should consider the potential for expanded cannabis operations to support or encourage the growth of ancillary, supporting or complementary uses, including but not limited to tourism-based operations (e.g., tours, “tastings,” “cannabis clubs,” “farm stays,” etc.). Potential land use, traffic circulation, public safety, and environmental effects of such uses, including where, or if, such uses would be permitted, should be discussed evaluated.

**Alternatives/Mitigation:** If allowed at all, potential mitigation could include limiting where, when and at what level of intensity such uses are permitted. Licensing/permitting of such uses should be required with coordination through appropriate municipal and/or public safety agencies.

27-6

**Issue L6:** Numerous nuisance complaints related to odor, light and noise have been brought to both the City and County resulting from the impacts of existing cannabis operations in the unincorporated Carpinteria Valley occurring in close proximity to sensitive receptors located within the City of Carpinteria, including but not limited to schools, youth centers/daycares and residences. Further expansion and intensification of cannabis operations in the Carpinteria Valley has the potential to exacerbate the inherent conflicts between these land uses.

27-6  
Cont.

**Alternatives/Mitigation:** As discussed elsewhere in this letter, mitigation measures to be considered should include mandatory buffers or setbacks from nearby sensitive receptors, numeric caps on licenses issued within a defined geographic area, and other physical development standards or required improvements (e.g., odor controls, etc.) for permitted premises to address and abate nuisance impacts.

27-7

**Issue L7:** The EIR should consider if and how cannabis operations would utilize the unique characteristics of agricultural land in Coastal Zone (e.g., soils, climate), and if and how the products produced are uniquely suited to the characteristics of the Coastal Zone or whether they succeed similarly in non-coastal areas when grown under similar conditions. The comparative costs of producing in the Coastal Zone versus other areas where the same products could be grown/produced should also be considered.

**Alternatives/Mitigation:** Mitigation considered should include means of assuring the availability of agricultural lands in the Coastal Zone for the growing of products that require the area's unique attributes.

27-8

**Issue L8:** While not specifically a CEQA issue, we do note that the County's urgency ordinance prohibiting all non-medical cannabis operations in unincorporated Santa Barbara County will expire in April, 2019, however, the County's timeline for the adoption of the Cannabis Land Use Ordinance (as presented at the July 11, 2017 Board of Supervisors hearing) suggests certification of a Local Coastal Plan Amendment (LCPA) to incorporate cannabis regulations into the County's Article II Coastal Zoning Ordinance may not be considered by the California Coastal Commission (CCC) until May 2019 (or later, depending upon scheduling, among other variables). Post-certification work efforts associated with the final implementation of the Ordinance within the Coastal Zone (e.g., returning the approved LCPA to the County BOS for acceptance, CCC acknowledgement of County acceptance of CCC action, etc.) would further delay the Ordinance from immediately taking effect.

In light of this potential timing gap between when the current urgency ordinance expires and when the Cannabis Land Use Ordinance would take effect in the Coastal Zone, what is the County's strategy for addressing and regulating existing cannabis operations and prospective new operators in areas located within the Coastal Zone during the period when no local regulations would otherwise be in effect? Of particular concern to the City are operations that are ongoing yet are subject to little, if any, regulation and generate complaints from residents and members of the public due to nuisances (e.g., odor, light, etc.). What is the status of enforcement efforts and what will be the County's enforcement strategy should the development and approval of regulations extend beyond the anticipated timeline?

### **Traffic & Circulation**

27-9

**Issue T1:** Access to greenhouse and open field agricultural lands in the Carpinteria Valley from U.S. 101 is provided by local arterial and collector streets that pass through the City of Carpinteria, including Casitas Pass Road, Linden Avenue, Santa Monica Road and Cravens Lane. Existing agricultural uses in the Valley impact City streets and intersections through increased traffic, as well as the unique impacts associated with heavy truck traffic, such as damage/wear on local roads, and the inadequacy of some intersections and driveways to accommodate heavy truck turning movements. These concerns also

apply to State Route 192, which passes through the Carpinteria Valley and the City of Carpinteria. Changes in the intensity or nature of vehicle trips associated with existing agricultural uses as a result of expanded Cannabis cultivation and production must be considered.

27-9  
Cont.

**Alternatives/Mitigation:** Mitigation could include operational measures such as excluding truck traffic from certain streets where conditions merit and/or limiting new vehicle trips during peak hours or similar methods. The County could also consider the establishment of a Development Impact Fee program to assess intensified uses for their incremental share of roadway and infrastructure improvements necessary to meet increased demands. We note the County previously established a similar program as part of the Carpinteria Valley Greenhouse Program to mitigate identified traffic impacts to the Santa Monica Road/Via Real/U.S. 101 intersection associated with future greenhouse development.

The potential for road/intersection repairs or improvements, addition of bike or walking paths, improving site distances at driveways and intersections, and ensuring adequate loading and parking facilities are provided onsite for cannabis operations should also be considered. If expanded cannabis operations would result in increased heavy truck traffic for concentrated areas, an assessment should be completed that determines whether or not local streets in the affected area are constructed adequately to accommodate increased truck traffic. Mitigation that would offset the proportionate share of damage done to local streets by traffic associated with increased, concentrated cannabis cultivation/manufacturing operations should be considered.

27-10

**Issue T2:** Assessing the potential impacts related to traffic and circulation will depend greatly on an understanding of the number of employees required for the expected number of cannabis operations and from where they will be coming. A study of the expected cumulative employment generation, where affordable housing for the work force is located and by what means and routes employees will commute to work must be completed in order to assess potential project impacts and provide adequate mitigation.

**Alternatives/Mitigation:** If warranted, mitigation considered could include methods for reducing vehicle trips (e.g., carpooling, bicycle lanes, etc.) and the establishment of housing affordable to the work force convenient to, or within, the project area(s).

27-11

**Issue T3:** In areas where expanded, concentrated cannabis operations are expected to occur (like in the Carpinteria Valley), a significant intensification in the number of agricultural employees associated with cannabis operations could impact the need for public transportation in the area. The EIR should include an assessment of the public transportation available, how it would be impacted and whether or not existing locations/routes would adequately support increased demand in these areas.

**Alternatives/Mitigation:** If warranted, mitigation could include cooperation with municipal transportation providers in the area to determine projected usage by agricultural employees and to determine if alterations in schedules and/or routes is necessary or possible. Similarly, the expansion or improvement of existing bicycle lanes along primary commute routes to/from affected agricultural lands could be considered.

## Visual Resources & Blight

**Issue V1:** Lighting impacts from indoor and outdoor cannabis operations associated with both cultivation/production operations and site security measures must be considered and evaluated. Specifically, the City is concerned with cumulative impacts to the Carpinteria Valley night sky such that visibility and aesthetics in the area would be diminished, as well as nuisance impacts to other surrounding land uses (e.g., residences) in close proximity to such uses.

**Alternatives/Mitigation:** Mitigation that could be considered includes the use of roll-down covers or similar physical means of preventing light leakage or spillover from cultivation operations. Night sky friendly, hooded lighting that does not result in spillover onto adjacent properties should be required for all security and property lighting.

**Issue V2:** As noted above under “Land Use and Agricultural Resources” Issues, the City is concerned with the potential for the contemplated cannabis regulations to encourage or foster further growth and expansion of greenhouse and manufacturing/production facilities within the Carpinteria Valley and the impacts this would have on the visual character of the Valley. The proliferation of such facilities contributes to an increasing industrialized character of agricultural lands in the Valley. Furthermore, a general lack of adequate screening, setbacks and/or buffering of such uses from adjacent residential land uses and from nearby public roads throughout the Carpinteria Valley further degrades the visual quality of the area and contributes to a blighting effect upon the area.

27-12

**Issue V3:** The aesthetic impacts of the increased securitization of agricultural lands (e.g., large imposing fencing/gates, use of razor wire or similar physical deterrents, armed security, surveillance equipment, additional lighting, etc.) resulting from cannabis cultivation and manufacturing facilities should be considered and evaluated. Again, a proliferation of such infrastructure may contribute to a blighting effect and an increasingly industrialized character of the Carpinteria Valley that is not in keeping with the largely rural nature of the Valley, which has been identified for protection in both the County’s and City’s LCPs.

**Issue V4:** Aesthetic and quality of life impacts on adjacent land uses as a result of any increased industrialization and/or securitization of rural agricultural lands, and the impacts such changes would have on property values should be considered and addressed.

**Alternatives/Mitigation:** Mitigation should be considered that would result in the creation of development standards that take into account aesthetic treatments of new cannabis operations and any needed security improvements, and may include required setbacks, screening, landscaping or similar buffering elements from adjacent uses and public spaces (including roads) with the intent of preserving the existing rural character of the area. Additionally, exterior security lighting should be required to be limited to the minimum necessary for safety purposes and designed to be “night-sky” compliant.

**Issue V5:** Improvement requirements made by the County are often not implemented through approved development or are not properly maintained so as to be effective. Unpermitted improvements are also often not observed or abated for extended periods. Enforcement of

development standards and other zoning requirements has been lax allowing necessary and required improvements to be ignored and unpermitted uses to occur, which further impacts the visual quality of the Valley.

27-12  
Cont.

**Alternatives/Mitigation:** Mitigation should be considered that would result in Code Enforcement officer(s) being dedicated to actively regulating and monitoring cannabis operations through the County. Public notifications, including mailed notices to nearby surrounding neighbors, concerning new or expanded licenses would help to inform concerned neighbors of pending operations and provide an opportunity for affected neighbors to share their input. Mandatory recurring inspections as part of ongoing licensing requirements (including renewals) would also help to ensure ongoing permit compliance. This would ensure a greater level of compliance at the construction stage, maintenance of required improvements over the long term, and responsiveness to citizen inquiries/concerns.

### Air Quality/Odors

**Issue AQ1:** The EIR should describe and evaluate any public health effects from exposure of persons to odors or airborne particulates associated with the contemplated types of cannabis operations (e.g., cultivation, manufacturing/processing, etc.). This analysis should include a discussion of impacts to persons that have particular sensitivity or allergies to the types of organic and chemical compounds inherent to the uses and activities contemplated by the regulations.

**Alternatives/Mitigation:** If appropriate, mitigation could include mandatory buffers from sensitive receptors, including residences, and/or limiting such activities to indoor, enclosed operations that are outfitted with appropriate air filtering/scrubbing technologies.

27-13

**Issue AQ 2:** Intensification or expansion of indoor cannabis cultivation/manufacturing uses in the Carpinteria Valley has the potential to further impact air quality in the area, both from point sources (such as emissions from new large cultivation/production/manufacturing facilities) and non-point sources (e.g., increased vehicle and large truck trips). As stated previously, it will be important to consider cumulative impacts from new construction and employment generation, including the resultant impacts to housing demand (and location), vehicle trips/circulation, etc.

**Alternatives/Mitigation:** Mitigation measures considered should include design measures to reduce GHG emissions associated with point sources and means for reducing the number and distance of vehicle trips traveled in association with cannabis operations. If warranted in specific areas, intersection and/or street improvements that are capable of reducing congestion could also be considered.

**Issue AQ3:** Complaints concerning nuisance odors from cannabis operations occurring in unincorporated areas of the County in proximity to sensitive receptors such as schools, youth centers/day cares and residences located within the City of Carpinteria have increased significantly over the last couple of years. Residents complain that the odor is objectionable, degrades their quality of life and may pose health risks. Nuisance impacts related to the unique odor characteristics of cannabis operations must be considered and addressed.

27-13  
Cont.

**Alternative/Mitigation:** Mitigation considered should include recognition that certain aspects of cannabis operations should not occur within certain distances of sensitive receptors, including residential uses. Incorporation of air scrubbing technologies on cannabis operations must be considered to help mitigate nuisance odor complaints.

27-14

**Issue AQ3:** The EIR should evaluate if, or how, pesticide, fertilizer or chemical usage (including for both volatile and non-volatile manufacturing) associated with the cannabis industry differs from that of existing agricultural operations, particularly in areas where such agricultural uses occur in close proximity to other land use types. Impacts related to odor from, and exposure to, such materials must be addressed.

**Alternatives/Mitigation:** Mitigation considered should include ensuring ongoing compliance with application standards and operating procedures as managed through the Agricultural Commissioner's office. If necessary, appropriate buffers from nearby surrounding sensitive receptors could also be considered.

### Noise

27-15

**Issue N1:** Nuisance noise from fans, ventilation systems and other operating characteristics of cannabis industry for nearby sensitive receptors, including residential land uses in City, must be addressed and evaluated. Like odor and lighting, noise complaints have seen a recent increase among residential areas in close proximity to existing cannabis operations in the Carpinteria Valley.

**Alternatives/Mitigation:** Mitigation considered should include recognition that certain aspects of cannabis operations should not occur within certain distances of sensitive receptors, including residential uses, and/or during certain hours that are likely to disturb residents or other sensitive receptors. Appropriate development standards should be established and enforced.

### Public Facilities & Services

27-16

**Issue PF1:** The EIR should describe and evaluate potential impacts to law enforcement service demands associated with the various aspects of commercial cannabis activities. The potential for the cash basis of the cannabis industry to lead to an increase in crime, including the potential for an increased incidence of crime in areas adjacent to commercial cannabis activities (i.e., robberies, burglaries, weapons possession, etc.) should be investigated/analyzed in the EIR.

**Alternatives/Mitigation:** Possible alternatives to be considered include physically limiting the number or geographic extent of the various types of commercial cannabis activities so as to not create an overconcentration of such uses. Any such alternative should consider the cumulative impacts of the concentration of commercial cannabis activities with other "traditional" blighting uses (e.g., bars, liquor stores, pawn shops, adult-oriented businesses, etc.). Potential mitigation measures to be considered should include additional law enforcement personnel to serve affected areas, minimum requirements, certifications, licenses and inspections for individual cannabis operations and their employees, minimum buffers/separation requirements from other blighting uses and/or exploring options for establishing and

requiring participation of commercial cannabis operations in safer alternatives to an “all-cash” operation.

**Issue PF2:** Potential increased demands for fire protection services associated with the contemplated cannabis operations relative to existing agricultural activities should be described and evaluated. In particular, any potential increased risks of fire, spills, and accidents associated with cultivation and manufacturing activities should be evaluated. We note that much of the Carpinteria Valley is located in or near moderate and/or high fire hazard areas. The appropriateness and risks associated with, for example, volatile manufacturing in such areas, should be carefully evaluated and reviewed with proper fire protection authorities. The potential for any increased incidence of traffic accidents associated with the various aspects of commercial cannabis activities should also be described and evaluated.

27-17

**Alternatives/Mitigation:** Alternatives considered could include prohibition or further limitations (e.g., license number caps, size thresholds, etc.) on where particularly high risk activities associated with commercial cannabis are permitted to occur. Mitigation measures considered could include use of development standards to buffer or separate uses from adjacent at risk land uses/resources, requiring mandatory incorporation of appropriate safety measures/technologies, and/or establishing a fee program or similar to require new/intensified uses to pay an incremental share toward additional fire safety personnel, equipment and/or facilities to serve affected areas.

**Issue PF3:** Differences in water use and demand relative to traditional agricultural crops grown in the County and in specific sub-areas like the Carpinteria Valley, should be described and evaluated. This should include demands on both municipally-provided water (like the Carpinteria Valley Water District) and from groundwater reserves through the use of private wells. Impacts to water availability and reserves, particularly in times of drought, resulting from commercial cannabis cultivation should be considered.

27-18

**Alternatives/Mitigation:** Mitigation considered could include caps on the number of licenses issued or the amount of acreage allowed to be used for cannabis operations (i.e. cultivation, etc.) for a given geographical area so as to not exceed or pose an undue burden on available water resources. Mitigation should also explore options for cultivation and manufacturing operations to use recycled and/or recirculated water systems and low water use irrigation technologies.

**Issue PF4:** The EIR should consider and describe the means of providing electrical service to cultivation and processing facilities, and the impacts on demand and availability of such services resulting from increased growing operations (particularly as a result of energy intensive indoor growing facilities), including cumulative impacts from other future anticipated land uses in the County. If generators or other “off the grid” technologies will be considered for cannabis operations, they should be evaluated for their own potential environmental and nuisance impacts to surrounding land uses.

27-19

**Alternatives/Mitigation:** Appropriate measures should be developed to ensure expanded cannabis operations in a defined area do not reduce existing or anticipated service levels. Measures to reduce energy usage, while avoiding negative environmental impacts should also be explored.

### Water Quality/Flooding and Drainage/Groundwater Recharge

**Issue W1:** The EIR should consider the potential impacts to water quality/runoff, flood and drainage, and groundwater recharge impacts from the expansion of cannabis cultivation and manufacturing activities, particularly in areas where cannabis activities are expected to be concentrated such as the Carpinteria Valley. Cumulative impacts of new operations along with existing agricultural operations should be included, particularly as it relates to increases in impervious surfaces within a defined watershed.

27-20

**Alternatives/Mitigation:** Mitigation considered should include implementation of low impact development strategies and stormwater best management practices to address water quality and runoff concerns from cultivation and manufacturing operations. Irrigation methods that result in no or minimal offsite runoff should also be considered. In the case of new greenhouse or building construction, preservation of sufficient permeable areas to allow for onsite runoff retention and percolation should be required.

### Biological Resources

**Issue B1:** The EIR should consider the potential impacts to biological and habitat resources from the expansion of cannabis cultivation and manufacturing activities, particularly in areas where cannabis activities are expected to be concentrated such as the Carpinteria Valley. Cumulative impacts of new operations along with existing agricultural operations should be included.

**Alternatives/Mitigation:** Specific means for the protection and preservation of sensitive habitats such as wetlands and creeks should be considered. Means of protection could include but are not limited to on-site preservation and restoration through mandatory buffers or setbacks from such resources, and development restrictions/requirements aimed at avoiding or minimizing impacts to nearby resources.

27-21

**Issue B2:** The potential for direct impacts to wildlife domestic pets as a result of pest control activities associated with cannabis cultivation operations should be discussed and evaluated. Use of poisons, rodenticides and similar pest control strategies on cultivation sites near wildlands and/or urban residential areas could result in unintended impacts to wildlife and domestic pets, including incidences where a domestic pet ingests another animal previously exposed to such materials.

**Alternatives/Mitigation:** Mitigation measures to address this concern could include limitations or restrictions on the types of pest control measures permitted to be used in sensitive areas (e.g., near creeks or wildlife corridors, or near residences), requirements for appropriate physical deterrents to discourage targeted wildlife or pets from entering cultivation sites, and written notification to neighboring residential land uses concerning the presence and potential hazards of exposure to such pest control materials.

If you have any questions concerning these comments, please contact me at (805) 755-4414 or by email at [steveg@ci.carpinteria.ca.us](mailto:steveg@ci.carpinteria.ca.us).



County of Santa Barbara Cannabis Land Use Ordinance  
EIR Scoping Letter  
August 10, 2017  
Page 12 of 12

Sincerely,



Steve Goggia, Director  
Community Development Department  
City of Carpinteria

Cc: City Ad Hoc Cannabis Committee  
City Council members  
Dave Durflinger, City Manager  
Nick Bobroff, Senior Planner  
Ed Foster, Carpinteria-Summerland Fire Protection District  
Sheriff Bill Brown, Santa Barbara County Sheriff's Department  
Bob McDonald, Carpinteria Valley Water District



# City of Santa Barbara

Community Development Department

SantaBarbaraCA.gov

## Director's Office

Tel: (805) 564-5502

Fax: (805) 564-5477

## Administration, Housing & Human Services

Tel: (805) 564-5461

Fax: (805) 564-5477

## Building & Safety

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## Planning

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## Rental Housing

### Mediation Program

Tel: (805) 564-5420

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630 Garden Street

PO Box 1990

Santa Barbara, CA

93102-1990

August 10, 2017

Jessica Metzger  
County of Santa Barbara Planning and Development  
Long Range Planning  
123 E. Anapamu Street  
Santa Barbara, CA 93101  
[jmetzger@countyofsb.org](mailto:jmetzger@countyofsb.org)

**SUBJECT:** Comments on Notice of Preparation and Scoping for Cannabis Land Use and Licensing Program EIR

Dear Ms. Metzger:

Thank you for the notification, and opportunity to comment on the scoping of the EIR analysis for the Cannabis Land Use and Licensing Program. The City of Santa Barbara Planning Division offers the following comments:

We reviewed the County's proposed ordinance and considered the existing zoning in the City's Sphere of Influence, and along the City/County boundary. Given that the existing County zoning in these areas is primarily agricultural, and the existing City zoning is primarily residential single-unit, the regulations could allow cannabis cultivation near residential areas, with the potential for environmental effects. Issues related to cannabis cultivation that may result in effects in the City are odors and light trespass/pollution, along with dust, noise, and pesticide exposure, some of which are to be addressed in the EIR analysis.

Because the profitability of cannabis cultivation could result in more intensive use of agriculturally zoned land, we suggest including an analysis of potential intensification be included in the Environmental Impact Report. We appreciate that the scope will include a look at water use as that is an important issue for the region. Part of the analysis might also include consideration as a mitigation measure or alternative of an ordinance provision for a required minimum distance between cultivation and residential land use, for example 600 to 1000 feet. In the scope and in the draft ordinance, we suggest more analysis and detail about security measures that will be required to protect neighbors. In addition to requirements, there should be information about additional types of security measures commonly implemented for cannabis cultivation (types of fencing, guards, motion lighting, cameras, etc.) and how those measures may impact neighboring residential areas, visual resources, biological resources, traffic, etc.

28-1

28-2

We would like to offer the following comments on lighting and odor issues:

Lighting – 35.42.075.D.2

The proposed ordinance provides clear measures to address lighting with greenhouses being completely shielded between sunset and sunrise.

28-3

35.42.075.D.2a states: “Lighting shall be shielded to prevent light trespass into the night sky and/or glare onto lots other than the lots that constitute the project site, or rights-of-way.”

The City uses the term “light pollution” with regard to light escaping into the night sky, and “light trespass” with regard to light beams crossing property boundaries. The City has design guidelines for outdoor lighting which express the City’s concerns and objectives related to the control of outdoor lighting:

<http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=17314>

Odor – 35.42.075.D.3

28-4

The proposed ordinance provisions to control odor appear vague in that they lack clear direction on the preparation of an odor abatement plan per 35.42.075.3.a, and how such a plan will be determined to be acceptable.

Consider addressing, or cross referencing in the code, how problems related to lighting and odor are enforced, including repeat violations.

Thank you for the opportunity to comment.

Sincerely,



Renee Brooke, AICP  
City Planner

CITY OF SANTA BARBARA, Community Development

Cc: Tony Boughman, Assistant Planner, City of Santa Barbara

## Metzger, Jessica

---

**From:** Craig Bittner [craigbittner@yahoo.com]  
**Sent:** Wednesday, August 09, 2017 9:45 PM  
**To:** Cannabis Info  
**Cc:** Craig Bittner  
**Subject:** Voting "No" on rezoning "Noleta" to allow growing of cannabis

I recently heard that there are steps underway to rezone the area known as "Noleta" to allow farms to grow pot on a commercial scale. I want you to know that I am vehemently against this proposal for the following reasons:

- 1) The marijuana plant exudes a skunky smell and its off-gassing of the plant can cause severe allergic reactions.
- 2) Burning eyes and tight lungs and headaches are common side effects of the air pollution created by pot farms.
- 3) The growers spew out perfumes and air fresheners to try to cover the smell, but the air fresheners have their own additional health risks.
- 4) The health risks would permeate the heavy concentration of people and children in our neighborhoods, which include a major high school with multiple athletic programs.
- 5) Additionally doctor offices, Cottage Hospital, eateries, Vons supermaket and other restaurants would be negatively impacted as the workers and their patrons would be affected by these health risks.

There is plenty of space to grow the plants on the North side of the mountains. Why risk the health of our families and children? This would be an irresponsible decision.

Craig Bittner  
805-964-6497

## Metzger, Jessica

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**From:** Dave Clary [templeclary@gmail.com]  
**Sent:** Friday, August 11, 2017 3:32 PM  
**To:** Cannabis Info  
**Cc:** Dave Clary  
**Subject:** Cannabis land use and licensing program

Attention Jessica Metzger ...

This is on behalf of David and Lillian Clary who have resided at 2988 Tepusquet Road, County of Santa Barbara since December 16, 1996.

This is basically a reiteration of the key points made by Dave Clary at the EIR meeting in Santa Maria on July 27, 2017. We do not purport to speak for all members of the Tepusquet Canyon Cannabis Committee.

### ZONING ISSUE

In your Draft Land Use Ordinance, what is proposed to be allowed or disallowed is established by Zone. Most of Tepusquet Canyon is zoned Ag I or Ag II. Hence, when we of the Tepusquet Canyon Crisis Committee, individually or as a group make recommendations, they would apply to all the areas in the county of Santa Barbara that are zoned Ag I or Ag II.

This is not what we intend. We do not purport to represent or speak for any area that is zoned Ag I or Ag II that is outside of Tepusquet Canyon or its feeder road areas. So we hope you can find a way to narrow the focus for those of us in Tepusquet Canyon to just the canyon and its feeder areas.

By feeder areas, I am referring to those areas zoned Ag I or Ag II that use roads that feed into Tepusquet Canyon for entrance and exit. I am thinking of, for example, Colson Canyon road. There are marijuana growers that use that road for ingress and egress both in, at least, one inholding in the Los Padres National Forest as well as other parts of the National Forest. There may be others before the National Forest boundary is reached using that road as well.

### WATER

You have received numerous comments about water issues in the canyon. We, in particular, have heard accounts of enormous amounts of water being trucked to cannabis growing sites past the home of one of the members of our group. The account, which given the source, I consider to be very accurate, is of 30,000 gallons per week (perhaps more at this point). We worry a great deal about the usage of water in the canyon, especially from water sources within the canyon.

Last year, before the rainy season, many of our neighbor's wells had dried up and they were facing the costs of digging deeper wells. Many were worried about exhausting the availability of water completely. It is very disturbing to hear those on the side of the cannabis growers claim at public meetings before the county ad hoc cannabis committee that cannabis cultivation uses very little water. This is not the real world they are portraying. We personally are opposed to any cultivation of cannabis in the canyon not already mandated by law.

### QUALITY OF LIFE

This is an amorphous issue that encompasses each underlying problem mentioned already ... water, traffic, pollution, noise, fire hazard and one more (at least) and that is an atmosphere of fear and intimidation. We all know about the activities and viciousness of the cartels in Mexico. We do not know if there is any contact or representation among the

growers in Tepusquet Canyon from these groups. We do know some ignore easement issues and have threatened residents.

We have read in a recent New York Times article, their California section, that approximately 80% of the cannabis grown in California is shipped out of state, largely to areas where the sale of cannabis is illegal. What kind of business person is going to engage in this kind of enterprise? It would appear to draw those entities that already have ties to illegal sales out of state. Does that mean cartels? It certainly means people we are reluctant to trust, and whose public claims of friendly neighborliness grate against common sense.

30-3  
Cont. One case reported to me is that a known grower (or employee of that grower) demanded that a local resident allow him to use all the water in his water storage tank, many thousands of gallons. The owner of the tank and property refused. The next day, while no one was home, someone stole all the water from his tank. The owner is so intimidated by the attitude of the grower he has been afraid to report it to the sheriff (who has taken no enforcement actions in other situations in the canyon regarding cannabis growers).

We have seen enormous commercial gasoline tanker trucks driving up dirt roads for deliveries to cannabis growers. What is going on? The increased fire hazard that threatens is scary. (Contrary to general knowledge, much of the canyon remains unburned.) Some of our long term neighbors have mentioned they were considering moving from the canyon, selling their property. This would probably make the growers happy; but it is wrong that anyone in the canyon should so feel his or her quality of life is threatened in that fashion.

Thank you for your consideration.

David and Lillian Clary

TO: Jessica Metzger, [jmetzger@countyofsb.org](mailto:jmetzger@countyofsb.org), August 10, 2017

County Decision Makers,

As I watch the initial stages of our County's effort to design a plan for the scope and impact of the new cannabis industry in our neighborhoods, I have several concerns:

- There is clearly a gold-rush fever element (by a relatively small % of County residents) to get the now legalized marijuana industry ramped up as fast as possible. With big revenues on the line for the County, local entrepreneurs and outside interests, the highly charged push for 'everything pot', seems to be steamrolling the normal, steady, sensible planning practices we expect to be in play for any community game-changer of this magnitude.
- The private subcommittee approach of Supervisors Williams and Lavagnino to date is suspect, suggesting hidden motives, potential corruption, and an obvious skirting of the Brown Act. Is the public really expected to trust that this unconventional process is somehow in the general community's best interest?  
31-1 From here on out, everything cannabis-related should be out in the light in the purview of all 5 Supervisors and under the public's watchful eye. Isn't that why we have governance with established processes? Furthermore, Supervisor Wolf needs to be directly involved in any changes in her District. Here in the Eastern Goleta Valley, we have spent 10+ years developing a mutually beneficial community plan with our Supervisors and expect that any tweaks to that plan will go through the same, rigorous channels. We care about our neighborhoods !!
- Have County executives issued any mandate or inference that the cannabis industry must be allowed to thrive here in order to stimulate County revenues? Everything on the table please. With oil and developer interests, the County has always been careful and deliberate to not sell-out our communities so that a few, very pushy personalities, can get even richer. What's different here? Established neighborhoods and historical quality of Santa Barbara life come first !!

- As residents in Carpenteria have testified, pot crops **stink** and should be kept **miles** away from any established neighborhoods. The wind can blow in any direction on the South Coast, and downwind patterns should be thoroughly examined.

- Keep the industrial aspects of the cannabis business far away from established residential areas, including our local shopping centers. That means any growing, processing, packaging, warehousing of pot products should be located in sparsely populated, more remote areas. Interesting Note: Few knew or cared about the illegal pot industry operating for decades in the remote areas of Los Padres National Forrest. *Out of Sight, Out of Mind*, is still a good model for current scoping and locale considerations.

- **Don't rezone anything** without due diligence, public reviews, substantial input from the Planning Commission, Environmental Review, police, fire, schools, and neighborhood representatives. We haven't invested years of our energies to build a great community here, only to recklessly throw it away because a small minority of citizens suddenly think that we can't live without the non-essential pot industry in our midst.

**Bottom Line:** Permanent **Land Use** is the issue here and must be studied carefully over time for the good of the large majority of County residents who are not pot-infatuated. We have real concerns about the long term effects of unleashing irreversible, cannabis ordinances on our local culture and youth. Learn from the negatives in Colorado. Our State has not mandated *any* timelines or requirements to do anything locally. Be smart and prudent for the long-term good of our communities.

--David Kloos, Eastern Goleta Valley

## Cruz, Patrick

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**From:** Dennis LaLumandiere [dlalu@yahoo.com]  
**Sent:** Wednesday, August 02, 2017 1:11 PM  
**To:** Cannabis Info  
**Subject:** Proposed Rezoning for cannabis farming

Attention: Jessica Metzger, Project Manager

Dear Ms. Metzger,

I subscribe to a number of neighborhood news groups in unincorporated Santa Barbara County. Several of the groups recently have had numerous discussions regarding the potential rezoning of growing areas adjacent to Hollister Avenue between Turnpike Road and Patterson. This rezoning would allow for cannabis cultivation.

32-1

If this is the case, I find it very troubling and I am very much opposed to this happening. While I know that the citizens of California have voted to allow for the cultivation and distribution of recreational marijuana, I believe that the spirit of the law assumes responsible and common sense application. The current growing areas that may be subject to rezoning have existed in harmony with the adjacent neighborhoods because the products grown have not affected the quality of life of the residents.

I am opposed to the rezoning of this land for three reasons:

32-2

When grown, cannabis emits an overwhelming odor which, depending on the direction of the wind, could drift to the surrounding neighborhoods. This could have a severe impact on the quality of life of the residents in the neighborhoods in the area. This has been reported by those that live adjacent to the greenhouses in Carpinteria where apparently cannabis is currently being cultivated.

32-3

Cannabis is illegal in most states, which makes it very valuable and subject to a potential increase criminal activity in the areas where it is grown.

There are a number of schools near the area in question and while growing the product there would be legal, I don't believe it is prudent to expose our children to it.

32-4

In closing, I believe common sense should apply and this rezoning should not take place. I respect the laws of the state and my comments have nothing to do with any personal feelings about marijuana use. However, while I enjoy eating a steak from time to time, I would oppose the placement of a stock yard next to any neighborhood. I believe that those who enjoy marijuana should not expect that neighborhoods should be subject to the odors created in the growth of the product that they consume. I hope that the decision makers in this process will respect the wishes of the communities that might be impacted and find more suitable, common sense sites that would not impact nearby neighborhoods.

Respectfully,

Dennis LaLumandiere  
4600 Camino del Mirasol  
Santa Barbara County



## Cruz, Patrick

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**From:** Susan Ashbrook [sjashbrook@gmail.com]  
**Sent:** Thursday, August 03, 2017 12:55 PM  
**To:** Cannabis Info  
**Subject:** Cannabis Comments

Susan Ashbrook & Derek McLeish

3375 Wild Oak Road

Lompoc, CA 93436

33-1 We have lived in Santa Barbara County over 17 years. When we built our metal shed row barn, one of the many environmental regulations we were required to meet was that our land be tested for endangered tiger salamanders. Some neighbors have installed as many as 8 hoop houses on their property. Shouldn't they have the same regulations to check for the endangered species?

Those who have placed hoop houses on their property are doing so without permits or under false pretenses. In our area, permits have been granted for tomatoes and flowers but are now growing marijuana.

Here are our environmental questions:

- 33-2
1. Under what standard will noxious harvest emissions be measured?
  2. Many of the hoop house are running generators all night long, how will that impact be measured? CO2, NOX?
  3. Light pollution what is the standard for light pollution?
  4. How will fertilizer and pesticide runoff be measured?
  5. Will a bond be required for build outs to remediate the property if/when the hoop houses are no longer a viable business?

Thank you,

Derek McLeish and Susan Ashbrook

## Metzger, Jessica

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**From:** Diane Cook [dmchealth800@yahoo.com]  
**Sent:** Friday, August 11, 2017 11:03 AM  
**To:** Cannabis Info  
**Cc:** jwolf@countysb.org  
**Subject:** Fw: Future cannabis growing in Santa Barbara County

To: Ms. Jessica Metzger, Project Manager,

34-1 | I am a home owner in Sungate Ranch and I am writing today to say I am totally opposed to having cannabis growing in the Hollister corridor or any populated area in Santa Barbara County. What makes are area so wonderful are the views of the mountains, the terrain and natural beauty here. I do not think Ag-I land use should be turned into hoop houses to grow pot that are not in character with our neighborhood. I ask for no re-zoning of the Ag-1 land use on the Hollister corridor.

34-2 | My concerns are many. What about the environmental impact of the grow lights, noise of fans, horrific smell, theft, and safety of our community? We in Sungate have many two stories homes with no air conditioners. With the smell and having to close the windows in 80 degree temperatures how is that safe? We are surrounded not only by residential housing but by 2 schools and Girls Inc. That's a lot of extra children right next to a proposed pot farm. Why the subcommittee approach of 2 Supervisors moving rapidly on this let's get pot on San Marcos Growers, Lane Farm and the avocado orchard? Why closed doors here that makes the public unaware of what is truly happening. What happened to all 5 Supervisors and out in the open for public view? And what about the buffer of only 600 feet? Have we truly studied Carpinteria's issues with the cannabis growing and business which are many?

34-3 | In summary, I am protesting the development and re-zoning of farmland surrounding Sungate Ranch and Hollister corridor. Please vote against re-zoning of these beautiful lands on the Hollister corridor and preserve the people of Sungate Ranch and other housing developments nearby their quality of living. Say no to cannabis growing in Santa Barbara County.

Thank you for your consideration.

Best regards,

Diane Cook

## Metzger, Jessica

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**From:** Doug Burbank [burbank@ucsb.edu]  
**Sent:** Friday, August 11, 2017 12:41 PM  
**To:** Cannabis Info  
**Cc:** Doug Burbank  
**Subject:** Open hearings on rezoning and cannabis cultivation in Santa Barbara

Attention: Jessica Metzger,  
Project Manager

35-1

I would like to state my opposition to closed deliberations that are presently occurring with respect to the introduction of cannabis cultivation in the Santa Barbara area. The issues related to rezoning, to impacts on neighborhoods, to impacts on schools and businesses, and to air quality (among others) need to be discussed in open public hearings among the full board of supervisors. Irrespective of their purpose, the current closed hearings of a few supervisors give the impression of wanting to “sneak” something past the citizens without full public scrutiny.

35-2

This style of government and decision-making is NOT in the best public interest and “smells” of big business or other underhanded dealing. These attributes are NOT those that we expect from our elected officials. Hence, I strongly urge a switch to open hearings and deliberation of the important issues related to legalized growing, harvesting, and selling of cannabis.

I hope that such openness will re-appear soon on this and related issues.

Sincerely yours,

Doug Burbank

1026 Sandpiper Lane  
[burbank@ucsb.edu](mailto:burbank@ucsb.edu)

Dept. of Earth Science  
Univ. of California  
Santa Barbara, CA 93106  
<http://www.geol.ucsb.edu/faculty/burbank>

## Ennis, Reanna

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**From:** Doug McGinnis [dougmcginnis1@gmail.com]  
**Sent:** Friday, July 28, 2017 9:37 AM  
**To:** Cannabis Info  
**Cc:** FredShaw@ci.carpinteria.ca.us; D, Dave; Doug McGinnis  
**Subject:** Cannabis Growing

Hello,

36-1 I am a long time resident of Carpinteria and wanted to provide my input on the future impact of cannabis growing in our area. IF the greenhouses are to grow cannabis it is my desire that they must control the offensive skunk odor that we are now smelling almost nightly. Other concerns of the greenhouse grows are the mold and dust that is exhausted or ventilated outdoors.

36-2 We are already prisoners of our own homes when the nightly skunk smell occurs. We must go indoors, close all windows and we still get the smell in the house. Other collateral concerns are health of breathing whatever mold and chemicals may be in use, water usage(?), increase in crime or safety, housing and care of 'trimmers' hired to cultivate the plants, providing for 'trimmers' when the season is done and they require assistance with food and housing. We already deal with avocado theft, I suspect the much more valuable cannabis crops will be a likely target.

I am not anti-marijuana, but I do not believe these large grows belong in our backyard!

Sent from [Mail](#) for Windows 10

## Cruz, Patrick

---

**From:** Edo McGowan [edo\_mcgowan@hotmail.com]  
**Sent:** Wednesday, July 19, 2017 3:41 PM  
**To:** Cannabis Info; Wolf, Janet; Office of Supervisor Janet Wolf; Edo McGowan; DasWilliams  
**Subject:** draft ordinance regulating the potential cultivation, manufacturing, testing, commercial distribution and retail sales of marijuana in Santa Barbara County.

Couple of observations on scoping. Although water is mentioned, in doing key word searches for the following, these words were not found:

37-1 PESTICIDE  
AGRICULTURAL CHEMICAL  
INSECTICIDE

How do such potential inputs interact with the local water resources?

37-2 If these are not discussed as needed inputs, who regulates these inputs, how is that accomplished, what are potential impacts on ground water, which agencies of government interact in this, if at all,? What are the mandatory intervals between application, reentry, and harvest, and Hazards to Bees (if any). Is there any residue limit established for this crop, if so, how tested?

37-3 Additionally, since recycled wastewater is legally allowed on crops, what are the public health impacts from such use in irrigation? The recycled water as produced by both Santa Barbara and Goleta is documented to be carrying multi-antibiotic resistant pathogens and their genes.

The Fahrenfeld paper below tested both Santa Barbara and Goleta's recycled water. Thus, based on those results, the potential for the use of recycled water on any crop may be problematic. Assuming that the County's staff comprehends phytoremediation concepts, what materials can be taken up into the cannabis plant that could adversely impact human health.

The material below is incorporated by reference.

### [Reclaimed water as a reservoir of antibiotic resistance genes - NCBI](#)

<https://www.ncbi.nlm.nih.gov/pubmed/23755046>

by N Fahrenfeld - 2013 - [Cited by 39](#) - [Related articles](#)

May 28, 2013 - *Fahrenfeld* N(1), Ma Y, O'Brien M, Pruden A. ... A broader range of ARGs were detected after the reclaimed water passed through the ...

### [\[PDF\]Edo McGowan - State Water Resources Control Board](#)

[www.waterboards.ca.gov/water\\_issues/programs/land\\_disposal/.../edo\\_mcgowan.pdf](http://www.waterboards.ca.gov/water_issues/programs/land_disposal/.../edo_mcgowan.pdf)

May 27, 2014 - microbes and their antibiotic resistant genes ARGs), a ND will not do and a full EIR needs to be under taken with testing of the water by a third ...

You visited this page.

To: Felicia Marcus, via David Balgobin  
Fm: Dr Edo McGowan  
Re: The choice of an ND is inappropriate



I would appreciate some indication that this was forwarded to Felicia Marcus

The email I received from the SWRQB indicated the following:

The proposed General Order and Draft Initial Study/Negative Declaration are available at [http://www.waterboards.ca.gov/water\\_issues/programs/land\\_disposal/waste\\_discharge\\_requirements.shtml](http://www.waterboards.ca.gov/water_issues/programs/land_disposal/waste_discharge_requirements.shtml).

Since recycled water as currently produced carries large numbers of antibiotic resistant microbes and their antibiotic resistant genes (ARGs), a ND will not do and a full EIR needs to be undertaken with testing of the water by a third party, say like Amy Pruden. This fact that recycled water as currently produced is full of pathogens is hardly new information. The US-EPA did a major study on this topic back in 1981, citing studies on the topic going back into the 1950s. I find it hard to imagine how your board could come up with an ND with this kind of history and material in the literature. It is not as if we have an abundance in workable antimicrobials. In fact we are running out of functional drugs while at the same time the bugs are gaining in resistance. Sewer plants and their production of these resistant organisms and their genes continue to pump out industrial volumes daily into the environment. Just for academic interest, it would be interesting to discuss this with you, I would welcome the opportunity.

## BACKGROUND

Sewer plants by their design generate antibiotic resistant microbes and their genes. We and others have tested recycled water meeting state requirements. These tests have documented the fact that the finished recycled water carries multi-drug resistant bacteria and their genes. This information has been repeatedly reported to the state (your board as well as CalEPA, and CDPH,) all apparently without effect. It should be recognized that because the ARGs are small. Genes are designed to fit through nuclear pores, the opening of which (functional diameter) is about 9 nanometers wide, but that is the size of the globular state but they can string out. Because they are not "alive" cells, but protein, they are unaffected by chlorine at contact times and concentrations typically used by plants producing recycled water. If you look at the screen sizes of filters typically used for recycled water, it will see that there is a large disparity and that's why we are finding ARGs in the finished recycled water. They are also essentially unaffected by UV. The effects of UV on antibiotic resistant organisms is discussed in the US-EPA report, where it actually enhances resistance and survival (see: <http://aem.asm.org/content/43/2/371.full.pdf>).

WERF documented that the finished and disinfected recycled water contained an array of pathogens (see WERF report 00-PUM-2T as well as the paper by Valerie Harwood---abstract appended below).

Our own work shows that while the water as first discharged from the plant to the purple pipes may meet Title 22 standard on indicator organisms, it contains many pathogens of which there is a mix of multi-drug resistance (see inserted picture)

Above picture is from the El Estero plant in Santa Barbara showing bacteria resistant to 11 of the 12 challenge antibiotics. Work done in medical microbiology lab on Muller Hinton agar, disk diffusion drops from Kirby Bauer.

If, in addition to testing as the water just leaves the plant we also test at the POU, we are finding with typical indicator using the MPN, that the numbers are off the chart and we are still picking up multi-drug resistant organisms. Something is going on in the pipes on the way to the POU. We opine that either or both of the following may be happening: resuscitation of viable but non-culturable (VBNC), bloom of persisters, or shedding of biofilms that grow in the purple pipes. The up-shot is this water is hardly safe. WERF found something similar with sewage sludge where 20 minutes following successfully meeting bacterial counts, testing again showed that the numbers jumped several magnitudes. Thus the standardized tests are throwing false negatives and this is a serious flaw that could adversely impact public health..

By giving your program an ND, the above issues are neatly covered up----something I would not

expect from a state agency charged with protection of public health.

# Validity of the Indicator Organism Paradigm for Pathogen Reduction in Reclaimed Water and Public Health Protection†

1. [Valerie J. Harwood<sup>1,\\*</sup>](#),
2. [Audrey D. Levine<sup>2</sup>](#),
3. [Troy M. Scott<sup>3</sup>](#),
4. [Vasanta Chivukula<sup>1</sup>](#),
5. [Jerzy Lukasik<sup>3</sup>](#),
6. [Samuel R. Farrah<sup>4</sup>](#) and
7. [Joan B. Rose<sup>5</sup>](#)

## † Author Affiliations

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2. <sup>2</sup>Department of Civil and Environmental Engineering, ENB 118, University of South Florida, 4202 E. Fowler Ave., Tampa, Florida 33620
3. <sup>3</sup>Biological Consulting Services of N. Florida, Inc., 4641 N.W. 6th Street, Suite A, Gainesville, Florida 32609
4. <sup>4</sup>Department of Microbiology and Cell Science, University of Florida, Gainesville, Florida 32611
5. <sup>5</sup>Department of Fisheries and Wildlife and Crop and Soil Sciences, 13 Natural Resources Building, Michigan State University, East Lansing, Michigan 48824

## ABSTRACT

The validity of using indicator organisms (total and fecal coliforms, enterococci, *Clostridium perfringens*, and F-specific coliphages) to predict the presence or absence of pathogens (infectious enteric viruses, *Cryptosporidium*, and *Giardia*) was tested at six wastewater reclamation facilities. Multiple samplings conducted at each facility over a 1-year period. Larger sample volumes for indicators (0.2 to 0.4 liters) and pathogens (30 to 100 liters) resulted in more sensitive detection limits than are typical of routine monitoring. Microorganisms were detected in disinfected effluent samples at the following frequencies: total coliforms, 63%; fecal coliforms, 27%; enterococci, 27%; *C. perfringens*, 61%; F-specific coliphages, ~40%; and enteric viruses, 31%. *Cryptosporidium* oocysts and *Giardia* cysts were detected in 70% and 80%,



respectively, of reclaimed water samples. Viable *Cryptosporidium*, based on cell culture infectivity assays, was detected in 20% of the reclaimed water samples. No strong correlation was found for any indicator-pathogen combination. When data for all indicators were tested using discriminant analysis, the presence/absence patterns for *Giardia* cysts, *Cryptosporidium* oocysts, infectious *Cryptosporidium*, and infectious enteric viruses were predicted for over 71% of disinfected effluents. The failure of measurements of single indicator organism to correlate with pathogens suggests that public health is not adequately protected by simple monitoring schemes based on detection of a single indicator, particularly at the detection limits routinely employed. Monitoring a suite of indicator organisms in reclaimed effluent is more likely to be predictive of the presence of certain pathogens, and a need for additional pathogen monitoring in reclaimed water in order to protect public health is suggested by this study.

## FOOTNOTES

- Received 27 September 2004.
- Accepted 20 December 2004.

\*\*\*\*\*

[Front Microbiol.](#) 2013 May 28;4:130. doi: 10.3389/fmicb.2013.00130. eCollection 2013.

# Reclaimed water as a reservoir of antibiotic resistance genes: distribution system and irrigation implications.

[Fahrenfeld N<sup>1</sup>](#), [Ma Y](#), [O'Brien M](#), [Pruden A](#).

## [Author information](#)

### Abstract

Treated wastewater is increasingly being reused to achieve sustainable water management in arid regions. The objective of this study was to quantify the distribution of antibiotic resistance genes (ARGs) in recycled water, particularly after it has passed through the distribution system, and to consider point-of-use implications for soil irrigation. Three separate reclaimed wastewater distribution systems in the western U.S. were examined. Quantitative polymerase chain reaction (qPCR) was used to quantify ARGs corresponding to resistance to sulfonamides

(sul1, sul2), macrolides (ermF), tetracycline [tet(A), tet(O)], glycopeptides (vanA), and methicillin (mecA), in addition to genes present in waterborne pathogens *Legionella pneumophila* (Lmip), *Escherichia coli* (gadAB), and *Pseudomonas aeruginosa* (ecfx, gyrB). In a parallel lab study, the effect of irrigating an agricultural soil with secondary, chlorinated, or dechlorinated wastewater effluent was examined in batch microcosms. A broader range of ARGs were detected after the reclaimed water passed through the distribution systems, highlighting the importance of considering bacterial re-growth and the overall water quality at the point of use (POU). Screening for pathogens with qPCR indicated presence of Lmip and gadAB genes, but not ecfx or gyrB. In the lab study, chlorination was observed to reduce 16S rRNA and sul2 gene copies in the wastewater effluent, while dechlorination had no apparent effect. ARGs levels did not change with time in soil slurries incubated after a single irrigation event with any of the effluents. However, when irrigated repeatedly with secondary wastewater effluent (not chlorinated or dechlorinated), elevated levels of sul1 and sul2 were observed. This study suggests that reclaimed water may be an important reservoir of ARGs, especially at the POU, and that attention should be directed toward the fate of ARGs in irrigation water and the implications for human health.

**KEYWORDS:**

antibiotic resistance genes, irrigation, reclaimed water distribution systems, water reuse  
PMID:

23755046  
[PubMed]

PMCID:

PMC3664959

[Free PMC Article](#)

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1. ['Superbugs' found breeding in sewage plants](#)

[news.rice.edu/.../superbugs-found-breeding-in-sewage-pl...](http://news.rice.edu/.../superbugs-found-breeding-in-sewage-pl...)

Rice University

Dec 16, 2013 - Tests at *wastewater treatment plants* in China revealed *antibiotic-resistant* bacteria were not only escaping purification but also breeding and ...

2. [Urban wastewater treatment plants as hotspots for antibiotic ...](#)

[www.ncbi.nlm.nih.gov/...](http://www.ncbi.nlm.nih.gov/...)

National Center for Biotechnology Information

- [Cited by 43](#) - [Related articles](#)

Feb 7, 2013 - Urban *wastewater* treatment *plants* as hotspots for *antibiotic resistant ... plants* (UWTPs) are among the main sources of antibiotics' release into ...

3. [\*\*Sewage treatment plants may contribute to antibiotic ...\*\*](#)

[www.sciencedaily.com/releases/2011/.../111207133042.ht...](http://www.sciencedaily.com/releases/2011/.../111207133042.ht...)

Science Daily

Dec 7, 2011 - In an effort to determine the importance of municipal *sewage* treatment *plants* as sources of *antibiotic resistance* genes, the scientists studied ...

Dear Ms. Metzger and the SB Planning and Development Committee,

As residents of Sungate Ranch between Hollister, S. San Marcos Rd., and San Simeon, we are greatly concerned about the prospect of allowing cannabis to be grown in the Ag1 land which surrounds us. It has just recently come to our attention that this is a possibility.

Our home has no buffer to San Marcos Growers. Without leaving our yard we can touch their bamboo growing on the other side of our fence. They are just across the road from our home and the breeze travels over their plants before reaching our yard and home. To allow such planting would negatively impact our quality of life and ultimately property value.

We object to the plan to allow Ag 1 to plant literally in our back yard. The Lane farms and also the Goleta School property are also within viewing much less smelling distance of our home. The orchid farm is just west of Sungate fence line off of three of our streets which means those homes would also be impacted.

We are well aware that our pocket of Santa Barbara has a good deal of Ag1 land which of course is one of the reasons we were drawn to buying here.

38-1

Tempting these farmers on their farmland to grow cannabis plants which increase their income but have such negative effects on their neighbors is wrong. California does not need more cannabis. We understand there is already a glut of cannabis in California. We are a produce rich area which feeds the nation. Let the farmers farm that produce without the lure of growing a crop which has a negative impact on so many locally and even nationally.

We are also surrounded by schools and youth organizations which would reap the negative impact of cannabis. Behind our home is El Camino Elementary School. Across Hollister is Hollister Elementary School. Just down the street is San Marcus High School. These are only a few of the schools. The Salvation Army building houses a preschool, Girls Inc. is on Hollister just west of Turnpike. Page Youth Center, Discover Preschool, Vieja Valley Elementary School, the Seventh Day Adventist School and San Rafael Catholic school are all just a short distance from these Ag1 lands.

To have cannabis planted properties which in anyway could encourage our growing youth to become addicted to cannabis or impacted by its growth is wrong. As the voting adults and protectors in their young lives, we must object and stand strongly against this prospect.

We as adults are setting an example for all the youth who surround us within these schools and youth organizations. Rather than applying more security to combat possible theft of a much desired (illegal federally) substance, as our children's protectors, let's stand against this plan. As to the effect of added security to our quality of life, more lights and higher fences with loud alarms are another reason to fight!

Eric and Katharine Larsen  
5000 Oak Ridge Rd.  
Santa Barbara, CA 93111

## Metzger, Jessica

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**From:** G and K Nobis [gknobis@gmail.com]  
**Sent:** Friday, August 11, 2017 1:23 PM  
**To:** Metzger, Jessica  
**Subject:** Concerns re regulation of cannabis in Santa Barbara County ("noLeta")

August 11, 2017

Ms. Jessica Metzger

Project Manager

SB County Planning Commission

Re: Farming of marijuana in SB County off Hollister--strong concerns (also related to production and sale)

Dear Ms. Metzger:

We live in Santa Barbara and consider Hollister Avenue where farms are ("noLeta") to be part of our neighborhood.

We are concerned about the negative impacts of pot farming in this area. Those impacts are health, environmental, and economic related.

We are also concerned about the process to regulate the farming, manufacturing, distribution and sale of pot. This seems rushed and not transparent to the public.

Some specifics:

1. This rush-to-regulate and allow new business seems rushed and for no useful reason. Plenty of pot is available. LA times reports that much cannabis is already produced in California, well in excess of current consumption. " ... the state's cannabis growers produce eight times the pot that is consumed in the state so some will face "painful" pressure to reduce crops under new state regulations that will ban exports after Jan. 1."

<http://www.latimes.com/politics/essential/la-pol-ca-essential-politics-updates-california-producing-pot-surplus-1501101923-htmstory.html>

2. We have read the entire board of supervisors oversee and limit winery operations--already in rural areas. Why are only a small number (2) of supervisors involved in this planning?

3. Can the entire process of developing regulations be stated? It seems unknown.

4. Pot stinks up the neighborhood, as reported from Carpenteria. A recent business trip to Denver took me (Garth) past where pot is grown, with the inherent skunk odor.

- 39-3 | 5. Large amounts of electricity and water are needed. Where will this come from? Is it possible that growers will receive subsidies from the public? We think that could happen in California and not appropriate for the public to subsidize and bear the costs of another activity.
- 39-4 | 6. Other business processes and permitting take a "long time" in Santa Barbara County. Is the development of regulation regarding this new industry moving too quickly?
- 39-5 | 7. Why not require that pot be manufactured in very remote areas, not near existing homes and businesses?
- 39-6 | 8. Existing homeowners will likely have resulting property value losses if pot farming moves into their neighborhood. We presume a smelly Marborg recycling facility would not be allowed in that area along Hollister--why are smelly and potentially dangerous pot operations being considered?

Thank you for the opportunity for us to present our concerns to you.

Best regards,

Garth and Kathy Nobis

3508 Chuparosa Drive

SB 93105

[gknobis@gmail.com](mailto:gknobis@gmail.com)

## Metzger, Jessica

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**From:** Heidi Carver [sweet2654@yahoo.com]  
**Sent:** Wednesday, August 09, 2017 8:25 AM  
**To:** Cannabis Info  
**Subject:** Cannabis Cultivation Thimbs Up

40-1 As a local community member, daughter, sister, granddaughter, friend.. Previously a hardworking caregiver, we need local marijuana stores, cultivation of any sort, dealing with a work injury, my case being denied for almost two years, with barely any medical, my medicines prescribed by a doctor for the chronic pain could not be covered, I was left to marijuana for nautiousness, pain and depression from being left with no doctor recommended treatment/MRI that were requested and denied, even though five doctors at least have tried recommending.. I am still left in my condition, and one of my only hopes, and ways of dealing, possibly permanently is by marijuana, start now by supporting this movement in Santa Barbra County..



## Cruz, Patrick

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**From:** Helen Larsen [helenlarsen79@hotmail.com]  
**Sent:** Monday, July 24, 2017 9:21 PM  
**To:** Metzger, Jessica  
**Subject:** The marijuana industry in East Goleta

I am of two minds:

In order for us to have a strong community, state and nation, we cannot be side-lined by drug use. Instead, we should take the proper steps to ensure our own well-being, then our family's well-being, followed by the well-being of the community both near and far.

If a young person imbibes marijuana too early in life, that person seems to be side-lined and often rendered incapable by marijuana use, often followed by further drug experimentation. Even in the recent News Press there is an article regarding the early, untimely death of drug users whose body parts are being harvested to give longer life to others.

That's a classic upside to the downside!

Then again, the first time I knew about someone benefitting from the medical aspects of marijuana was when a friend was reluctantly subjected to chemo and was so sick from the chemo-therapy, that the only way he could eat was first to smoke marijuana, so his nausea was lessened. Folks who have pain, sleep troubles, muscles spasms, whatever, marijuana is a centuries-old, common antidote.

Therefore, I would vote for a careful study of the pros and cons. Seeing how Colorado is doing could be the first place to start. Maybe the state of Washington too. I would severely limit the whole marijuana industry as has been conjectured, away from schools, plus anywhere kids might be introduced to marijuana too early in their young lives. Eighteen and over, seems to be the best approach, so their brains have a chance to grow and mature, without being nullified.

Sent from [Mail](#) for Windows 10

August 11, 2017

Ms. Jessica Metzger  
Long Range Planning Division  
123 East Anupam Street  
Santa Barbara CA 93101

Project Case Number 17ORD-00000-00004

Dear Ms. Metzger,

The purpose of this correspondence is to comment on the County of Santa Barbara's proposed Environmental Review of the Draft Land Use Policy.

I am the Founder of HERBL Distribution Solutions, a cannabis distribution company, that is interested in locating in the Carpinteria Valley, in the unincorporated area. Our mission statement is *"to make partnering with us exceptional by providing outstanding service & uncompromising quality assurance"*.

My background is in natural foods distribution as the President of United National Foods Inc, the largest natural/organic food distributor in the US, for over 10 years. I have entered the cannabis industry because I see many parallels with the natural foods industry.

Natural & Organic Product retailers in the US began as early as the mid 1930's in a few locations but did not see substantial expansion until the 70's. The stores were small (1k-3k sq ft), and focused on bulk foods, grocery, vitamins, and produce. When it began there were no "distributors" to choose from, all farms, manufacturers, and brands sold directly to the retail location. Distributors started cropping up in the mid 70's, offering to aggregate suppliers into a central warehouse, allowing retailers to consolidate their purchases.

Since the early 80's the distributor has been the central part of the supply chain and now most all products pass through a distributor prior to retail. This aggregate approach greatly reduces the environmental impact, as one truck visits a retail location replacing 50+ trucks if farms and brands were to ship direct.

42-1 Over the past two years, I have been traveling throughout the State, meeting with industry leaders and conducting research on the existing supply chain and new regulatory framework. I am currently exploring a variety of local jurisdictions and looking for the best local environment to locate my business from a tax and regulatory perspective. I understand the County of Santa Barbara is currently developing a land use ordinance and tax policy.

The opportunity for Santa Barbara County to support the cannabis industry cannot be overstated. Carpinteria in particular, has an enormous amount of pre-existing greenhouse infrastructure. These greenhouses have allowed cannabis growers to produce high quality cannabis, at a low cost per pound, at scale. Carpinteria also has corresponding pre-existing agricultural warehouse infrastructure that was previously used for flower processing, packaging and distribution. In my experience, this is truly unique.

Due to the volume of supply in the unincorporated area, it is critical for the sustainability of the local cannabis industry to permit a distribution facility near the supply chain.

All of the farmers I have been working with are growing cannabis in greenhouses on Ag-1-10 parcels. Similarly, all of the warehouse buildings I have been exploring for lease or purchase are located on Ag-1-10 zones. These buildings are prime for cannabis distribution because they already have the features necessary for the business, including power, roll-up doors, parking and secure locations, away from residential.

The County is currently proposing to only allow distribution on C-3, M-RP, M-1, M-2 zones. **There are no existing buildings that are available for lease or sale or suitable for distribution in those zones in the unincorporated area. Additionally, these zones are not in proximity to the existing cannabis supply. Therefore, the proposed draft does not appear to support establishment of a local distribution company – one of the most important licenses in the supply chain.**

Even if I were able to secure and permit a distribution building in a C-3, M-RP, M-1 or M-2 zone, additional (and unnecessary) impacts would be created due to the volume of transportation to and from the farm to the distribution facility – as opposed to permitting distribution on, or near, the grow operations.

It is also significant to note that the impacts of distribution are minimal. Because cannabis is a small agricultural product, semi-trucks are not needed to transport this commodity. In fact, our business will utilize small sprinter vans. Because of the high value and small nature of cannabis packaged products the footprint for a cannabis distribution facility is small, I only anticipate needing 5,000-10,000 square feet. By comparison, most products being distributed from an Ag zone today requires semi-trucks and the associated noise and pollution related to typical Ag product distribution.

Additionally, it is worthwhile to emphasize the significant role of distribution in the cannabis supply chain and the extensive regulations the State has issued for this license type. Distributors are responsible for quality control and assurance, tax collection, testing, and compliance with labeling and packaging requirements. The Bureau of Marijuana Control, Medical Cannabis Regulation, Initial Statement of Reasons reads as follows:

*“Distributors play a pivotal role in the commercial cannabis supply chain. Ensuring a seamless transition from the cultivation and manufacturing of the product through the distribution process is key to a well-regulated market... The proposed distributor regulations are designed with three main goals:*

- 1) *To design a regulated system that provides the emerging industry the flexibility to properly provide medical cannabis goods in a safe and secure method;*
- 2) *To ensure the medical cannabis goods are properly stored, handled, packaged and tested; and*
- 3) *To ensure distributors keep and maintain records that are adequate to effectively track and trace the medical cannabis goods and thereby helping to prevent entry of untested medical cannabis goods into the legal market, and diversion of medical cannabis goods into the illegal or unregulated market.” – Page 3-4.*

The distributor is tasked with labeling and packaging compliance and coordination of product testing with a third-party compliance testing lab prior to transportation to a dispensary. Distributors will store product on their premise and work with the testing lab to ensure the product passes test before it is transported to a retailer. (Therefore, it is also essential that third party compliance testing labs are located near the distributor, and supply chain.)

Although the purpose of this letter is to focus on environmental impacts, it is relevant to highlight the potential economic impacts of permitting distribution. Not only do I anticipate hiring 30+ local employees, but also estimate generating anywhere from \$20M-\$50M revenue for the County, based on my knowledge of the local industry.

Lastly, distribution applicants who are not proposing building a new structure, or major structural changes or renovations to an existing structure, should be considered a permitted use and be required to apply for a ministerial permit. The County does not currently regulate transportation of other agricultural products – which is largely what this license type entails. For example, the County does not require a permit to distribute or transport wine from a vineyard to a tasting room/consumer. I would encourage the County to look to the City of Santa Rosa’s model ordinance – which requires a simple zoning clearance for distribution.

42-1  
Cont. Industry leaders and regulators are concerned there will be a shortage of licensed distributors with the proper business acumen in 2018. Industry experts are seeing distribution as a potential “gap” in the supply chain. Therefore, it is vital that local governments support distributors, to ensure product can be safely stored and transported to the retailer, but also to maximize potential to capture revenue by domiciling the tax collection.

In conclusion, distribution is a low-impact license type that is fundamental to the continuity of the industry. Distribution will not increase use of water, or generate cannabis odors. Use of empty agricultural warehouses on small ag parcels for distribution is consistent with existing agriculture operations and will help prevent conversion of existing agriculture to non-agricultural uses. Cannabis distribution should be permitted on AG-1-10 zones to incentivize distributors to locate in the unincorporated area and provide a critical service to farmers and strengthen the local industry.

Thank you for your time and careful consideration of the issues I present above.

*Michael Beaudry 8/11/17*

Michael Beaudry  
Founder, HERBL Distribution Solutions  
(805) 420-2000  
mbeaudry@herbl.com

## Metzger, Jessica

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**From:** CHRISTINA LEVEQUE [hcleveque@mac.com]  
**Sent:** Thursday, August 10, 2017 6:17 PM  
**To:** Metzger, Jessica  
**Subject:** Cannabis

43-1 | Ii strongly object to present buffer zone. It should be art lease 1200 feet between schools and cannabis activity.As a physician ,I understand problems associated with breathing noxious fumes . Please review and accommodate concerns of local residents.  
Thank you for your consideration in this matter.  
Hubert Leveque M.D.

Sent from my iPhone

**Cruz, Patrick**

---

**From:** htjameson@verizon.net  
**Sent:** Tuesday, August 08, 2017 5:45 PM  
**To:** Metzger, Jessica  
**Subject:** Comments on Cannabis Land Use and Licensing Seeking Prohibition of Storefront Outlets=Jameson  
**Attachments:** Cannabis EIR and Land Use Ordinance Comments-Jameson-8-8-17.pdf

Dear Ms. Metzger,

I have attached my additional comments on the Cannabis Land Use Ordinance and Licensing Program supplementing my oral comments at the public meeting on July 27, 2017, in Santa Maria.

If you have problems with the PDF attachment or links, please let me know, and I can send a Word version in case that would work better.

Thanks for your information and help on this.

Yours sincerely,  
Hunter Jameson

Santa Maria, CA

Additional Comments on Proposed Environmental Impact Review and Draft Cannabis Land Use Ordinance – Santa Barbara County

Supplementing Oral Comments at the July 27, 2017, public meeting in Santa Maria

Hunter Jameson, Santa Maria, htjameson@verizon.net

Date Submitted: August 8, 2017.

Seeking Continued Prohibition of Marijuana Dispensaries and Storefront Outlets

Marijuana use poses additional risks of addiction and harm for adolescents and young people compared with older people. (The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research, A report of the National Academies of Sciences, Engineering, Medicine. National Academies Press, January, 2017,

<https://www.nap.edu/read/24625/chapter/13>; <https://www.nap.edu/read/24625/chapter/15>.)

Measure 64, which legalizes recreational marijuana growth, possession, and use for individuals, recognizes this vulnerability. It forbids marijuana possession and use by youth under 21 years of age.

I urge planners and other county officials, including our supervisors, to use zoning regulations and ordinances to protect young people and our community and to assure compliance with the minimum age requirement of the law by strictly regulating retail sales, and continuing the current practice of prohibiting any marijuana dispensaries or other storefront outlets.

44-1

Although storefronts would not be allowed to sell to minors legally, storefronts would provide increased visibility and availability of marijuana for young people. We can learn this from the example of Colorado, which by a vote in November 2012 became one of the first two states to legalize recreational marijuana. Colorado already had a medical marijuana industry, which had been heavily commercialized starting in 2009, with many medical marijuana dispensaries. (See The Legalization of Marijuana in Colorado: The Impact, Volume 4, September, 2016, pp. 9-10, Rocky Mountain High Intensity Drug Trafficking Area, <http://www.rmhidta.org/html/2016%20FINAL%20Legalization%20of%20Marijuana%20in%20Colorado%20The%20Impact.pdf> . Following references are to the same work, except as noted.) However, after recreational marijuana was legalized (effective 2013) under terms very similar to California's Proposition 64, pot shops mushroomed. By the beginning of 2016, there were more medical and recreational pot shops combined in Colorado than there were McDonald's and Starbucks outlets combined (Legalization, p. 153).

The visibility of storefront shops and advertising they will generate will make marijuana use more attractive to young people and tend to normalize it. There is also evidence from Colorado that marijuana dealers are keen to attract young people, who are more vulnerable to addiction than older people, because young people will provide a continuing and increasing future market.

Evidence comes from the heavy marketing of marijuana edibles, such as marijuana candies, which are more attractive to young people than marijuana for smoking (see Thomson, Rod, “Where There’s Smoke,” Citizen Magazine, August 2015, p. 24, “Aiming at the Children,” [www.focusonthefamily.com/socialissues/citizen-magazine/marijuana/where-theres-smoke](http://www.focusonthefamily.com/socialissues/citizen-magazine/marijuana/where-theres-smoke))

Pot shops also make marijuana more available to young people. Even before recreational legalization, marijuana use by youth ages 12-17 in Colorado under commercialized medical marijuana already was high. The state ranked fourth in the nation for youth use in the past 30 days, according to 2011/2012 survey results (Legalization, pp. 37-38). However, after legalization of recreational marijuana, the state earned the unhappy distinction of becoming highest in the nation for youth use in the past 30 days in 2013/2014 results (ibid.). For 2014/2015, Colorado again led the nation, with youth use 55% higher than the national average (Supplement to Legalization, published March 2017, p. 7).

44-1  
Cont.

A survey in June 2016 of more than 100 school resource officers (most in high schools) asked where students who were found to have used marijuana got their supply (Legalization, pp. 46-47). Two-thirds said it was passed along to them from other people – friends who had got it from legal sources or, sadly, from parents. Legal sources surely would include Colorado’s more than 900 pot shops (as of January 2016). In addition, 8% of students got their supply directly from pot shops.

The survey also supplied proof that the argument that legalizing the marijuana market will end the black market is false. Almost a quarter of the students (24%) got their marijuana from the black market. To help curtail black market availability, please classify any transaction involving transfer of marijuana where money changes hands as a sale. Adults are permitted to “give away” marijuana to other adults under Proposition 64. Please prevent by ordinance the scam under which a non-licensed adult could sell marijuana by calling any payment received for it a “donation.”

Please do not add another channel of supply of marijuana for young people. Instead, please continue the current policy and prohibit marijuana dispensaries and other storefronts in the draft EIR and ordinances. In addition, please do not permit microbusinesses that grow marijuana to retail it. Also, please maintain the proposed draft EIR’s provisions that do not allow marijuana clubs. These establishments would allow a patron to buy marijuana, consume it on the premises, and then stagger out stoned to the driver’s seat of the car, posing a menace to society on the highway.

By prohibiting dispensaries and storefront retailing, you can protect our young people and community and promote compliance with the legal age limit. By doing so, you will be following, at least in part, the nearly two-thirds (63%) of Colorado counties that have used their authority to prohibit or impose a moratorium on recreational marijuana businesses (Legalization, p. 155).



## Cruz, Patrick

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**From:** Jackie Silverman [jackiehsilverman@gmail.com]  
**Sent:** Wednesday, July 26, 2017 7:11 AM  
**To:** Metzger, Jessica  
**Subject:** Marijuana July 26th meeting

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Jessica Metzger,

I received a flyer at my front door yesterday in regards to a meeting that's being held tonight. As I'm sure you're aware, there is a coalition that intends to stop expansion of pot growth, manufacturing, testing, and distribution in the Santa Barbara area.

45-1 Your email address was included on the flyer and we were instructed to email you with pre-written comments, should we not be able to attend the meeting. That is why I am contacting you today, however my intention is to give verbal support for what the city is doing, not to rail against it.

I hope the local government continues to handle this as they have been doing, complying with the state law and making sure that a good local structure is in place before the law takes effect next year.

Hopefully others will also email their support or even show up to the meeting tonight.

Thank you for your time and good luck.

My Best,  
Jackie Silverman

James T. Malone  
Jeanne-Marie Malone  
2585 Wild Oak Rd.  
Lompoc, CA 943436  
(805)735-7122

8/8/2017

Re: Marijuana Grows Environmental Impact

Jessica Metzger, Project Manager  
Planning and Development Dept.  
123 Anapamu St., First Floor  
Santa Barbara, CA 93101

Dear Jessica:

We can't believe Santa Barbara County is even entertaining legalizing and growing marijuana. As retired law enforcement officers, the county does not have the best interests of its citizenry in mind, just profits.

Currently, marijuana is illegal to grow in SBCO, yet Cebada Canyon is being called 'Reefer Canyon' and our street, 'Reefer Ridge'. We moved here 18 years ago and are now being surrounded by marijuana farmers because, even while illegal, there is no oversight, no police presence and no prosecution. It is **FEDERALLY** illegal, yet no oversight. This is what we are seeing and/or what we are worried about:

- 46-1 • Ground water contamination; illegally disposed of chemicals, booby traps if you wander off trails, if you are brave enough to even go hiking; another 'Green Triangle' like Humboldt County.
- 46-2 • No control; growers everywhere and **NOTHING** is being done. Closed off hoop structures with no on-going inspections or enforced permitting processes.
- 46-3 • Excess power usage.
- 46-4 • Criminal element coming into the county from other areas and soon, if not already so, cartels, so that they can control who grows and who doesn't. More corruption to follow.

- 46-5 | • Enormous water consumption.
- 46-6 | • Reduction of property values; would you buy a home next to a marijuana grow?
- 46-7 | • Why no official notice that a property is applying for a permit, so protests can be heard from the affected neighbors?
- 46-8 | • Cash crop; federally illegal, so no FDIC insured bank will handle the money. Unsecured cash attracts more crime to the area, increasing burglaries on surrounding properties.
- 46-9 | • Local possible renters were frightened off a nearby property by armed men, telling them to get away from the area.
- 46-10 | • Increased traffic; increased smog.
- 46-11 | • Pet overdoses. Yes, the vet clinics are seeing marijuana pet overdoses.
- 46-12 | • Just this last week, we were told about a 300+ acre grow, in our canyon, with helpers wearing ankle bracelets in the fields, (where are there parole/probation officers?) and that numerous oak trees had been leveled to provide the growing area. Hmm, that's a pretty large grow to go UNNOTICED, by the county of Santa Barbara.
- 46-13 | • Loss of workers for legal agricultural farming. The farmers that have to obey all the laws, pay workman's compensation, etc, are losing half their workers to the marijuana growers, since it is an all cash crop, nothing is deducted. The workers get paid more and have to declare nothing.
- 46-14 | • We are afraid to leave our home to go anywhere and not worry about being burglarized while we are gone.
- 46-15 | • We don't want our family or grandchildren to visit, for their safety and they don't want to come for the same reasons.
- 46-16 | • When our well is either drained dry or contaminated, is the County ready for the deep pocket law suit?
- 46-16 | • If all these grows are illegal, the county is doing nothing about it and the county is not getting any profits now, do you really think they are going to try and BECOME legal and lose profits?

The county believes it can wrangle a herd of cats, if they actually think this is a good crop to allow here. The cons outweigh the pros.

Sincerely,

James and Jeanne Malone



Saturday, August 5, 2017

To: County of Santa Barbara  
Jessica Metzger, Project Manager  
Planning and Development  
123 E Anapamu Street, SB CA 93101

From: Jan Baker, Santa Barbara Resident  
P O Box 30268  
Santa Barbara, CA 93130

Re: Rezone Small Farm Cannabis Growers to SB County Rural Area

47-1 For the Santa Barbara/Goleta residential neighborhoods on Hollister Avenue, I would like to petition that the small farms of San Marcus Growers, Lane Farms & the Avocado orchard be rezoned to grow cannabis in large quantities to outside of the communities of Santa Barbara, Montecito, and Goleta. These small farms are in residential neighborhoods with school children and families.

47-2 The practical solution would be to grow the cannabis pot outside the city limits, in rural areas that would not impact the quality of communities and schools. Reports from people in Carpinteria where these types of greenhouses have sprung up complain of headaches, burning eyes, not being able to go outside. With an invitation to a dinner party last December, we drove by the Carpinteria School on our way to our friend's home. The smell was terrible, but more importantly near the school.

On behalf of the residents in the Santa Barbara/Montecito/Goleta area, please reconsider the future quality of our communities to rezone to rural areas in Santa Barbara County.

Sincerely,

Jan Baker  
(805) 845 - 5424  
janbaker5440@gmail.com

## Cruz, Patrick

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**From:** Janet Booth [janetboothsb@gmail.com]  
**Sent:** Tuesday, August 08, 2017 9:28 PM  
**To:** Cannabis Info; Metzger, Jessica  
**Subject:** Attention: Jessica Metzger

I am a concerned resident of Sungate Ranch where the proposed land use ordinance seems to be targeting our area in a very concentrated way.

I would like to propose that if SB County really needs the revenues that this Cannabis Industry will likely generate, that the draft Ordinance be amended to prohibit Cannabis Cultivation & Retail sales within 1 mile of Schools, recreational areas, parks & residential neighborhoods. Please take into consideration how growing Cannabis near our neighborhoods will affect quality of life in many ways:

48-1 The Horrible Skunk odor that cannabis gives off when growing will mean keeping windows closed & staying inside. Also growing Pot gives off chemicals causing headaches & burning eyes. And there are the safety issues because it's a cash business, Also the unsightly metal Greenhouses behind high fences will change the natural Beauty of our area & depreciate our property values, And lastly the most important fact is exposing our youth to growing Pot fields & retail shops in their direct walking path to schools. I would like to know if extensive studies have been done to see how Colorado, Washington & Oregon are handling the Pot explosion so we don't rush into this & make huge mistakes that can't be reversed. Thank you for taking the time to consider my concerns.

Sincerely,  
Janet Booth  
[Janetboothsb@gmail.com](mailto:Janetboothsb@gmail.com)

Sent from my

**Metzger, Jessica**

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**From:** Janet Kruger [jkruger7@gmail.com]  
**Sent:** Tuesday, August 08, 2017 3:34 PM  
**To:** Cannabis Info  
**Subject:** rezoning matter:

To Whom and ALL It Concerns, and please forward to those involved in planning:

49-1 | I am emailing to voice a NO consideration to NOT letting small farms located in residential neighborhoods on Hollister Avenue (farms San Marcus Growers, Lane Farms & the Avocado orchard) be rezoned to grow cannabis in large quantities. These small farms are located in residential neighborhoods.

49-2 | I understand from areas that grow cannabis that *there is **an awful skunk smell from growing Pot***, so bad of a smell residents who live within several miles of fields don't open their windows. *From what I understand there are reports from people in Carpinteria where these types of greenhouses that have sprung up **complain of headaches and burning eyes!***

49-3 | Because of the above proven report of testimony, **the outcome of these small farms growing cannabis in a residential neighborhood would affect Quality of Life and the Environment.**

Note: This is NOT about whether cannabis should or should not be legal (it already is in California), or whether medicinal marijuana is helpful for treating medical conditions, nor is it about a person's personal right to smoke pot. **IT IS ABOUT LAND USE IN THE COUNTY, and particularly in the unincorporated area!!!!**

Thanks for your time and consideration of the impact of this matter.

Regards,

Janet Kruger

From: janet shaw [shepardmesaschool@gmail.com]  
Sent: Monday, July 31, 2017 9:32 AM  
To: Cannabis Info  
Subject: Jessica PM regarding zoning changes

Dear Jessica,

We are writing to ask that you don't change zoning.. we are avocado and Cherimoya growers. Why is the county pushing to grow pot? The profit is very high for the grower so if course, greed and need to survive will encourage folks to go with the more lucrative product..

50-1

Sent from my iPhone



From: janet shaw [shepardmesaschool@gmail.com]  
Sent: Monday, July 31, 2017 9:48 AM  
To: Cannabis Info  
Subject: Jessica regarding zoning

Second email to finish first email..

It seems schools and many neighbors wish to not have pot grown next to them..when growers destroy trees that have taken years to produce, flower growers refit there green houses... how will you ever get this turned around once the change is made? Most growers have been around for years..

Why is SB of all places enticing a 3 times your profit to change the wonderful heathy food we are growing now???? What does SB have to gain???

What about the future of food? The price of food when we have less growers? Isn't it high enough now???

Does growing pot save on water vs trees? No!!!! With growing pot comes security needed that is much greater then Avocados, citrus, and followers.. are we really pushing this??? Like we did housing in 2009-2012? Now 1000 permits..and all we hear is a water shortage?? My family has been here As SB volunteers, and involved to preserve SB since 1961... we need to get everyone on board and do the right thing..

Sincerely,  
Janet

Sent from my iPhone

50-2

## Metzger, Jessica

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**From:** Jeanne Spencer [jeanne@ideaengineering.com]  
**Sent:** Friday, August 11, 2017 4:52 PM  
**To:** Metzger, Jessica  
**Cc:** Fogg, Mindy  
**Subject:** Comments on Proposed Draft Cannabis Use Land Ordinance

Thank you for requesting public comments. I have been a resident of unincorporated Santa Barbara County, living near More Mesa off of Hollister and Puente Dr. for 8 years, and my neighborhood is likely to be significantly affected by the land use changes. I am also on the board of Vieja Gardens Owners Association, and while not officially representing them, my comments reflect concerns that I have heard from other board members and residents.

Comments:

51-1 **1) Please include restrictions on retail density.** This is of extreme importance to the perception of safety and community, particularly on Hollister Ave. between Hwy 154 and Patterson.

As an example of what not to do, a friend recently described visiting her mother-in-law in Colorado Springs and now seeing marijuana-related businesses averaging every 3-4 storefronts in that neighborhood, and how it no longer seems child- and family-friendly.

51-2 **2) Increase the buffer from sensitive receptors to at least 1000 feet, and add parks and libraries to the list.** You may also want to add adult residential care facilities, and alcohol and other drug treatment facilities.

51-3 **3) Add Signage restrictions to the General Commercial Development Standards.** This is going to be one of the most visible aspects of any retail businesses and like retail density, can have a major negative impact on the community.

51-4 4) I'm not sure if included in this, but please **do not allow on-premises consumption** at this time, due to concerns regarding impaired driving and youth access.

5) In general, please start slowly and review the impacts of changes on community health.

Overall, the draft document seems thoughtful and thorough, and I appreciate your efforts in including community involvement. I've worked closely with Ventura County and others regarding marijuana planning communications, including the Mapping Marijuana forums, so am very familiar with the complexity involved. In reviewing this, I've referred to documents developed by Ventura County. You're likely aware of them, but if not, please check out:

Protecting Our Youth: [http://venturacountylimits.org/resource\\_documents/MJ\\_Protecting\\_our\\_Youth\\_Aug2015\\_1up.1.pdf](http://venturacountylimits.org/resource_documents/MJ_Protecting_our_Youth_Aug2015_1up.1.pdf)

and other resources at: <http://www.venturacountylimits.org/en/prevention/marijuana/policy>

Best regards,

Jeanne Spencer

**Cruz, Patrick**

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**From:** jimsvine@cox.net  
**Sent:** Friday, July 28, 2017 7:25 AM  
**To:** Metzger, Jessica  
**Subject:** Marijuana & Goleta Valley

Jessica,

My family wanted to express their feelings about this issue. We do not support this “business” in any way. We think the people that do are only thinking about money and refuse to see that that this is a dangerous road

52-1

to go down. The negative affect and effects far outweigh people wanting to get high and those that want to profit from it. While there “might” be a miniscule number of people that truly benefit medically from it (???), we are aware of the negative and tragic problems that will arise. And for people purposely trying to manipulate the system behind closed doors, is unconscionable.

WE VOTE NO ON MARIJUANA!!!

Sincerely,

Jim and Karen Siffert and Family

## Metzger, Jessica

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**From:** Kathy Curtis [sheytanska@cox.net]  
**Sent:** Wednesday, August 09, 2017 8:24 PM  
**To:** Cannabis Info; jmetzer@countyofsb.org  
**Subject:** Re: Cannabis Grown in the Turnpike Area-We request change-Please read.

To Personnel,

53-1 I'm writing this letter to address the issue of growing and selling POT in our local community. I object to the growth, processing and sale of POT in our neighborhood for many reasons, which I shall state. I reject the usage of POT for many reasons. Morally, I think it is wrong. How is it different than legalizing cocaine or methylenphenetamine? Does POT smoking lead to other drugs? Even though many would say that there is a medical reason to use POT, I'm sure with all the vast medical advances in Science, someone could come up with a better painkiller. Medically speaking, our country is trying to get away from smoking anything due to the lethal effects from smoking due to lung and throat cancer and cardiovascular failure. Legally, I have to accept the fact that it was voted in by a majority and therefore is a law. However, laws can be repealed just like the GOP trying to repeal Obamacare. I have no illusions that the law will be repealed anytime soon. Politically it is no coincidence that only 3 states have legalized POT while 47 states have not. Maybe they know something that we do not know. Also politically, why is this process in such a hurry to be implemented before the public has had time to analyze the impact on individuals and the community. Two supervisors are railroading this process through whereas the other 3 supervisors are practically unaware of what's happening. This is like the GOP senators rushing a bill to repeal and replace Obamacare before any one has had a chance to read the bill. This is not democracy in action. Besides medical concerns there is also safety concerns. In Colorado a legalized POT state, auto accidents have gone up 20-30% since POT was legalized there.

53-2 There are also practical concerns to be addressed. I have lived in this area for 19 years and we have built up equity in our house. I don't want housing values to drop drastically just so someone can make a fortune selling POT. There is also a quality of life issue. I don't want to be smelling the awful odor of POT growing in the fields on a constant basis. There is also the crime issue. What kind of people will be hanging out in our neighborhood trying to buy or steal POT? And of course, there is the issue of young children in schools being exposed to all of these issues because of proximity of growing and selling close by. It is no accident that POT growth and processing is not taking place in Santa Barbara or Montecito or Goleta.

For all these reasons, I hope you think very carefully about growing and selling POT in our neighborhood. Because once the process is completed, we are stuck with the results for a very long time.

Jim and Kathy Sterken

## Metzger, Jessica

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**From:** Jim Taylor [jim@carpedata.com]  
**Sent:** Friday, August 11, 2017 9:37 AM  
**To:** Metzger, Jessica  
**Subject:** Cannabis EIR Scoping

To: Jessica Metzger, Project Manager

Cannabis Land Use Ordinance and Licensing Program

Long Range Planning

County of Santa Barbara

Residents of the Carpinteria Valley have a right to fresh air that supersedes the right of a cannabis cultivator to vent terpene-laden odorous air to the environment.

The unique geography of Carpinteria requires special consideration in terms of odor control. What may be adequate mitigation in the wide open spaces of North County would be inadequate in the Carpinteria Valley due to the close proximity of residential neighborhoods to the cultivation operations. As an example of the level of odor control required in our situation, I refer to the San Luis Obispo Draft Cannabis Ordinance: "All cannabis cultivation shall be sited and/or operated in a manner that prevents cannabis odors from being detected offsite. All structures utilized for indoor cannabis cultivation shall be equipped and/or maintained with sufficient ventilation controls (e.g. carbon scrubbers) to eliminate or significantly reduce nuisance odor emissions."

54-1 The definition of Sensitive Receptors should include the denizens of residential neighborhoods. After all, a student spends more time at home than at school.

The arbitrary size of a buffer or setback between cannabis cultivation and adjacent land use is an indirect approach to mitigating the impact of emissions. Because atmospheric conditions are highly variable, it is more effective to preclude the release of odorous air in the first place.

Odors and other emissions can be measured. Ongoing enforcement of emissions control should be proactively monitored with instrumentation and not be complaint-based. However, there must be a simple method for neighbors to lodge a complaint, and for these complaints to be materially considered in the renewal of operating permits.

--

Jim Taylor  
[jim@carpedata.com](mailto:jim@carpedata.com)

5563 Calle Ocho  
Carpinteria CA 93013

408-666-7356

## Metzger, Jessica

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**From:** Joe Schuster [joeschu@cox.net]  
**Sent:** Thursday, August 10, 2017 2:12 PM  
**To:** Metzger, Jessica  
**Subject:** Cannabis Growth & Distribution In Eastern Goleta Valley

Dear Ms. Metzger:

I would like to express my concerns over the issue of cannabis growth and distribution in the eastern Goleta Valley. As I watch the initial stages of our County's designing a plan for the scope and impact of the new cannabis industry in our neighborhoods, I have several concerns:

- 55-1 • There seems to be a sense of urgency to get marijuana ramped up as fast as possible. With big revenues on the line for the County, local entrepreneurs and outside interests, the urgency to get cannabis into our communities seems to be steamrolling the normal, steady, sensible planning practices we expect to be in play for a community game-changer of this magnitude.
- 55-2 • The private subcommittee approach of Supervisors Williams and Lavagnino to date breeds mistrust and very questionable motives, and an obvious skirting of the Brown Act. Is the public really expected to trust that this unconventional process is somehow in the general community's best interest? From here on out, everything pot related should be out in the light in the purview of all 5 Supervisors and under the public's watchful eye. Isn't that why we have established processes? Supervisor Wolf needs to be directly involved in the process as this is her District.
- 55-3 • Have County executives issued a mandate or inference that the cannabis industry must be allowed to thrive here to meet County budget issues? Everything on the table please. As with oil and developer interests, over time we have been careful and deliberate to not sell out our communities so select entities can get richer. What's different here? Established neighborhoods and historical quality of Santa Barbara life come first!
- 55-4 • As residents in Carpinteria have testified, pot crops stink and should be kept far from any established neighborhoods. All common downwind patterns should be examined.
- 55-5 • What is the effect on local businesses to have a pot establishment in the vicinity? How can it be allowed in a mixed-use area where there are residential dwellings? What about security, increased traffic, noise?
- 55-6 • Keep the industrial aspects of the cannabis business far away from established residential areas, including our local shopping centers. That means any growing, processing, packaging, warehousing of pot products should be in less populated, more remote areas.
- 55-7 • Don't rezone anything without taking time to study the effects the industry has had in Colorado. There is much information available that we need to take into consideration before allowing it into our community. We haven't invested years of our energies to build a great community here, only to recklessly throw it away because a very small amount of people think that we can't live without a thriving pot industry.

Land use is the issue here and must be studied carefully over time for the good of the huge majority of County residents who do not want cannabis to define our community, and have real concerns about the long-term effects of unleashing irreversible pot ordinances on our local culture and youth. The State has not given communities any deadline for rolling out regulations. Let's be careful. We need to know how our lives and safety will be effected and what the benefit and risks could be.

Thank you for your attention and time.

Sincerely,

Joe & Janet Schuster

5006 Oak Ridge Road  
Santa Barbara, CA 93111

9 August 2017

To: Santa Barbara County Planning  
Cannabis Land Use Ordinance and Licensing Program

From: John Culbertson, 4516 La Tierra Ln, Carpinteria CA 93013  
jculbertson@sbceo.org

**Comments to Environmental Scoping for the Cannabis Land Use Ordinance and Licensing Program**

56-1 | **The document does not address the negative impact of cannabis operations in close proximity to housing, youth facilities, churches, parks and schools that are under separate jurisdiction from the County.** This is the situation in the City of Carpinteria. This is a health and safety issue in addition to the negative cumulative impact to the community.

**Until this issue is addressed, the document should not be considered complete for the decision making process. (2.0, 4.1, 4.2, 4.2.7, 4.2.14)**

**Please expand the document** to include the following:

56-2 | **Inform cannabis growers currently operating** within potential buffer and restricted zones that they will be required to shut down operations when permitting begins if they are within a buffer zone. County is in conflict with State and Federal law in allowing cannabis operations to proliferate during the planning process. This will undoubtedly result in lawsuits, inter-jurisdictional conflicts, and drawn out court proceedings.

56-3 | **Permits should not be grandfathered** for cannabis operations.

56-4 | **Establish 1000 foot set back / buffer zone** requirement from all housing, youth facilities, churches, parks and schools irrespective of County / City boundaries.

56-4 | **Cannabis grow operations within buffer zones should be shut down** through a specified enforcement process.

56-5 | **Notification of residents regardless of jurisdiction** before permit is granted to include public hearing and protest period. Notification should be to all residents within buffer distance.

**Notification of school boards, youth facilities and all parents regardless of**



- 56-5  
Cont. | **jurisdiction** before permit is granted to include public hearing and protest period. Notification should be to school boards, youth facilities and parents for children in schools within buffer distance.
- 56-6 | **Odor and lighting mitigation:** No odor, harmful gas or night lighting should escape from greenhouses. Specify actual requirements and enforcement process. The current process is ineffective and not useable by the general public.
- 56-7 | **Restricted permit zones;** Public health, impact on children, water use, nearby residents, quality of life, questionable tax benefits and cumulative impact to communities services indicate the need for restricted zones near highly populated areas. The greenhouse area bordering Carpentaria schools and housing is one such zone.
- 56-8 | **Cumulative impact to communities. Government should do no harm.** Health, children, air quality, water, crime, organized crime, money laundering, homelessness, mental health, law enforcement, courts, traffic, housing, provision of local services, federal and state intervention, failure of county to handle less complex and ongoing agricultural issues in proximity to populations all point to severe local impact.
- 56-9 | Why any agency would inflict the kind of trouble seen in pot growing areas such as Garberville, Humboldt and Desert Hot Springs to the South Coast is beyond reason. The County Medical Officer warns of many negative health impacts and is developing an education program for children and “At Risk,” individuals to deal with the coming problems.
- The South Coast prides itself on its commitment to a clean environment and a welcoming atmosphere. We are dependent on tourism. Pot farming is industrial farming with all the side issues of the drug world coming to our community. If pot farming is allowed at all in Santa Barbara County it should be restricted to rural zones far from communities.

**Cruz, Patrick**

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**From:** John De Friel [john@ccagriculture.com]  
**Sent:** Wednesday, July 26, 2017 10:26 PM  
**To:** Cannabis Info  
**Subject:** EIR scoping follow up

Dear Jessica, Mindy, and Dan,

57-1 Thank you for hosting the public comment this evening. I look forward to continuing to work with you through the ordinance development process. Please let me know if I can answer any further questions for you.

Sincerely,  
John De Friel

From: Julia Crookston [chefjuliainsb@gmail.com]  
Sent: Thursday, July 27, 2017 2:42 PM  
To: Metzger, Jessica  
Subject: Marijuana industry EGV

I am personally against the use of marijuana as a recreational pleasure. As an employer I experience the effects of 'blazing' up' before coming to work every day and it makes me angry and makes me sad.

HOWEVER

Marijuana is here to stay.

It is an agricultural based business, just like orchid green houses, tree farms, strawberry fields and tomato fields and I say that Goleta (the County) should jump on this business right away. Goleta Valley, despite developers best efforts, remains an agricultural area and allowing the marijuana industry to establish itself here will help keep that ag culture alive.

Better green houses than crappy over built single family houses or stuffed to the gills lo-income apartments.

58-1

I want EIR, Coastal Commission and all procedures examined & permitted - just like any other business.

It is important for the County to be ahead of this as it is coming & nothing will stop it.

Now is the time to get in line for the potentially enormous tax revenues this industry will generate.

This a rare opportunity for the community, the kids, the firemen, the schools everybody to generate some real municipal income - not just money in an out of the area developer's pocket.

Bring it on!.

Julia Crookston

## Cruz, Patrick

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**From:** Von Jansma [vjansma@gmail.com]  
**Sent:** Friday, August 11, 2017 2:47 PM  
**To:** Metzger, Jessica  
**Cc:** Wolf, Janet; Linda Brown  
**Subject:** Large Scale Cannabis Cultivation, Distribution and Sales

Dear Ms. Metzger:

59-1 We are writing to you to express our concern about the process to develop a plan and ordinances governing the development of the cannabis industry in our county. There has been little public discussion or input on this topic. We are not opposed to the development of this industry, but we are concerned about the restrictions on the siting of such operations. In particular, it would be easy to inadvertently allow the intensive operations of the industry to occur in or near unincorporated areas which are primarily residential in nature. That would be inconsistent with good planning and zoning practises.

In order to develop a plan that avoids a conflict between residential and industrial, agricultural, and retail land uses there needs to be a thorough understanding of the nature of the cannabis industry segments to see if they are consistent with or compatible with other nearby uses. In particular there needs to be a study of:

- 59-2 - air quality issues, such as noxious odors from the plants, the harvesting process, and any industrial refinement or processing
- 59-3 - waste treatment for both biological and chemical waste
- 59-4 - light pollution issues from artificial lights running 24/7
- 59-5 - traffic increases and the accompanying noise
- 59-6 - security issues to safeguard crops and the large amounts of cash being exchanged in this industry which could attract crime.

59-7 The primarily residential area between Goleta and Santa Barbara could be adversely affected because of its relative density and the proximity of mixed uses if those issues are not properly understood and accounted for in trying to craft regulations. The area has schools, day care centers, medical facilities, senior centers, playgrounds and churches, all of which should be well isolated from large scale cannabis industry operations in order to avoid conflicts and assure quality of life. There seems to be little benefit to permitting cannabis operations in that area compared to the costs and risks that likely will arise.

59-8 In addition, we think that the process in this case would certainly benefit from having the knowledge of what has happened in other states in trying to manage the cannabis industry, especially vis a vis competing land uses. Nearer to home, we could benefit from the experiences of a community like Carpinteria which has had this industry operating on a smaller scale for some time. If there have been adverse effects there, the experience can be used to avoid making the same mistakes on a larger scale in the rest of the county.

Please take our thoughts and concerns into account as the process continues.

Sincerely,

Von Jansma and Linda Brown

385 Greendale Court, SB 93110

**Metzger, Jessica**

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**From:** June Gill [junegill21@msn.com]  
**Sent:** Friday, August 11, 2017 12:34 PM  
**To:** Cannabis Info  
**Subject:** rezoning for pot

Dear madam,

60-1 | As a resident of the San Roque area of Santa Barbara I am anxious to see that discussions about rezoning for marijuana cultivation and sale are held in an open public forum before official decisions are made.

June Gill

Sent from my Verizon, Samsung Galaxy smartphone

**Cruz, Patrick**

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**From:** karen friedman [notdeadyet0@gmail.com]  
**Sent:** Saturday, August 05, 2017 6:29 PM  
**To:** Cannabis Info  
**Subject:** Avocados are posted and protected from theft

61-1 | Crop rustlers will be tempted by big money just sitting for the picking in a commercial grow. Just a reminder. peace

Karen Friedman  
POB 942  
Carpinteria 93014

**Cruz, Patrick**

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**From:** karen friedman [notdeadyet0@gmail.com]  
**Sent:** Thursday, July 20, 2017 5:18 PM  
**To:** Cannabis Info  
**Subject:** Non-Profit Tax-Exempt Cannabis Industry

62-1 Please consider the possibility that many profiting from this cash crop will not be paying taxes. Who is going to protect California's Organic standards from the blight of chemicals necessary for commercial use? Are there any requirements that dispensaries be ADA compliant not to exclude people who use wheelchairs? Patients have rights too!

Thank you for attempting to make recreational use a safe and positive experience for all. peace

Karen Friedman  
POB 942  
Carpinteria 93014



## Cruz, Patrick

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**From:** Karen Haddigan [karenhinsb@gmail.com]  
**Sent:** Monday, July 31, 2017 2:57 PM  
**To:** Cannabis Info  
**Subject:** attention: Jessica Metzger

I am writing in connection to the idea of installing cannabis farms near residential areas. Until and unless the issues regarding smell from the growth of cannabis can be controlled, I do not believe this should be allowed so close to residential neighborhoods.

63-1 I do not oppose the new cannabis law - in fact, I support it. I simply want it not to cause problems for residents in the areas immediately surrounding the proposed growing locations.

Thank you for taking the time to read my submission.

Karen Haddigan  
Santa Barbara resident

## Cruz, Patrick

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**From:** mozziemama@aol.com  
**Sent:** Friday, July 28, 2017 4:04 PM  
**To:** Metzger, Jessica  
**Subject:** NO POT IN OUR city!

I URGE all the supervisors to put the BRAKES on this Shady, Unconventional process. All proposals MUST go thru the "Normal" channels, planning Commission.EIR review etc..

64-1 This stinks...I smell GREED....which seems to be running this sleazy show. Dirty money for those in charge is that it????  
Wolf's flunkies making plans "Behind closed doors" ....the democratic way??????

STOP this Travesty!

Kathy Perrizo  
6243 parkhurst drive  
Goleta, Ca 93117

**Cruz, Patrick**

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**From:** Kim Miller [kstar137@gmail.com]  
**Sent:** Friday, July 28, 2017 10:57 PM  
**To:** Metzger, Jessica  
**Subject:** Marijuana growing, processing, and sale in the eastern goleta valley

Dear Ms. Metzger,

65-1 As a local schoolteacher for the past 27 years, I can attest to the very real negative effects marijuana use has on both youth and adults. I have never met a parent whose parenting skills were improved by the use of marijuana. I have never met a teenager whose academic success and self-esteem was improved by marijuana use. I challenge the County Supervisors who wish to promote marijuana zoning to find an elder person who can seriously reflect back on life and say, "My life and my impacts on my fellow community members would have been so much improved, if only I had drunk more alcohol, smoked more weed, and taken more drugs."

Please resist any and all marijuana production, processing and sales throughout Goleta and Santa Barbara. Especially, I am concerned about the Eastern Goleta Valley area since that is my own home area; please do NOT incorporate cannabis-related activities anywhere near our region.

Sincerely,  
Kim Miller  
652 S. San Marcos Road  
Santa Barbara, CA 93111

## Cruz, Patrick

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**From:** kurt smith [kurt.kvsmith@gmail.com]  
**Sent:** Saturday, August 05, 2017 10:14 PM  
**To:** Metzger, Jessica  
**Cc:** Wolf, Janet; barbk77@cox.net  
**Subject:** Marijuana influx int eastern Goleta valley

To Whom It May Concern,

66-1 I was unable to attend the public meeting on July 26th, but I would like to express our concern over the issue of marijuana growth and distribution in eastern Goleta valley. I was born in Colorado and have family there today that have been directly affected by the unrestricted growth and sales of marijuana. It is not a pretty picture. My biggest concern is the growth within the populated areas of Goleta. Each of the "pot" fields will require security to protect the plants from theft. The fields will be lined with fences with razor wire and will have other measures (such as guard dogs , armed security, etc.) that can and will endanger the children and citizens of the area in a way that no other crop will do. Also, marijuana growth requires a large amount of water and will further stress the water supply. This issue has lead to some extreme measures (including stealing water, illegal wells, hauling water) in Colorado which has some of the same concerns with water that we have here in Santa Barbara County.

66-2 The dispensary issue has multiple red flags as well. The most important is the quasi-legal operation of the industry. Because the banks can not accept the money, the sales locations will have very large amounts of cash on hand, which is a crime and security risk as well. Unfortunately, previous experience (from family and friends in Colorado) has shown that the clientele and operators of these businesses have little respect for other businesses or anyone else in the area. Parking and access to the area are often taken advantage of with no regard for anyone else. Petty crime in the areas of the these businesses goes up dramatically with items disappearing from yards and fenced in areas. This is not a guess, this is a direct experience of multiple people in Colorado.

66-3 I oppose the growth of marijuana in any populated area especially in the Goleta area. I firmly believe that sales locations will be a significant burden on the local businesses and homes as well as requiring a increase in the local law enforcement resources that will out weigh the financial benefit of increased taxes. It is critical that any rules or laws that will affect the growth and sale of marijuana be given the proper public review and oversight. We need to know how our lives and safety will be effected and what the benefit and risks could be. Thank you for your attention and time.

Sincerely,  
Kurt Smith  
Hope Ranch Annex

## Metzger, Jessica

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**From:** Kyle Wolf [kylejwolf@gmail.com]  
**Sent:** Friday, August 11, 2017 2:41 PM  
**To:** Cannabis Info  
**Subject:** EIR

67-1 To whom it may concern, thank you for all your hard work. I'm writing this in hopes to be able to obtain a local cannabis cultivation permit on my AG-I zoned property located at 2825 Baseline Ave Santa Ynez Ca. About 1,600 AG-I properties are located within the Santa Ynez Valley Community Plan area. Amazingly this is two-thirds of the total AG-I properties in all of Santa Barbara County. Almost 40 percent of the Community Plan area is zoned AG-I. In comparison there are only about 100 in the rest of the entire North County. About 95 percent of all the AG-I parcels in Santa Barbara Wine Country are in the Santa Ynez Valley. These wineries conduct high impact agricultural practices. They also conduct public wine tasting and commercial events every day all year long. My AG-I zoned property is within the Unincorporated Area of Santa Barbara County and the Right to Farm Act. It has an agricultural water meter and a 560 foot deep private well. It also has a private fire hydrant and is not located in a fire hazard zone. PG&E is in the middle of installing a agricultural electric meter. There is no home on the property. The property is not visible from any public road and checks off everything required on the County registration form. There is one million dollars worth of general liability insurance on the property. Please take into consideration that professional rule abiding AG-1 zoned properties would be a perfect fit for cannabis cultivation in Santa Barbara County. All the while becoming financial assets the County could count on.

Sincerely, Kyle Wolf

## Metzger, Jessica

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**From:** Lee Kell [lee@leekell.com]  
**Sent:** Thursday, August 10, 2017 2:59 PM  
**To:** Metzger, Jessica  
**Cc:** jwolfe@countyofsb.org  
**Subject:** STOP THE POT

Manufacturing cannabis along the Hollister Corridor? I seriously hope not. It just devalues communities and properties.

68-1 Hollister Road is too close to shopping centers, schools, churches and business's. All will suffer from odor, noise, light pollution and theft Growing and selling marijuana does not add to our communities, and is not beneficial to society.

Wish you would concentrate on the "ROUGH ROAD" areas...do not see any repairs happening.

DO NOT DESTROY PARADISE!

A concerned homeowner

L. Kell

## Cruz, Patrick

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**From:** Leisa Cosentino [lcosentino1@gmail.com]  
**Sent:** Monday, August 07, 2017 9:29 AM  
**To:** Cannabis Info  
**Subject:** rezoning "Noleta" for pot-growing farms?

69-1 | I recently heard that there are steps underway to rezone the area known as "Noleta" to allow farms to grow pot on a commercial scale. I want you to know that I am vehemently against this proposal as it would devastate the neighborhoods with heavy traffic and smells.

Thank you,  
Leisa Cosentino  
Vintage Ranch Lane

## Metzger, Jessica

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**From:** Leo Elovitz [lelovitz@gmail.com]  
**Sent:** Thursday, August 10, 2017 10:40 PM  
**To:** Metzger, Jessica  
**Subject:** Comments: Preparation of County Cannabis EIR

**TO:** Jessican Metzger, Senior Planner, Long Range Planning Division, County of S.B.

**FROM:** Leo Elovitz, 429 Thumbelina Drive, Buellton CA

It is understood that developing a comprehensive EIR for a projected cannabis ordinance in Santa Barbara County requires conservative evaluations across multiple environmental issues in order to address public safety and environmental protections and provide the County with justifiable legal protections. However, to be fair to all stakeholders (industry professionals, adjacent residential and commercial properties and municipalities) reasonable assessments need to be made with regard to water resources, traffic, property values, discharge of chemicals into air, soil and water, and odor. Since multiple license types, property sizes, zoning regions and mixes of adjacent parcel zones and municipalities can be vastly different for each applicant's business, it is crucial that the impact of distinguishing details be considered for each of these assessments:

### I. WATER RESOURCES

There has been some concern voiced over the impact on the County's water resources and yet little scientific data has been presented for what constitutes actual water use. Request that you review water use by multiple factors:

- a.) land area (square feet or acre)
- 70-1 b.) grow duration (span of time for one crop)
- c.) number of crops per year
- d.) type of cultivation; outdoor, outdoor with hoops, green house, hydroponic, mixed lighting
- e.) total projected water use based on recent County Registry

Would like to see comparisons of total water use by other ag industries and crops, particularly the largest ag operations each year (berries, grapes etc.)

### II. TRAFFIC

There has been some concern over the impact of different licensed operations (as defined by the State under MAUCRSA) on traffic on public roads. Please evaluate impact based on:

- 70-2 a.) licensed cultivation in Ag1, Ag2, commercial, industrial and mixed use zones
- b.) licensed cultivation with processing on the same Ag1, Ag2, commercial, industrial and mixed use zones



c.) licensed cultivation with processing and manufacturing on the same sight in Ag1, Ag2, commercial, industrial and mixed use zones

d.) licensed cultivation with processing, manufacturing and distribution facilities on the same Ag1, Ag2, commercial, industrial and mixed use zones

e.) licensed dispensaries in commercial, industrial and mixed use zones

f.) license type(s) by square feet

I think the public should be able see data on projected traffic impact in each of these scenarios and comparisons to current practices from other existing types of agricultural operations by zone, size and number of operations within the same parcel: cultivation, processing, manufacturing and packaging (wineries in particular since they are abundant and process and package their harvests into alcoholic beverages on the same site).

### III. PROPERTY VALUES

There has been some concern over the impact on property values in suburban residential areas (Goleta, Carpinteria) that are in proximity to cannabis operations. Would like to see any data that exists on “legal” operations and projections of what might be expected by future “legal” operations as defined under MAUCRSA and anticipated by the numbers provided in the County Registry. Factors to evaluate:

a.) type of operations: cultivation or mixed operations (cultivation, processing, manufacturing)

b.) sizes of operations in square feet

c.) number of crops per year

c.) proximities to suburban residents in feet

d.) dwelling densities in acres

c.) odor levels (if that can be measured)

d.) lighting levels during evening hours

Provide available data comparing other crop industries in the County with the same criteria.

### IV. CULTIVATION ADDITIVES

By identifying the kinds of pesticides, fertilizers and soil amendments allowed under the requirements of MAUCRSA, evaluate impact from runoff and air disbursement based on the following factors:

a.) cultivation type: outdoor, greenhouse, indoor, mixed lighting

b.) operations: processing, manufacturing, packaging, distribution

c.) total square feet

d.) green certification

Provide comparisons to other crops and operations in the County on similarly sized parcels.

## **V. ODORS**

Every cannabis business (license type) involved with cultivation, processing, manufacturing and packaging and distribution will produce varying levels of odor (or not) and operate in different surroundings and thus have differing levels of impacts depending on multiple factors. Provide assessments that compare the overall odor release from differing cultivations and operations (license types) based on measurements of the following factors:

- a.) total square footage licensed to operate
- 70-5 b.) type of cultivations: outdoor, green house, indoor, mixed light
- c.) length of time of operations each year
- d.) number of crops per year per total square footage
- e.) proximity to dwellings by feet
- f.) amount of surrounding dwelling density by acre

Provide comparisons to other crops and operations in the County on similar factors.

August 11, 2017

Ms. Jessica Metzger  
County of Santa Barbara  
Planning & Development Department  
Long Range Planning Division  
123 E. Anapamu Street  
Santa Barbara, CA 93101-2058

**RE: Scoping Comments for the Cannabis Land Use Ordinance and Licensing Program  
EIR**

Dear Ms. Metzger:

We spoke about our concerns about the proposed Cannabis Land Use Ordinance and the severe impacts that could result in Tepusquet Canyon at the EIR Scoping Meeting on July 27, 2017. We are also providing this letter of comments regarding the scoping of the Draft Cannabis Land Use Ordinance and Licensing Program EIR.

Tepusquet Canyon is an area with a unique character as well as severe geological and hydrological constraints. As a testament to its unique constraints, the Tepusquet Canyon Existing Rural Neighborhood is the only area of the County with tailored planning policies in the Comprehensive Plan Land Use Element (LUE p. 102-103) designed to prevent inappropriate development in the area.

The primary goal of the Comprehensive Plan Agricultural Element is the expansion and intensification of agriculture in areas *where conditions allow (taking into account environmental impacts)* for such expansion (Ag. Element Goal I). Tepusquet Canyon is not a suitable area for such an intensification and expansion of cultivation implied by the cannabis industry.

The scope Draft Cannabis Land Use Ordinance and Licensing Program EIR must fully discuss and analyze the various significant environmental impacts that would result in Tepusquet Canyon due to the cultivation and processing of Cannabis as follows:

1. **Impact Analyses**

a. **Geology/Soils**

71-1 Tepusquet Canyon is a documented area of geologic constraints and typically steep slopes. The Comprehensive Plan Seismic Safety Element identifies Tepusquet Canyon as having a Geological Problems Index of IV. The most severe Geological Problems Index rating is V. The geological problems identified include landslides, slope instability, and collapsible soils.

Ms. Jennifer Metzger  
CLU Draft EIR Scoping Comments  
08/11/17

71-1  
Cont.

The rapid conversion of naturally vegetated or long-fallowed lands in Tepusquet Canyon to Cannabis cultivation can have a detrimental effect on surrounding areas threatened with downslope erosion, siltation, potential landslides, and other detrimental effects.

b. Hydrology/Water Quality

As discussed in the section on Geology/Soils, Tepusquet Canyon is largely located in an area of severely steep slopes. Stormwater control is currently hampered by this fact. Damage to downstream private property and public improvements such as Tepusquet Canyon Road due to flooding, erosion, and siltation are concerns during the winter storm season.

71-2

The rapid conversion of naturally vegetated or long-fallowed lands in Tepusquet Canyon to Cannabis cultivation can have a detrimental effect on surrounding areas exacerbated by increased stormwater resulting in erosion, siltation, potential landslides, and increased anticipated private property and public infrastructure damage.

Secondly, Tepusquet Canyon is not located over a groundwater basin or other reliable source of regional groundwater supply. Local wells drilled for limited domestic or agricultural uses are a hit and miss proposition, with well failures being common.

The rapid conversion of naturally vegetated or long-fallowed lands in Tepusquet Canyon to Cannabis cultivation would substantially increase the demand for irrigation water. This would severely tax the limited local water supply to unsustainable levels.

c. Transportation/Circulation

Tepusquet Canyon Road is the only public road access to Tepusquet Canyon. This is a narrow, windy road ill-suited to accommodate substantial increases in traffic anticipated with Cannabis cultivation and processing. Moreover, substantial numbers of large, cumbersome delivery trucks and agricultural equipment would present a vehicular circulation safety problem.

71-3

The analysis of transportation/circulation impacts should include a thorough review of an anticipated substantial increase of vehicular traffic and the introduction of a large number of larger trucks and agricultural implements. The analysis should not be a standard volume to capacity analysis, but should be tailored to the narrow, windy nature of Tepusquet Canyon Road and similar roads in the County and the traffic increase from existing including a turning-movement safety analysis.

d. Fire Safety

71-4

Tepusquet Canyon is located in an area of extreme fire hazard. In a wildfire event, fuels would burn extremely rapidly in the steep-sloped environment. Moreover, with only one narrow, windy access road, emergency ingress and egress would be extremely difficult during a wildfire.

The rapid conversion of naturally vegetated or long-fallowed lands in Tepusquet Canyon to Cannabis cultivation would add substantially to the population and vehicle traffic utilizing

Ms. Jennifer Metzger  
CLU Draft EIR Scoping Comments  
08/11/17

71-4  
Cont. Tepusquet Canyon Road. This would severely hamper the ability for people and their animals to escape a wildland fire, while also hampering emergency vehicle access. This would make a dangerous situation even more so.

e. Programmatic Analysis

71-5 The Draft CLU EIR should completely analyze potential impacts from Cannabis cultivation and processing to this geologically and hydrologically sensitive area with limited road access and extreme fire hazards. Since this is a programmatic analysis, the tendency is to analyze the aggregate, or average, situation countywide. However, CEQA requires that the impact analysis be made on the 'reasonable worst case' scenario. Areas such as Tepusquet Canyon represent this worst case scenario.

2. Alternatives

71-6 The Draft EIR should analyze an alternative project description that would reduce potential impacts to areas of high environmental sensitivity or resource constraints in a programmatic way. This can be achieved by omitting certain areas of the County (Tepusquet Canyon, Toro Canyon, and/or sensitive coastal zone areas) from the effect of the proposed ordinance or instituting a more stringent Conditional Use Permit process on cannabis cultivation and processing in the identified sensitive areas. These sensitive areas have already been identified in the comprehensive plan. For example, the CLU could be tailored to be inapplicable to those properties mapped as having a Geological Problems Index of IV or higher in the Seismic Safety Element.

We appreciate your time in considering our comments. Please contact me with any questions.

Sincerely,

  
Linda and Curtis Tunnell

To: Jessica Metzger

From: Linda Muzinich

Re: Proposal to convert surrounding  
agricultural acreage to Marijuana development

RECEIVED

AUG 09 2017

S B COUNTY  
PLANNING & DEVELOPMENT

Dear Jessica Metzger;

It is with deep concern for my family and others living near the fields proposed for future growth of marijuana, that I am writing this letter to you. Please have an understanding of the content as if your home and family was across the street from the fields.

The following are issues that have a direct impact on our families comfort, safety, and security.

- 72-1 • The proximity of the fields, if marijuana is growing, emits a pungent, obnoxious odor that would penetrate our homes and yards.
- 72-2 • Schools and youth present in the area include: ;San Marcos High School, Hollister Elementary School, El Camino Elementary School, Girls Inc., Salvation Army pre-school and after school Care, and the soon to be build the Montessori Center School
- 72-3 • All of the children who spend much of their day at the above facilities will be exposed to the order, traffic (both vehicle and people interested in the marijuana) and a negative affect on their security.
- 72-3 • The population visiting the area, or loitering near-by include those: interested in purchase, stealing, and/or exchanging of drugs
- 72-4 • Neighboring children pass by the San Marcos agricultural field while walking to and from schools, the El Camino playground, and neighbors walking their dogs using the walk-way at the

end of San Simeon as a route to the Vons shopping center

- 72-5 • The growing of marijuana will have a direct impact on causing a devaluation of the secured appreciation of home owners near-by. In addition, the sale of homes near-by will be less than j desirable for families to purchase.
- 72-6 • It is a proven statistic that the crime in areas with the presence of marijuana growth has increased.
- 72-7 • I plead with you to give strong consideration to the severe impact a decision to allow the growing of marijuana in our area will have on the families nearby, the security of our families, and their comfort. Please base your decision on concerns of those most affected, and not on the financial rewards for the recipients of the growing, manufacturing, and distributing of the drug, or tax revenues.

Sincerely,

Linda Muzinich



162 Ranch Lane

Santa Barbara, CA 93111

(805) 455 3167

## Metzger, Jessica

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**From:** Linda Price [lgprice13@gmail.com]  
**Sent:** Thursday, August 10, 2017 9:14 PM  
**To:** Metzger, Jessica  
**Cc:** Wolf, Janet  
**Subject:** Cannabis Farming

Jessica,

73-1 As a former Goleta resident and currently a Carpinteria resident, I must write to let you know how outraged I am. This cannabis farming is out of control here in Carpinteria and now I hear Goleta and the surrounding areas are being threatened. Since when does an Ad Hoc Committee of 2 board members make decisions for the entire board. Where is the transparency? Buffering zones of just 600 feet, they need to be at least 1,000 if not 2,000. We are talking about our children here. Just the horrific smell in Carpinteria should be evidence enough. I hate to think family farms producing the world's finest produce will soon be producing a crop which poisoning minds. Pot prices will fall as produce prices rise because we have to ship the produce in from other countries.

Please I urge you, stop the madness!

Sincerely,

Linda Price



## Metzger, Jessica

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**From:** Lisa Overstreet [lisaosl@aol.com]  
**Sent:** Friday, August 11, 2017 8:31 AM  
**To:** Cannabis Info  
**Subject:** Cannabis crops

Attention: Jessica Metzger

74-1 | I'm writing in response to the Cannabis growing operation in Santa Barbara. Please have the Buffer Zone be extended to 1200 feet between schools and Cannabis operations!

Thank you,  
Lisa Overstreet

Sent from my iPad

## Metzger, Jessica

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**From:** Marc Cosentino [marc.cosentino@gmail.com]  
**Sent:** Friday, August 11, 2017 11:16 AM  
**To:** Metzger, Jessica  
**Cc:** Wolf, Janet  
**Subject:** cannabis

I live in unincorporated Santa Barbara and am concerned about the upcoming cannabis regulations. I've read and heard about what happened in Ventura and want to make sure that it doesn't happen here. I'm concerned about the production and manufacturing, not the distribution, although I think a 1000 foot buffer zone from schools and daycare makes sense.

I'm concerned about housing values, and how placing the growing and manufacturing facilities could hurt the value of my home. I'm also concerned about the private meetings between the two supervisors (Williams and Lavagnino). We need more transparency, otherwise people will draw the conclusion that they two have their own agenda.

Thank you for your time.

Marc Patrick Cosentino  
CEO / [CaseQuestions.com](http://CaseQuestions.com)



## Cruz, Patrick

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**From:** Marsha Messmore [caokie@aol.com]  
**Sent:** Sunday, August 06, 2017 8:12 AM  
**To:** Cannabis Info  
**Subject:** Growing marajuana in residential areas

76-1 | I am familiar with the negative Impacts that the harvesting and processing of the marijuana plants cause. I don't think that these areas should be in or near a residential setting. We have a lot of space in the hills that are far from homes and businesses that are more conducive to such activities. Please don't destroy the peace and beauty that is in our cities and neighborhoods. Put these types of business where they belong in the outskirts of populated areas.

From. Marsha.  
I hope you dance

# McCloskey Nursery

5030 Hollister Ave

967-1039

8/10/2017

Dear Santa Barbara County Board of Supervisors,

The McCloskey family has been farming 6.6 acres on Hollister Ave. for over 100 years. Our land has grown pampas grass, tomatoes, lemons, avocados, orchids, and other various crops. Our land has been rezoned three times and our well revised twice, as groundwater levels have decreased. Our neighboring ranches have all been developed, and we are now surrounded by track houses. We strive to be good neighbors. Our intent is never to be a nuisance, as we also live on the property.

Current markets, NAFTA, and environmental changes have made farming a difficult business to succeed in.

We currently use fish emulsion, manure, bees, and various fertilizers in our farming process, it can be stinky at times. That is a reality of life on a farm when you are zoned Ag. In order to continue in our farming legacy, we need to be allowed to grow any commercially viable crop. Our future generations rely on this.

Sensible guidelines for local growers are needed to ensure that small family farms remain in Santa Barbara County. Agricultural and residential communities can live side by side with your help and guidance.

Thank you for your consideration,

Kim Miller  
McCloskey Nursery  
5030 Hollister Ave  
Santa Barbara, Ca 93111

77-1

**Metzger, Jessica**

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**From:** M Mori [meg.mori@yahoo.com]  
**Sent:** Tuesday, August 08, 2017 9:09 PM  
**To:** Cannabis Info  
**Cc:** M. Mori  
**Subject:** Future of Cannabis Operations in Santa Barbara County

To: Ms. Jessica Metzger, Project Manager

78-1 | I'm writing to protest the development and re-zoning of farmland surrounding Sungate Ranch residential neighborhood to allow cannabis farming at San Marcos Growers, Lane Farm & the avocado orchard.

78-2 | While I respect the laws of California and Santa Barbara County, I personally do not like the smell of pot and would have to keep the windows closed if it were growing nearby. This would negatively impact my standard of living and enjoyment of lovely Santa Barbara!

78-3 | Secondly, I am concerned about the environmental impact of pot farming. Since cannabis farming is fairly new, there isn't much research concerning it's effect on water run-off quality. I have attached a research article which suggests that it might impact steel head trout and chinook salmon. As you may be aware, Santa Barbara has been working to restoring the ecosystems of native steelhead trout in the past few years. And these lands drain to nearby Atascadero Creek. Therefore, I'd like to see an EIR on cannabis farming before moving forward.

<https://www.sciencedaily.com/releases/2016/10/161019173110.htm>

Please vote against re-zoning of these beautiful lands which surround Sungate Ranch residential homes, Girls Inc., elementary school, and Atascadero creek.

Best regards,  
Meg Mori

## Cruz, Patrick

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**From:** Bozanich, Dennis  
**Sent:** Saturday, August 12, 2017 6:52 AM  
**To:** Klemann, Daniel; Fogg, Mindy; Metzger, Jessica  
**Subject:** Fwd: Comments to Environmental Scoping for the Cannabis Land Use Ordinance

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Merrily Peebles <[merpeebles@gmail.com](mailto:merpeebles@gmail.com)>  
**Date:** August 11, 2017 at 10:47:44 PM PDT  
**To:** [cannabisinfo@countyofsb.org](mailto:cannabisinfo@countyofsb.org), [dwilliams@countyofsb.org](mailto:dwilliams@countyofsb.org), Dennis Bozanich <[dBozanich@countyofsb.org](mailto:dBozanich@countyofsb.org)>, [Jwolf@countyofsb.org](mailto:Jwolf@countyofsb.org)  
**Subject:** Comments to Environmental Scoping for the Cannabis Land Use Ordinance

Dear Scoping Committee,

Growing marijuana will likely continue in the county, with new stringent controls. But the residents of Carpinteria Valley are concerned that growers *also* want permits to allow volatile extraction. This is not the same as making lavender oil using distilled water for extraction. This is the manufacturing of hash oil/wax using chemicals to obtain oil for vaping. Vaping is the preferred method for recreational use. It is big business and takes big monitoring. A grower can sell a pound of trim for x dollars (right now approx. \$2000) or make that pound into oil and sell it for, some sites say, almost 50% more (approx. \$3000). You can see why the growers here are anxious for the Zoning and Land Use regulations to change so that manufacturing can take place in Carpinteria Valley. This is a major change in ag land usage and does not seem necessary for the "growers" to make a very good living. This was their original concern, "lets change flowers to pot."

79-1

With the addition of manufacturing the character of the Carpinteria Valley changes. The county will make enough revenue without allowing Carpinteria to emulate struggling locales that are desperate to cater to anything that will add money to their coffers. At some point the county has got to put a brake on. Carpinteria is not an industrial center and not desperate. If the growers want to grow weed, with controls, that is one thing, but manufacturing and greed on their part is another.

This is my comment to help guide the future of cannabis operations. I would hope the County Supervisors, Land Use Zoning and the Santa Barbara County Coastal Zoning Ordinance would have a lot of push back on this desire of the pot growers to also manufacture oil in Carpinteria Valley.

Merrily Peebles  
La Mirada Estates (where we smell the growing pot)

## Metzger, Jessica

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**From:** Michael Holliday [michael@dmhaa.com]  
**Sent:** Tuesday, August 08, 2017 5:04 PM  
**To:** Cannabis Info  
**Cc:** Beverly Holliday  
**Subject:** JESSICA METZGER - SB County Cannabis Policy Program Manager

Dear Jessica and SB County Planning Department,

We have lived and worked in Santa Barbara County for over 25 years. Although we work in downtown Santa Barbara each day, our home is located in a remote cul-de-sac neighborhood of 19 homes called Rosario Park located near the top of San Marcos Pass.

80-1 We are very concerned about any new ordinance that may allow any growing of cannabis in our remote rural neighborhood. We have young families and young children in our area along with a very limited water source supplying our entire community. Any ordinance which SB County develops should consider that remote rural neighborhoods like ours are not appropriate growing locations for cannabis. Several other mountain top communities have experienced recent problems with local growers bringing in outside vehicle traffic at all hours of the day and night, growing sites putting significant pressure on community water and roadway resources, as well as creating a neighborhood situation that can significantly devalue single family residential or residential ranchette (RR-5) property. Although we are fortunate to have some larger open properties in remote mountain top locations, the fire hazard created by additional traffic and smoking of any type along with the social pressure placed on the community by any cannabis cultivation effort would be a devastating blow to our neighborhood's quality of life.

Please do not approve any new SB County ordinances that would put our local rural neighborhoods at risk of becoming cannabis growing sites. Not only would this type of policy be a negative blow to the character and quality of our unique Santa Barbara rural communities, but also it would set the stage for neighborhood strife and conflict.... not what good planning policy should do.

Please feel free to contact me directly with any questions or should you need additional information.

Sincerely,

Michael

**Michael Holliday FAIA, LEED AP**  
PRINCIPAL ARCHITECT



**DMHA Architecture + Interior Design**

1 N Calle Cesar Chavez, Suite 102  
Santa Barbara, CA 93103  
Phone: 805.965.7777

Email: [michael@dmhaa.com](mailto:michael@dmhaa.com)  
Website: [www.dmhaa.com](http://www.dmhaa.com)



August 10, 2017

County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara, CA 93101

*transmitted via email jmetzger@countyofsb.org*

Re: Public Comment re Environmental Scoping Document for the Cannabis Land Use Ordinance and Licensing Program. Project Case No: 17ORD-00000-00004

Ms. Metzger,

Thank you for the opportunity to comment on the scope and content of the environmental information to be included in the Environmental Impact Report (EIR) for the Cannabis Land Use Ordinance and Licensing Program. As a current cultivator in Carpinteria, and a member of the Board of Directors of the Cannabis Business Council, I am supportive of the following provisions of the County's draft Cannabis Land Use Ordinance to be analyzed in the EIR:

- Allow cultivation on AG-I zones;
- Allow non-volatile manufacturing on AG-I zones.

However, I strongly urge the County to amend the draft Cannabis Land Use Ordinance to be analyzed in the EIR to:

1. **Allow distribution in AG-I and AG-II zones;**
2. **Allow testing in AG-I and AG-II; and**
3. **Allow volatile manufacturing in AG-I zones.**

Additionally, I would like to address the **permit level to be determined by zone:**

If the County is committed to regulating the cannabis industry, eliminating the black market, and capturing revenue, it is critical that businesses can obtain a permit within a timely matter. The County should require a **ministerial permit – not a discretionary permit** - for operators who are:

1. Utilizing existing agricultural infrastructure;
2. Not proposing new infrastructure or expansion of the footprint of their operation;
3. Proposing a similar, or less intensive, use than the previous use on the property; and
4. Simply changing a crop/change in use.

Obtaining a discretionary permit in Santa Barbara County can take anywhere from six (6) months to one year. If local businesses cannot secure local land use approval until late 2018 or 2019, the black market will continue. Compliant operators will not be able to compete with the black market, who will not be expending time and resources to obtain land use approvals. If the County's objective is to incentivize businesses to apply for and secure permits, applicants pursuing compliance should not be overly burdened.

## Cultivation

Our greenhouse cultivation operation results in less environmental impacts than the previous use on the property (growing of gerbera and anthurium). We are utilizing the follow best management practices:

- 1) **Water** We capture and reuse 100% of our water. No water touches the ground. Drain water is captured, recycled and reused on the crop.
- 2) **Odor:** Perimeter odor control technology is installed around our entire greenhouse.
- 3) **Noise:** we do not use generators.
- 4) **Waste:** Our mulched is ground up and used as fertilizer. There is no waste requiring landfill.
- 5) **Public Services:** We have not had any incidents of theft or calls for fire or law enforcement. Our farm includes video surveillance, alarm systems, and fencing.
- 6) **Hazards:** We do not use pesticides, only beneficial predacious insects, which consume bad bugs. We use organic control methods for fungicides.
- 7) **Geology:** Our farm does not require any grading, terracing or vegetation clearing. We are using existing access road.
- 8) **Traffic:** Our operation results in less project related vehicle trips due to high volume that can be transported in smaller vehicles – compared to flowers. We estimate 70-80% less truck traffic pick-ups for cannabis compared to flowers. Previously used larger trucks ranged in size from 26-52 feet long.

## Distribution

The recently signed budget trailer bill (SB 94) eliminated the “transportation” license type previously included in MCRSA. All transportation will now be regulated via a distribution license. Therefore, all cannabis businesses must either contract with a licensed distributor or apply for their own distribution license to transport product. In other words, a distribution license is required to transport cannabis product between license types or cannabis businesses.

Distributors are responsible for 1) arranging testing of product with a licensed testing lab prior to transportation to a retailer; and 2) quality assurance review to ensure compliant labeling and packaging. Distributors must store batches on their premise during testing, while the third party compliance testing lab obtains samples for testing, and transports those samples to testing laboratories. Cannabis must pass test before it can be transported to a licensed retailer.

The budget trailer bill also clarified that businesses can self-distribute their own product, or contract with a third party licensed distributor. Growers in Santa Barbara County should have the optionality to apply for a self-distribution license and transport product out of existing buildings on their property. Farmers are already transporting and distributing agricultural products out of existing agricultural buildings on small agricultural parcels in Carpinteria. **Distribution should be permitted on AG-I parcels.**

If growers decide to contract with a third party licensed distributor, instead of self-distributing, it is equally important for the distribution site to be located near the supply for efficiency and cost

81-2

effectiveness. The vast majority of the supply/grows in Carpinteria are located on AG-I-10 parcels.

81-2  
Cont.

Due to the nature of the cannabis crop, impacts of transporting this product are minimal. Higher volumes of cannabis can be transported in smaller vans, compared to other agricultural product. In other words, large heavy-duty semi trucks are not needed.

Permitting distribution near, or on the same parcel as the grow operation will further decrease potential impacts, such as noise, air quality, and traffic – which would otherwise occur if the product was transported long distances from the farm/supply to the distribution site.

Distribution is a critical piece of the supply chain and barriers to permitting should be minimal. Limiting zones where distribution is permitted will handicap the supply chain in Santa Barbara County.

## Testing

Starting in 2018, all cannabis product must be third party tested. Currently, testing is not required. For those who *do* voluntarily test their product, there is already a shortage of testing labs for the medical market. This will be compounded by new demand for adult use cannabis in 2018. It is vital that local governments make it as easy as possible to establish and permit as many compliance testing labs as possible. **This should include permitting third party compliance testing labs on AG-I parcels, close to the cannabis farms and supply.**

Under the new regulatory model, cannabis must pass test before it can be transported to a licensed retailer. The new testing regulations require extensive pesticide testing, among other analytes, including very low tolerance levels down to 10 parts per billion.

81-3

It is vital that third party compliance testing labs are located close to the cannabis supply and especially a distributor for efficiency. Otherwise, growers and other businesses will be burdened with transporting their product from the farm to the testing lab. This will increase traffic, and create other unnecessary impacts.

The footprint of a compliance testing lab is relatively small – due to the nature and size of the cannabis product – anywhere from 1,000 to 4,000 square feet.

There are currently agricultural testing labs located on AG-I lands in Carpinteria. Growers regularly test other agricultural products, such as lettuce and other products, for e-coli and other harmful contaminants. The infrastructure needed for cannabis testing labs, and the associated impacts, are no different than existing agricultural testing labs.

Testing laboratory licenses (Type 8) are prohibited from obtaining licenses in any other commercial cannabis activity. Therefore, I will not be applying for a testing lab license, but want to emphasize that they are a critical piece of the supply chain and barriers to permitting should be minimal. Limiting zones where compliance testing labs are allowed will bottleneck the supply

81-3  
Cont.

chain, and ultimately hurt the consumer. Alternatively, increasing the number and capacity of testing labs is critical to ensuring that the public is consuming safe, tested product.

### **Volatile Manufacturing**

The California Department of Public Health is the State agency responsible for regulating volatile manufacturing. Volatile solvent extractions must be performed in a closed loop extraction system, certified by a licensed engineer that the system is commercially manufactured, safe for its intended use, and built to code. Furthermore, the professional closed loop system and other equipment used must be approved by local fire code and meet required fire, safety and building code requirements. Volatile extractors must enact procedures regarding disease control, cleanliness, and sanitary operations to protect against contamination of products – similar to lab clean room standards.

The County is currently proposing to allow nonvolatile manufacturing on Ag-I zones, but not volatile manufacturing. The only difference between nonvolatile and volatile manufacturing is that volatile manufacturing can include chemical extraction using a volatile solvent. Most volatile manufacturers are proposing to use ethanol – not butane. Ethanol extraction is the same process that is used to extract essential oils – such as lavender, peppermint, and numerous other botanicals. Extraction of agricultural products is already occurring on small agricultural throughout Santa Barbara County.

81-4

The draft EIR includes a setback of 1,200 feet for volatile manufacturing. The County should analyze the impacts of volatile manufacturing within 600 feet from sensitive receptors – consistent with the rest of the license types. Given the stringent nature of both the State and local standards required to permit a volatile manufacturing facility, the risk to public health and safety is extremely low.

There is increasing demand for extracted products – as opposed to flower – such as oils, tinctures, and topicals. This demand will only increase as new consumers enter the market. Additionally, many medical patients, for example, cannot smoke flower due to serious health conditions and rely on other extracted products to ingest medicinal cannabis. Therefore, it would be shortsighted for the County to limit zones where volatile manufacturing is permitted, as there will be increasing demand for products produced via volatile manufacturing.

Volatile manufacturing also provides businesses with increased efficiencies and yields, compared to nonvolatile manufacturing. These include the ability to process wet trim and flower using ethanol extractions methods. This reduces time needed to dry product prior to extraction. **Growers should have the optionality to establish closed loop ethanol extractors on Ag-1 zones in existing agricultural buildings, near the local supply chain. Locating these systems near the grow operations will allow farmers to efficiently extract their product at a lower cost, faster.**

Alternatively, if the County only permits volatile manufacturing on AG-II zones, growers will have to transport their flower from the cultivation site to another location, which will result in increased impacts, such as traffic, noise and air quality.

Thank you for your consideration of our comments. Allowing co-location of the aforementioned additional license types is critical for the viability of the local industry, is consistent with current “vertically integrated” agricultural practices and most importantly, will reduce impacts such as traffic, noise and air quality.

Mike Palmer  
P&B Land LLC  
805-298-6453  
[palmermail@gmail.com](mailto:palmermail@gmail.com)

TO: County of Santa Barbara Planning Department  
SUBJECT: Cannabis Land Use Ordinance EIR Scoping  
DATE: 8-11-2017  
FROM:

82-1

- Right to Farm
  - Under the Santa Barbara County Right to Farm ordinance, farmers are expected to have protections from nuisance complaints from adjacent residential properties. Furthermore, the residential properties are expected to know prior to moving in that nuisances will likely occur in the area, but that they have waived their rights to complain about it.
  - Under the Santa Barbara County Comprehensive Plan Agricultural Element it states that farmers have the exclusive right to choose which every crops they so desire to cultivate with no outside interference from the County. This supports the historical observation that Santa Barbara County farmers have been changing crops every few decades for over one hundred years. For example, the Santa Ynez Valley was full of dairy farms one hundred years ago, it moved to flowers and walnuts in the mid-1900s, and has since converted to grapes, broccoli, tomatoes, squash, and Cannabis.

82-2

- Economics
  - What is the total economic benefit added to the County from the hundreds if not thousands of jobs that have already been created in the Cannabis industry in Santa Barbara County? How many more will be created? How does this money trickle into grocery stores, real estate values, and other local economic benefits.
  - Through strong support for Santa Barbara County grown Cannabis, what is the increased tourism potential to the County. The Santa Ynez Valley already sees over one million tourists a year for wine tourism. Cannabis tourism will likely double this number. How does that affect hotels and restaurants in Santa Barbara County?
  - Santa Barbara County is already a strong agricultural producer, so the conversion of existing crop lands to Cannabis does not consistue development, but instead revitalization of existing agricultural lands & infrastructure. This revitalization trickles down to greenhouse materials suppliers, electricians, irrigation suppliers, etc...
  - Tax revenue in the County can go to offset a portion of the budget deficit and fund much needed programs that otherwise have no other projected funding source.

82-3

- Best Management Practices
  - Existing agricultural models in comparable crops should be considered in order to determine best management practices.
    - Water usage and conservation
      - Drip tape and/or drip irrigation should be utilized to decrease wasted water

82-3  
Cont.

- Plastic mulch should be utilized when possible to decrease soil water evaporation
  - Hoophouses should be utilized to maximize yield and decrease disease pressure
  - Water ideally comes from Agricultural Irrigation Districts and is intended for irrigating crops
  - Organic fertilizer programs should be utilized when possible with practices to build soil tilth and fertility.
  - Organic Pesticide and Integrated Pest Management Programs should be utilized in order to prevent disease before it starts, keeping pest populations under control.
  - What production model is most similar to Cannabis production? Tomatoes, squash, strawberries, Gerberas, grapes, raspberries?
- Expansion of acreage
  - The registry is only self-reporting, how many acres of black market cultivation were not reported and will be decreased through increased regulation. Since a larger acreage than was reported is most likely, expansion of legal operators should be encouraged in order to decrease the persistence of the black market.
  - A cap on total canopy production should not be considered because this will allow black market operators to continue should the canopy cap be set below total market demand, which is difficult to gauge. For this reason, no canopy cap should be put in place and market forces should be allowed to drive the market and production. Additionally, since Santa Barbara County operators are competing on a state-wide marketplace, if another County allows production canopy greater than Santa Barbara County, it will either decrease the competitiveness and economies of scale achieved by local operators or it will incentive operators to leave the County in order to maintain competitive advantages and continue to scale their business. As the market develops, consolidation is likely as observed in all other commodity markets. This will require businesses to scale to meet demand.
  - Multi-premise parcels
    - Many operators in this County are already set up with multiple operators on a single parcel. The state has allowed for “Multi-premise Parcels.” The County should do this similarly, allowing an unlimited number of licenses on each parcel. For example, a single entity can have up to 4 acres of canopy, but that must be aggregated from 1-1 acre license, and 13-10,000 sq ft licenses, not to mention operators likely having a manufacturing and distribution license as well.
- Manufacturing
  - Type 6 and Type 7 licenses with appropriately built facilities should be allowed on both Ag I and Ag II for cultivators to realize their maximum return on investment.

82-4

82-5

82-5  
Cont.

- Properly designed C1D1 facilities have relatively small foot print and are not dangerous. Most facilities have a 10'x12' footprint. They are designed nearly identically to paint booths and clean rooms for the microfabrication industries, both of which are present in Santa Barbara County.

82-6

- Distribution
  - Distribution must be allowed on Ag I and Ag II parcels if cultivation is occurring on those parcels otherwise farmers will be required to have Commercially zoned facilities to have their own distribution. This will create an unreasonable burden on farmers and decrease their power at the market place, reducing realized revenues.

82-7

- Retail
  - We would like to see a special retail license allowed for cultivators and manufacturers on Ag I/II , Industrial, and Commercial zoned properties to offer direct to consumer sales at appropriate facilities. This creates a tasting room like environment for the industry and supports the operators to realize increased revenues and profits by selling direct. It also encourages tourism and market presence of small local operators.



## NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
Phone (916) 373-3710



July 27, 2017

Jessica Metzger  
Santa Barbara County  
123 E. Anapamu Street  
Santa Barbara, CA 93101

Sent via e-mail: [jmetzger@countyofsb.org](mailto:jmetzger@countyofsb.org)

RE: SCH# 2017071016; Cannabis Land Use Ordinance and Licensing Program, Countywide; Santa Barbara County, California

Dear Ms. Metzger:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

**CEQA was amended significantly in 2014.** Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

- 83-1  
Cont.
7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
    - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
    - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
  8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
  9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
  10. Examples of Mitigation Measures That, if Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
    - a. Avoidance and preservation of the resources in place, including, but not limited to:
      - i. Planning and construction to avoid the resources and protect the cultural and natural context.
      - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
    - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
      - i. Protecting the cultural character and integrity of the resource.
      - ii. Protecting the traditional use of the resource.
      - iii. Protecting the confidentiality of the resource.
    - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
    - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
    - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
    - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
  11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
    - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
    - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
    - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

*This process should be documented in the Cultural Resources section of your environmental document.*

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf)

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.



July 27, 2018

My name is Patricia Hansen. Four generations of my family have lived in Tepusquet Canyon. Our quality of life will be forever changed if cannabis growers continue to set up shop in our residential neighborhood.

84-1 There is a cannabis farm next door to me. Because of the large quantities of water used to grow the crop, I would like to see a limit on the number of operations allowed. Runoff from pesticides and fertilizers is a concern.

84-2 As you know, we are vulnerable to wildfires. The Alamo fire burned through a large portion of Tepusquet Canyon. Our road is narrow and winding and the potential increase in traffic and noise is a concern.

84-3 The lay of the land is steep and rugged. It does not strike me as good farmland. The growers will want to level and terrace the hillsides which could lead to mudslides during heavy winter rains.

Please give these concerns your utmost consideration.

Thank you,

Patricia Hansen

August 11, 2017

Ms. Jessica Metzger  
Planning & Development  
123 East Anapamu Street  
Santa Barbara, CA 93101

Public Comment  
Environmental Scoping Document  
Cannabis Land Use Ordinance and Licensing Program  
Project Case No 17ORD-00000-00004

The purpose of this letter is to ask the County to analyze third party compliance testing labs (Type 8) on Ag-1 zones. I currently operate an agricultural testing lab which is located on Ag-1 property. Our lab is located at one of our nurseries. We test weekly for Ecoli before we harvest our hydroponic lettuce and herbs. We also test our certified produce cooler monthly for salmonella and biannually for listeria. Testing onsite allows us to produce accurate and timely results to guarantee the safety of our products.

We would like to leverage our expertise by operating a cannabis third party compliance testing lab and provide an essential service to local growers, distributors and the public. We believe this new business offers the County a key opportunity to generate revenue. For the first time in 2018, product must be tested before sale. Therefore, there will be an enormous demand for testing labs that produce precise and quick results. The more local labs that are permitted, the more quality assurance for the public. Furthermore, in order to incentivize existing businesses to transition from the black market (no testing requirements), labs must be easily accessible to cannabis operators.

85-1

Testing labs should be permitted uses on agricultural parcels. Cannabis farmers and distributors will need testing labs located near the farms and corresponding supply chain. Per to the Bureau of Cannabis Control, testing laboratory employees must obtain samples for testing from a licensed distributor's premise, and transport the samples to testing laboratories.

Environmental impacts, such as project related vehicle trips, will be lessened if labs are permitted near the cannabis supply chain, and especially near the distributor. The more local testing labs, the more quickly distributors can verify that product (in its final form) meets test, and can be distributed/transported to the consumer. Distributors and labs will be far more efficient and cost effective if they are located in close proximity to each other.

There are existing agricultural buildings that are already being used to test agricultural product on small ag parcels in Carpinteria. We only need a small amount of building space for a cannabis testing lab – 2,500 square feet (maximum 5,000 square feet). We do not anticipate

that changing the type of product we are testing in our existing building – from lettuce to cannabis – would increase any environmental impacts.

Local, third party compliance testing labs are paramount to ensure cannabis offered for sale is safe for human consumption. The Bureau of Cannabis has issued detailed standards for labs. For example, labs shall test for analyses of the following:

- Cannabinoids
- Residual solvents
- Processing chemicals
- Pesticides
- Microbiological impurities
- Mycotoxins
- Water activity
- Moisture content
- Filth and foreign material
- Heavy metals

85-1  
Cont.

Only high-level, compliant operators will be able to meet the proposed standards which include sampling procedures, testing-method validation, quality assurance, and laboratory personnel qualifications. Additional examples of provisions in the regulations include training requirements for lab agents who obtain samples, how samples are stored, statistically valid sample methods, minimum components of quality-assurance program, and record keeping.

Please allow us to continue to test ag products on small ag parcels in Carpinteria. Cannabis is just a new, more profitable crop. If appropriately regulated, cannabis has the potential to help preserve the agricultural character of Carpinteria. But in order to be a sustainable, and successful industry, the County must support the full supply chain.

Patricia Henmi  
805-698-5933  
henmipatty@gmail.com



## Metzger, Jessica

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**From:** Patricia K. [patricia.kohlen@gmail.com]  
**Sent:** Tuesday, August 08, 2017 2:32 PM  
**To:** Cannabis Info  
**Subject:** Jessica Metzger: Objection to the proliferation of Cannabis growing areas in SB county

Ms. Metzger,

This is to express my dismay at the proliferation of cannabis growing areas in SB county which is spreading like weed.

There is little if no regulation of the cannabis phenomenon after the passage of Prop. 64 last November. People are doing what they want and greenhouses, which used to house lovely flowers, are being converted to marijuana hot houses, orchards are being ripped out, marijuana plants are being planted among avocados and olives - indeed on any plot of land available.

I am of the understanding that San Marcos Growers is selling to others who apparently have the intention to grow marijuana.

86-1 Really - there - in the middle of a residential neighborhood, close to schools. Have you considered the environmental impact - SMELL, DRAIN ON WATER RESOURCES, attractive nuisance for others, nightmare for neighboring property owners, increased traffic due to work going on and transporting the product, etc. etc?

Why is it that the County is lagging so far behind in regulating this industry? Surely the County of SB does not want a pot paradise such as the one at Nipton, where American Green Inc., one of the nation's largest cannabis companies, announced it has bought the entire 80-acre California desert town?

Sincerely,

*Patricia Kohlen*

3048 Calle Noguera

Santa Barbara, CA 93105

## Cruz, Patrick

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**From:** pattiruben@aol.com  
**Sent:** Thursday, July 20, 2017 8:31 PM  
**To:** Cannabis Info; pattiruben@aol.com  
**Subject:** shepard mesa scents

87-1 | When driving down Casitas Pass, to and from Shepard Mesa, there is a strong gross smell of weed, tilting a carefree community to frustration. Children comment on it; a 5 year old child held her nose and was instantly inquisitive. Long time homeowners are embarrassed to have out-of-town guests. I have disturbing headaches and others admit to the same. Is this the proud legacy of Santa Barbara county? If the objective is profit, the destiny is loss; a community divided, a real estate market marked and marred, and a interruption of a life's most basic necessity....the right to breath.

Patricia Ruben

**Cruz, Patrick**

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**From:** Peggy Zachariou [peggy.zachariou@live.com]  
**Sent:** Friday, July 28, 2017 2:06 PM  
**To:** Cannabis Info; FredShaw@ci.carpinteria.ca.us; D, Dave  
**Subject:** Quality of life near marijuana growers

Dears Sirs and Madams:

88-1

My husband and I own our home at 1480 La Paloma Street in Carpinteria where we have lived for about seven years. There are greenhouses behind the houses at the end of our culdesac. Frequently the odor outside our home smells as bad as if a skunk had sprayed nearby. I am pretty sure this is due to marijuana being grown in these nearby greenhouses. While some don't find this bothersome, I do, and in fact, sometimes I believe it is the source of stinging eyes and a dull headache. I am also concerned about chemicals, lights, and loss of my personal security due to the attraction of this industry to the criminal element.

88-2

I am opposed to the proximity of marijuana grow-houses to residential properties and schools. I would like to see a buffer zone between existing residential developments/schools and any commercial marijuana cultivation or any other commercial marijuana operation. Odor studies could be done to determine just how large the buffer zone needs to be, however, I would expect no less than 500 feet.

Thank you for your consideration of my concerns.

Sincerely,  
Peggy Zachariou

## Cruz, Patrick

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**From:** Yahoo [rachael\_n09@yahoo.com]  
**Sent:** Monday, July 24, 2017 8:17 AM  
**To:** Metzger, Jessica  
**Subject:** EGV marijuana issue...

Mrs. Metzger-

The news about a proposed marijuana growing and or selling facility in Goleta Valley is disturbing to say the least. There is no way that we want a marijuana growing farm in our community. We don't want the retail stores or any part of the industry impacting our wonderful area of paradise.

89-1 The worst part is how it seems to be pushed through behind closed doors. The county has a process for land development for a reason. The general public deserves to know the actual intent for a proposed area, and what impact it will have in the surrounding areas before something is approved. It is extremely unnerving how this has been handled and scary as to how easy it is for the political leaders to push their own agendas. I'm disappointed and completely appalled at their new proposal.

I am out of town until late august but hope that this letter stating my opinion will help and matter.

Sincerely,  
Rachael Amundsen  
Sent from my iPhone

## Cruz, Patrick

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**From:** Randy Jones [rjones@westmont.edu]  
**Sent:** Thursday, July 27, 2017 8:40 AM  
**To:** Cannabis Info  
**Subject:** Concern regarding marijuana cultivation

90-1 My name is Randy Jones and I am a 22 year resident at 5217 Cambridge Lane, Carpinteria, CA 93103. I am concerned about the practice of marijuana cultivation near neighbors, schools or residences, because of the distinct, pungent odor that permeates Carpinteria when the plants are in bloom. The odor is so strong in my neighborhood, that homes must be completely closed up to make a house habitable. This is more than an inconvenience, especially in the summer when windows need to be open in non-air conditioned residences. At a minimum I request greenhouses growing marijuana provide air scrubbers to eliminate all detectable odors from leaving the greenhouse. I would also discourage a requirement to use odor masking products that can be very sweet smelling but, are also annoying and cause allergic reactions.

Thank you,

Randy Jones

**Cruz, Patrick**

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**From:** Riva McLernon [rivamclernon@gmail.com]  
**Sent:** Wednesday, August 09, 2017 7:37 PM  
**To:** Metzger, Jessica  
**Subject:** Jessica Metzger, Project Manager, Cannabis in Our Community

I am a resident of Santa Barbara County and I am voicing my concern regarding cannabis cultivation, distribution and sales within our community.

My specific concerns include:

- **Buffer zone around schools, day care centers, hospitals, senior citizen centers to be at least 1500 feet**
- **Public safety concerns regarding the product and large amounts of cash on hand.**
- **Air quality/odor control**
- **Nighttime lighting**

In addition to the above mentions concern, I would also like to see more transparency from the Santa Barbara County Board of Supervisors. This would include disbanding the private 2 man ad-hoc committee of two Supervisors, operating in complete secrecy, to now be made up of the entire 5 member board. Also, the need for much more community involvement is imperative, which would include widely advertised open meetings for the public to learn about any impact studies, ask questions and to pose questions and voice concerns.

Cordially,  
Riva and Kevin McLernon  
4717 Calle Reina  
Santa Barbara, CA 93110

## Metzger, Jessica

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**From:** Robert Lilley [robert.lilley@cox.net]  
**Sent:** Friday, August 11, 2017 1:12 AM  
**To:** Metzger, Jessica; Cannabis Info  
**Cc:** Wolf, Janet  
**Subject:** Cannabis common sense

Attention: Jessica Metzger

To the County Planning Commission and the Board of Supervisors:

The Santa Barbara *Independent* on August 10 published an article quoting Supervisor Janet Wolf's views on the cannabis industry [1]. The article seems to me to reflect some rational and common-sense thinking about accommodation in our county and our neighborhoods.

Land use is a key concern. Buffer zones of 1000 to 1200 feet surrounding any element of this industry are not unreasonable, given demonstrated impacts of growing, processing and selling this product -- noise, traffic, air quality and security to name a few. *Cannabis definitely must not be considered an "infill" opportunity*, where residents of established neighborhoods that just happen to have a vacant lot next door must fear those impacts on their daily lives and their investment in our community.

92-1

I urge the Planning Commission and our Supervisors to respond to our communities' concerns and craft the necessary processes by which property values and quality of life may be respected.

We are not under a state-mandated deadline to produce industry regulations, as I understand it. So, take the time to do this right! Allow time and place for discussion of the experiences in other states and localities, and recognize that many of the same issues they faced, both resolved and unresolved, are also our issues.

And it needs to be done in public. Open the closed doors and trust the full Planning Commission and the full Board of Supervisors -- and your fellow citizens -- to air their understandable concerns about a new industry and how best to deal with it. We've done this before with other industries and developments, so it should be second nature.

Thank you!

[1] Kelsey Brugger, (contact) "Wolf Urges Caution in Cannabis Regulations", *The Santa Barbara Independent*, August 10, 2017.

**July 25, 2017**

**July 26, 2017**

**To: Jessica Metzger, Project Manager  
Cannabis Land Use Ordinance and Licensing Program  
Planning & Development Dept.  
County of Santa Barbara**

**Das Williams  
Supervisor, First District  
County of Santa Barbara**

**From: Roxanne Lapidus  
1975 Cravens Lane  
Carpinteria, CA 93013  
805-684-4054  
[rlapidus@cox.net](mailto:rlapidus@cox.net)**

**Re.: Comments on Scope of EIR for Cannabis Land Use Ordinance & Licensing Program**

Here are my comments:

#### **4.2.2 Ag Resources**

Question: Will cannabis cultivation qualify as an agricultural activity as far as the Williamson Act is concerned? If not, then cannabis cultivation will definitely result in ag land being converted to non-ag uses. This in turn could pave the way for that land eventually to be taken out of any semblance of agriculture, since the question of whether or not a parcel has been “traditionally farmed” (even in non-ag zoning) is always considered when other (residential, commercial) development is proposed for the site.

On the other hand, if cannabis cultivation qualifies for continuing Williamson Act protection, it should be made clear that this does not mean that cannabis cultivation is protected by any “Right to Farm” ordinance.

California Health and Safety Code 11362.777(a) specifies:

“For purposes of this section and Chapter 3.5 (commencing with Section

19300) of Division 8 of the Business and Professions Code, medical

cannabis is an agricultural product.” The California Dept. of Food & Agriculture’s website adds,



93-1  
Cont. “The identification as an agricultural crop does not extend to other areas of the law. For example, cannabis is not an agricultural crop with respect to local ‘right to farm’ ordinances.”

#### 4.2.3 Air Quality & Greenhouse Gas Emissions

93-2 This is a major problem in Carpinteria. We know from first-hand experience that the 600-ft. setback from schools is inadequate. The ocean breeze carries the skunk-like smell across Foothill Road and into classrooms at Carpinteria High School every day. Neighbors in a wide radius of these greenhouse operations are experiencing headaches, stinging eyes, and even nausea. Setbacks should be prescribed not only for schools, but for residential areas and for any public gathering place, such as scout houses, churches, veterans halls, and the like.

There must be standards or at least research that shows what exact concentration of the different substances (cannabis itself, and any airborne/volatile products associated with the greenhouse operations) is noticeable / annoying / unhealthy / dangerous. (If there are no standards, these need to be developed.) Without that specific data, we are all (the public and the experts writing the EIR) just inventing numbers for required setbacks. The Air Quality Control District needs to be more pro-active in this whole situation.

#### 4.2.7 Hazards & Public Safety.

It’s incredible that the County is considering allowing “manufacturing of volatile extraction” in areas zoned AG-II, M-1 & M-2. An article posted in Canna Law Blog on February 1, 2016 cautions:

93-3 “The methods used to produce cannabis extracts involve complicated and precise techniques and often dangerous, volatile solvents, resulting in a risk of physical harm to the manufacturers and to those around them. In recent years, butane has been the most commonly used solvent and cannabis extracts produced using this method are also known as ‘butane hash oil (BHO).’ The major burn treatment centers at two hospitals in Northern California reported in 2015 that nearly 10 percent of severe burn cases were attributed to butane hash oil explosions, which was more than burn cases from car accidents and house fires combined.”

In Colorado and other states that have approved recreational marijuana, there has been a marked increase in traffic accidents, attributed to drivers who have used marijuana.

In the Carpinteria Valley, we have already seen crime associated with commercial greenhouse cultivation of marijuana. Marijuana cultivation is still a federal felony under the U.S. Controlled Substances Act, and strictly speaking, nationally insured banks can have nothing to do with marijuana-growing businesses. As a result, many of these cultivation sites operate on cash only. This is a huge temptation to thieves, as we have already seen here. Citizens of Carpinteria are deeply concerned about the possibility of organized crime moving into our valley.

93-3  
Cont.

Note that one of the state's requirements for a cultivation license is that the applicant must "comply with prohibition of weapons and firearms at the cultivation site." This should be repeated at the County level.

#### 4.2.8 Hydrology & Water Resources

93-4

Despite last winter's rains, Southern California is still experiencing the worst drought in its history. One Marijuana plant reportedly requires 6 gallons of water per day. Do the math, and you'll realize that limits are going to have to be made on marijuana cultivation. Should cultivators qualify for the normal agricultural water discounts? Again, Marijuana is classed as an "agricultural product," not simple agriculture. According to the California Dept. of Food & Agriculture's website, "The identification [of marijuana] as an agricultural crop does not extend to other areas of the law." Agricultural water and water rates should be reserved for crops that put food on the table. Otherwise, we're headed for disaster, with our limited water supplies being drained dry for profit by self-styled "bio-entrepreneurs."

#### 4.2.9 Land Use & Planning

93-5

We have already seen land-use conflicts related to cannabis cultivation in the Carpinteria Valley. While such cultivation admittedly takes place on land zoned for agriculture, these sites are nevertheless adjacent to residential areas. There's no denying that there's a difference between living next to open field ag or orchards, and living next to greenhouses that vent the skunk-like smells of marijuana 24/7. Residents complain about a drop in property values, about health concerns, about unacceptable night lighting, about a diminished quality of life. Ideally, cannabis cultivation should have it's own zoning, far from populations, but obviously it's too late for this. However, it is not right that people who have invested in homes in the expectation of living peacefully there should suddenly be subjected to these annoyances and have their quality of life degraded by a neighbor's desire for profit in this new industry. Many would see cannabis cultivation as a Public Nuisance.

As for the complaints about night lighting, the Carpinteria Valley Greenhouse Program, certified by the California Coastal Commission in 2004, requires "blackout screens for any greenhouse structures designed to include interior cycling lighting." To date, some Carpinteria greenhouse growers have not been scrupulous in complying. Anyone driving at night along route 192 (Foothill Road) in the area of Carpinteria High School can see lighting in greenhouses south of the school. Even worse are certain greenhouses north of Via Real and West of Cravens Lane. Since they are hidden from sight from public roads, their owners assume that no sees the nighttime lighting. But on foggy nights, there is a huge orange glow over these areas, visible throughout the valley. This is not acceptable, especially in these days of heightened awareness about nighttime "light pollution" and how it interferes with enjoying the wonders of the nighttime sky.

#### 4.2.11 Public Services

93-6

The project will clearly make more demands on police and the fire department.

93-6  
Cont.

See above, 4.2.7 Hazards & Public Safety, for concerns about the manufacture of volatile marijuana products, the problem of impaired drivers, and the increase in crime associated with this lucrative business.

#### **4.2.14 Cumulative Impacts**

93-7

The greatest cumulative impact is to our water supply. Clearly, not every entrepreneur who wants to grow marijuana in Santa Barbara County will be able to do so. The County will need a clear plan for accepting or denying applicants, and will need to work with the various water districts in establishing guidelines that will dictate how many plants can be accommodated before “sustainability” is jeopardized.

Finally, a few words of perspective:

The County is now embarked on this onerous and costly process because “the people have spoken” in the November 2016 elections. But many who voted to legalize recreational marijuana use did so mainly to end its criminalization, and free up the jails from such minor offenders.

Few foresaw that this vote would “open up Pandora’s Box,” with “bio-entrepreneurs” flocking to the state and demanding the “right” for everything from on-site “tasting rooms” to the manufacture of an array of ever-more potent cannabis products. Only the County can reign in this self-interested frenzy. I urge you to adopt strong guidelines, backed up by strict enforcement. Santa Barbara County has an international reputation as a desirable place to live and as a tourist destination. Don’t let a vociferous minority highjack our lifestyle and our reputation.

## Cruz, Patrick

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**From:** ruizsblaw@cox.net  
**Sent:** Thursday, August 10, 2017 7:00 AM  
**To:** Metzger, Jessica; Cannabis Info; Williams, Das  
**Cc:** Wolf, Janet; Adam, Peter; Hartmann, Joan; stevelavagnino@countyofsb.org; Allen, Michael (COB); sbcob; Lea@coastalview.com; Nick@Independent.com  
**Subject:** Cannabis Land Use Ordinance and Licensing Program EIR

I am a resident of the City of Carpinteria, my residence address is 1483 La Paloma. I am submitting these Comments to formally respond to the NOP and Scoping of the EIR for the referenced Project. I have reviewed the material on the website and I attended the Santa Barbara Scoping meeting.

CEQA requires that you consider the expertise of Commenters in assessing their Comments so I will provide a brief introduction on my local land use and CEQA expertise. I was General Counsel for the Goleta Water District for about 20 years, late 80's through 2007. In that capacity I reviewed and was engaged in just about every Goleta area EIR prepared in that time period. I served on the City of Santa Barbara Water Commission for about 10 years where we had authority to review and approve all water and wastewater related CEQA documents. My name will forever be stated in the California Supreme Court Reports under the case, Citizens for Goleta Valley vs. the Santa Barbara County Board of Supervisors (the Hyatt/Bacara case, a landmark CEQA case). I was on the local Steering Committee for the initial Cachuma Contract Renewal in 1995 where we oversaw, managed (and paid for) the EIR/EIS prepared for that Project. That EIR addressed, among other matters, local Commercial Agriculture using Cachuma Water. I have worked on several Community Plan EIRs including the Goleta Community Plan, the first City of Goleta General Plan, the most recent City of Santa Barbara General Plan Update, and the 1990 and 2010 UCSB LRDP EIRs.

Considering that background, much of it representing local public agencies as a Staff member, I understand the challenges presented by the unwieldy Project description for this EIR. You are tasked to address issues related to retail sales, off cultivation site processing, manufacturing and distribution, hemp growing (?) and the issue that I am interested in, cultivation in the Carpinteria Valley on lands that are zoned Ag and are and have been in production. It is my strong legal opinion, based on my professional experience and as a lifetime South Coast resident (my 10 year old daughter is a 9th generation South Coast resident), you need to do area specific analysis if you are to prepare a valid and adequate EIR for this Project. At the Santa Barbara Scoping meeting I heard East Goleta activists upset about something they have heard proposed for their neighborhood. More power to them but that has no application to the issues of cultivation by established farmers, in the Carpinteria Valley. I do not want the underlying anti-cannabis perspective by some in our community to inappropriately "flavor" the result of this matter in the Carpinteria Valley. If our long established local family farmers want to grow cannabis legally, please let them be successful. I will explain why I believe it is one of the most critical environmental issues pending on the Santa Barbara County South Coast today. Likewise, I have read about the controversy in Tepusquet Canyon. Good luck with that one but that also has absolutely nothing to do from a CEQA perspective, with the issues in the Carpinteria Valley.

94-1 I propose that you have a Section of the EIR dedicated to a CEQA analysis of the "impacts" on the longterm viability of Carpinteria Valley Commercial Agriculture, and those established farmers who have identified an interest in sustaining Commercial Agriculture in the Carpinteria Valley with the cultivation of cannabis, from the implementation of County regulations proposed here. An obvious baseline would be to analyze the difference in impacts to Commercial Ag longterm viability with no County regulations over and above those already established by the State, compared to whatever levels of regulation may be proposed by the County. My practical issue is that I want the County and its decision makers to weigh the

94-1  
Cont. benefits of sustaining Commercial Agriculture in the Carpinteria Valley, and where the line is drawn where proposed regulations may make the Commercial endeavor of being a successful cannabis farmer in the Carpinteria Valley, infeasible.

As we all know cannabis odor has become an issue in Carpinteria. I have been following these matters closely since the November election and several local social media participants have been very vocal and aggressive in the discussions. As the County has already established, some of these odor complaints have been the product of mistakes, County inspections have determined that some of the reports targeted properties where no cannabis cultivation is occurring. I do not question odor reports from my immediate neighborhood, and all that area on the mountain side of El Carro in the immediate vicinity of the Everbloom greenhouses. Look at Google Maps how close my backyard is to Everbloom. I know what cannabis cultivation smells like. I have never smelled it from my residence. I invite County staff to visit my backyard for a couple hours or as you wish, and determine for yourselves if you detect any unpleasant odors. I assume there is no such device yet that can detect cannabis odors, if there is one, I invite the County to install one in my backyard.

My goal here is to promote a Carpinteria Valley specific EIR analysis with appropriate alternatives, so the decision makers have all the information necessary to consider the impact on longterm Commercial Ag viability in the Carpinteria Valley, from any County regulations proposed. I want us to avoid the anti-cannabis hysteria that is unfortunately rampant in these debates today. I understand people are going to be vociferous in their opposition to retail sales in their neighborhoods. God bless them, that has nothing to do with the CEQA issues related to cultivation on existing producing Ag lands, in the Carpinteria Valley.

94-2 In following the local social media on these matters, I saw one participant encouraging others to submit to him odor reports, and he would bundle them and submit them to the County. I hope County staff rejects that approach. Those comments have no credibility and it would require a big waste of our time and County time and resources to respond to that. You have made it simple enough for any individual who is interested, to participate as an individual resident. In the course of these social media discussions, it has become apparent that in certain parts of the City of Carpinteria, backyard personal grows are proliferating and generating all the odor complaints on the ocean side of the Freeway. It is my opinion that existing Commercial cannabis cultivation cannot be smelled by any residents on the ocean side of the Freeway but of course many people on that side have registered odor reports. I believe today the County knows just about every existing Carpinteria Valley Commercial cultivation site and the analysis of odor reports should follow accordingly. For those who live next door to a large facility, yes, that can be credible. For those who live a mile or more away from a known facility, mistake, exaggeration, and/or anti-cannabis hysteria.

And that begins to raise what I expect in Carpinteria will be a decisive issue, how will odor be regulated and what will that cost the farmers to comply? With my background in local water I know better than most the challenges of making and meeting water quality regulations that require measurements and have criteria in parts per billion. I know how much it costs. I know we need to be reasonable and informed as we make these decisions on this subject because the preservation of Commercial Ag in the Carpinteria Valley is a significant County of Santa Barbara environmental issue and we need to get this right. How is odor regulation going to be implemented? What will the offsite odor criteria be? I have stated that I have never smelled any cannabis cultivation from my residence and I live just a few hundred feet from Everbloom. Of course we have people residing at or near the beach who swear they smell it all the time. How will these regulations be monitored and enforced, who will do it, how much will it cost, and how is it paid for? I know some in the County are counting on significant revenue from the cannabis industry, but if you do not allow the farmers, who do in fact know what they are doing, to be financially successful, they are not going to generate any revenue for you. There is a sense among people who know little or nothing about the cannabis industry, that it will be a guaranteed gold mine for any farmer who tries to cultivate. On a Statewide basis we

94-2  
Cont.

are just starting to see what it will look like and we know that eventually there will be tremendous competition from big business and the price of cannabis will inevitably go down from here. Yes Carpinteria poses some challenges that can be reasonably met. But we need to allow our farmers to successfully compete with what we know will be less regulated farms in other parts of the State.

94-3

My background in local water had me working with Goleta and the remnant Santa Barbara farmers that we have left, for 30 years. Some of the old time Goleta farm families have "children" my age who I have known since High School. Preservation of Commercial Ag was a recurring theme in many of the Goleta area EIRs I worked on. Local Ag that uses Cachuma Water was a driving issue in the 1995 Cachuma Contract Renewal and supporting Ag was critical to our negotiations to get the Federal Government to give us a better "Ag" water rate and interest concessions. Preservation of Ag will again be a critical issue that I will promote as we get into the next Cachuma Contract Renewal which the County has already initiated and will manage. Much like the odor issue but with a lot less credibility at least as it may apply in the Carpinteria Valley, there have been claims about how cannabis cultivation will use huge and unreasonable amounts of water. This is again area specific but in the Carpinteria Valley where for the most part we are talking about existing farmers converting crops from cut flowers to cannabis, I expect there will be no increase in water use. It is important that you address this issue and put it to bed because it is too easy for the hysteria mongers to use without reliable scientific information on the subject. I am sure our Carpinteria farmers who are currently legally cultivating cannabis can tell you exactly what the numbers are. I hope you understand that our established Carpinteria family farmers are some of the most efficient Ag water users on the face of the Earth. In the Scoping Document at 4.3.13 Public Utilities, it begins: "The Project would increase demand for water ... " Again area specific and in the Carpinteria Valley I expect that is not an accurate statement. You should not make statements like that at this juncture on a controversial matter without reliable evidence in the record to support it.

94-4

I also believe it is entirely speculative to assume what level of new cultivation we may see here. As touched on above, there will be tremendous competition from areas of the State where property is much cheaper and the regulation of Agricultural is much less onerous. I do not expect to see any significant new greenhouse development. Initially I expect almost all major cultivation will be conversion of crops by existing farmers to cannabis with very little legitimate environmental impact. I hope you have the resources to study and report on the actual environmental issues raised by an existing Carpinteria farmer converting from cut flowers to cannabis. That is the valid CEQA Baseline in the Carpinteria Valley.

94-5

I will wrap up and summarize here. My issue is the preservation of Commercial Agriculture in the Carpinteria Valley consistent with the County's Ag Preservation policies. For the rest of my life I will be dedicated to protect Carpinteria Ag lands from being converted to development, as the County has allowed to happen in the Goleta Valley during my lifetime. As stated above my 10 year old daughter is a 9th generation South Coast resident. I hope she chooses to stay here and live in Carpinteria where we are so happy and enjoy such a wonderful quality of life. It is my opinion based on my lifetime in local land use, that the most critical factor in that effort is to prevent in the Carpinteria Valley what happened in the Goleta Valley. When I was my daughter's age Goleta was covered with thriving Ag. As the financial viability of Ag waned and pressures to develop new housing mounted, the County allowed prime Ag lands to be converted to development and there we have it, Goleta 50 years later. For those who were not around look at an aerial shot of Goleta 50 years ago and Google Maps today. For those who do not believe the same could happen in Carpinteria, they are uninformed and/or naive. I can see it now, the struggling farmer willing to sell, the developer willing to promise to only build "Workforce Housing", and County staff saying we like Workforce Housing way more than we like greenhouse farmers, let's do it. And there goes the quality of life in the Carpinteria Valley forever. Just look at what is happening in the City of Santa Barbara with their AUD Program. Longtime City residents are in revolt. In 10 years every square inch of the City that is not a park is going to be covered with

development and most of the new residential is going to be high density with no parking. Throughout my life on the South Coast there have always been these euphemisms, today it is Workforce Housing. Those euphemism have all really meant the same thing, let's develop as much as we can possibly get away with. That is one of the reasons we moved to Carpinteria. I worked with and for successful local developers, it is my opinion that for a residential developer with the resources to have a longterm view, Carpinteria is a much better target than Goleta ever was. It is an idyllic residential setting, we have the World's Safest Beach, lots of Ag land that could be bought relatively inexpensively. It could happen and if we are not diligent, it will.

94-5  
Cont. The issue that is apparent to me and apparently not to most of the anti-cannabis activists is that the historic market for cut flowers and other Carpinteria Valley greenhouse farmers' products has literally gone South and is not coming back. Our Carpinteria farmers are at risk and some see cannabis cultivation as the business of the future that can preserve their family farms and businesses. Not only is Ag a critical environmental issue in the Carpinteria Valley but it is an economic driver and major employer. It is my view that we should treat our remnant successful established South Coast farmers, in the same manner as an Endangered Species, which they are. In my humble opinion our local farmers are the most valuable "endangered species" we have in Santa Barbara County and they should be treated accordingly.

It is certainly not unusual to have area specific land use regulations. Who knows what the future will hold but I will start my advocacy with, for existing Carpinteria Valley greenhouses where the farmer wants to convert from an existing crop to cannabis or continue a currently lawful cannabis cultivation, no significant regulation is warranted or necessary. I know that politically you need to do something about odor but that must be a reasonable regulatory approach where the farmers will have very clear Notice of what they are expected to achieve to comply, and based on the best available scientific evidence in the record, and not on arbitrary, subjective personal opinions and anti-cannabis hysteria. All Ag comes with odors. I would much rather live next to a cannabis cultivation (which I do) than a pig farm, dairy or chicken farm. Even most crop cultivation comes with odors as demonstrated by the mistaken cannabis odor reports that the County has already documented in the Carpinteria Valley. When you are done listening to the anti-cannabis activists I hope you will consider the fact that California voters spoke overwhelmingly at the November election in the manner that is one of the more eloquent ways the People are empowered to speak, through the enactment of Legislation. I hope the County of Santa Barbara will respect that vote.

Please allow a step away from the anti-cannabis hysteria that has become a major theme in this discussion and focus on Ag preservation in the Carpinteria Valley. Listen to our longtime successful family farmers. Work reasonably with them and treat them as they should be treated, as some of the most important members of our community. Please promote the preservation of Ag in the Carpinteria Valley.

Russell R. Ruiz

## Cruz, Patrick

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**From:** Sandra S Mezzio [sandymv@me.com]  
**Sent:** Tuesday, July 25, 2017 12:17 PM  
**To:** Cannabis Info  
**Subject:** Please help!

Greetings, Ms. Metzger.

I am writing to express my unhappiness with the unrelenting “skunk” odor in Carpinteria.

I live down in the beach area, (quite a distance from the growers,) and even here, I often wake up and retire to the stench of the malodorous weed.

95-1 The whole town smells like skunk much of the time.

Frankly, aside from being noxious, it is embarrassing.

A biochemist friend came to stay and remarked, “Your town has more dead skunks than I’ve ever smelled before!”

I would prefer NO cannabis cultivation, but if it must go forward, please assure that the growers are responsible for ZERO collateral stink.

Thank you for your time.

Regards,

Sandy Mezzio  
4925-D Sandyland Rd.  
Carpinteria CA 93013  
805)452-8664





714 Bond Avenue  
Santa Barbara, CA 93103

tel 805.563.3377  
fax 805.687.5635

info@sbck.org  
www.sbck.org

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Jessica Metzger, Senior Planner  
Long Range Planning Division  
123 E. Anapamu St.  
Santa Barbara, CA 93101

Dear Ms. Metzger,

Thank you for the opportunity to comment on the Environmental Scoping Document for the County’s Cannabis Land Use Ordinance and Licensing Program. Santa Barbara Channelkeeper, a grassroots nonprofit organization dedicated to protecting and restoring the Santa Barbara Channel and its watersheds, is concerned about the potential impacts to biological resources, hydrology and water resources from cannabis cultivation in the unincorporated areas of Santa Barbara County and offers the following comments and recommendations for issues to be addressed by the forthcoming Environmental Impact Report (EIR).

96-1

Similar to any irrigated agricultural operation, cannabis cultivation has the potential to result in detrimental impacts to fish and other sensitive species and habitats and can negatively affect in-stream water quality and hydrology through increased grading, vegetation clearing, erosion and sedimentation, stormwater runoff, and through contaminated tailwater discharges. We urge the county to fully assess and mitigate potential impacts to water quality resulting from these activities. While such activities (for outdoor cultivation) will likely fall under the regulatory oversight of the Central Coast Regional Water Quality Control Board’s Conditional Waiver for Irrigated Agricultural Dischargers, the County should play a role in assessing whether any expansions of agricultural development (resulting from Cannabis cultivation) are suitable and appropriate for areas within the County’s jurisdiction. Such assessment should consider the existence of 303(d) Listed water bodies impaired by nitrate, pesticides, sedimentation, and toxicity.

96-2

Cannabis cultivation can also potentially impact water quantity in streams and aquifers through increased pumping and water diversions. Santa Barbara County’s coastal streams are particularly vulnerable to such impacts due to their reliance on surface-groundwater interactions (spring-fed streams) as well as seasonal low flow periods when stream habitats and wildlife are particularly vulnerable. We urge the County to assess and adequately mitigate potential impacts of water diversions from streams and interconnected aquifers on aquatic species and habitats. Cumulative water demand from any expanded or modified agricultural practices should be balanced with in-stream demands of fish and wildlife.

96-3

To the extent that cannabis cultivation may occur indoors within enclosed greenhouses or other facilities, Channelkeeper highlights additional methods, such as full capture and recycling systems and rooftop rainwater capture systems that could be required to mitigate potential environmental impacts. Such systems can dramatically reduce water demands and prevent runoff

96-3  
Cont.

and tailwater discharges. We also note however that any brine and wastewater generated from such systems should be treated before being disposed of in ponds or landscapes for infiltration. The County should consider impacts to adjacent streams and underground water supplies, which could result from such disposal techniques.

Once again, we thank you for this opportunity offer comments on the Cannabis Land Use Ordinance and Licensing Program. We appreciate your consideration of these concerns.

Sincerely,



Benjamin Pitterle  
Watershed and Marine Program Director  
Santa Barbara Channelkeeper

## Metzger, Jessica

---

**From:** Fogg, Mindy  
**Sent:** Friday, August 11, 2017 10:53 AM  
**To:** 'Sara Rotman'  
**Cc:** Metzger, Jessica  
**Subject:** RE: EIR Cannabis Cultivation/SB county

Hi Sara,

Thank you for submitting these inquiries. I'll include these in our public scoping comments/questions to be addressed in the EIR and discuss them with our team. I'll let you know what I find out.

Thanks again – it was great meeting you the other night!

### Mindy Fogg

Supervising Planner I Long Range Planning Division  
County of Santa Barbara I Planning & Development  
123 East Anapamu St. I Santa Barbara I CA 93101  
(805) 884-6848  
[mfogg@countyofsb.org](mailto:mfogg@countyofsb.org)  
<http://www.sbcountyplanning.org>

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**From:** Sara Rotman [<mailto:sara@tresososranch.com>]  
**Sent:** Friday, August 11, 2017 10:36 AM  
**To:** Fogg, Mindy  
**Subject:** Fw: EIR Cannabis Cultivation/SB county

---

**From:** Sara Rotman  
**Sent:** Friday, August 11, 2017 10:35 AM  
**To:** [mfogg@countryofsb.com](mailto:mfogg@countryofsb.com)  
**Cc:** mollie culver  
**Subject:** EIR Cannabis Cultivation/SB county

Hello Mindy,

I met you at the CBCSBC meeting in Golita earlier this week. Many thanks for your time and attention in sorting through the complicated issues surrounding the county guidelines.

The discussion was illuminating and I wanted to follow up with some requests/questions I'd like to see addressed in the EIR.

My questions are as follows:

97-1 I would like to see a comparative study of water use (per square foot/acre) relative to MJ as it compares the top 10 crops currently being cultivated in SB county? Strawberries, Wine Grapes, broccoli, Nursery Products, Cut Fower, Head Lettuce, Cauliflower, Avacado, Celery, Leaf Lettuce, Cattle.

97-2 Similarly - I would like to see a comparative data of toxic run off/waste produced by each of these crops (top 10 in SB county as well as projections for MJ cultivation in outdoor and mixed light scenario's).

I would like to know what proportion of the above mentioned agricultural products are known to be or intend to be operating within organic and sustainable state guidelines and practices.

What proportion of the the 11 crops mentioned will be distributed in SB county?

97-3 Will there be a comprehensive set of considerations or guidelines recommended for comparative impact of EACH of these crops in our agricultural community? Meaning, if, for example lettuce farming is found to be significantly more water intensive, or Avacados production regularly requires harmful pesticide spraying with the potential for contaminating neighboring water and air quality will there be a standard set of guidelines or tax and regulation off sets recommended to bring each of these important crops as close to environmentally neutral in their impact as possible?

Please let me know if there is someone else I should be forwarding this information to and so many thanks for your assistance in this matter.

All my best,

Sara

## Metzger, Jessica

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**From:** Ben Ellenberger [EllenbergerC@sbcapcd.org]  
**Sent:** Thursday, August 10, 2017 4:54 PM  
**To:** Metzger, Jessica  
**Cc:** McNally, Kaitlin  
**Subject:** 17ORD-00004 SBCAPCD Comments on NOP for Cannabis Land Use Ordinance and Licensing Program  
**Attachments:** SBCAPCDNOPComments.pdf

Jessica,

Thanks for the opportunity to provide comments on this NOP. Our comments are attached. Please contact me if you have any questions.

Thanks,

Ben Ellenberger  
SBCAPCD  
(805) 961-8879



**Santa Barbara County  
Air Pollution Control District**

April 10, 2017

Jessica Metzger  
Santa Barbara County  
Long Range Planning  
123 E. Anapamu Street  
Santa Barbara, CA 93101

**Re: APCD Response to the Notice of Preparation of an Environmental Impact Report for the Cannabis Land Use Ordinance and Licensing Program, 17ORD-00000-00004**

Dear Ms. Metzger:

The Santa Barbara County Air Pollution Control District (APCD) appreciates the opportunity to provide comments on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Cannabis Land Use Ordinance and Licensing Program. APCD's mission is to protect the people and the environment of Santa Barbara County from the effects of air pollution. As the County of Santa Barbara develops guidelines regulating cannabis activities, we believe it is important to address potential air quality impacts.

- 98-1 Cannabis activities have the potential to generate nuisance odors. The EIR should address potential odors and identify measures to mitigate nuisance odor impacts. Cultivation could take many forms, for example: open fields, hoop houses, greenhouses, or indoors. The EIR should analyze potential impacts from each type of cultivation expected in the county. The analysis of each proposed mitigation measure should also provide evidence whether that measure is effective for each type of cultivation. Mitigation might take the form of establishing minimum distances from sensitive receptors, development and implementation of an odor control plan, use of odor control devices, operating practices, or some combination of these or other methods.
- 98-2 Processing cannabis products after harvest may include activities that are subject to permit. The EIR should address the requirement of processing activities to comply with air district regulations. These may include VOC limits on solvents used in extraction, storage and disposal requirements for VOC-containing compounds, and the requirement to obtain a permit.
- 98-3 Cannabis cultivation operations may use diesel-fired equipment for irrigation and/or lighting. Diesel-fired equipment is a source of toxic air emissions, criteria pollutants, and greenhouse gases. The EIR should address health risk, local air quality impacts, and greenhouse gas emissions from the use of diesel-fired equipment. It should discuss requirements for registration or permitting, and emission standards to which the equipment would be subject. Potential mitigation might include minimizing power use on-site, using grid power or on-site renewable power to the greatest extent possible, and, if diesel engines are used, using Tier 4 certified engines to the greatest extent possible.
- 98-4 Disposal of crop residue by burning can result in significant air quality impacts. The EIR should address how to minimize or eliminate impacts associated with burning crop residue.

Thank you for the opportunity to comment on the scope of the EIR. Please contact me at (805) 961-8879 or by email at [cbe@sbcapcd.org](mailto:cbe@sbcapcd.org) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Ellenberger". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ben Ellenberger  
Manager  
Technology and Environmental Assessment Division

cc: Kaitlin McNally, Manager, Compliance Division  
TEA Chron File

FOR THE ENVIRONMENTAL Scoping Document  
Preview and public Response related to  
the Cannabis Land Use Ordinance and  
Licensing Program.

Contact: JESSICA METZGER, Project Planner  
123 E. ANAPAMU ST.  
Santa Barbara, CA. 93101

left at the above office Thurs. Aug. 10,  
2017 in person. I have NO E-MAIL.

Sheryl Robinson resident of Santa  
Barbara, CA. Registered voter. 1325  
Chapala St. Apt. 6 Santa Barbara, CA  
93101. 805. 324. 4623. NO E-MAIL

Regards Proposition 64 passed in California  
Nov. 8, 2016. I voted against the proposition.

In short, I advise all non-medical cannabis  
be sold in state licensed stores. The location  
of these stores be situated in business-  
zoned areas. The sales personnel be vetted for  
business knowledge of cannabis to answer  
questions - have a license to sell the product  
and NO felony background. The cultivation  
be under state licensed operations and not  
to have a negative impact on land use near  
by. The sale, growing of cannabis, etc not  
to be under private commercial investment.

Signed. Sheryl Robinson

99-1

99-2



**Metzger, Jessica**

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**From:** Susan Murphy [sgmurph2@gmail.com]  
**Sent:** Friday, August 11, 2017 3:08 PM  
**To:** Metzger, Jessica  
**Cc:** Wolf, Janet  
**Subject:** Cannabis Land Use Ordinance and Licensing Program

Date: August 11, 2017

Jessica Metzger, Project Manager

Planning & Development

Long Range Planning Division

123 Anapamu Street

Santa Barbara, CA 93101

Re: Cannabis Land Use Ordinance and Licensing Program

Draft Environmental Impact Report (EIR)

Dear Ms. Metzger;

I, and a number of other residents of my community in the unincorporated area between Santa Barbara and Goleta, were shocked and appalled to learn only a couple of weeks ago of plans by the County of Santa Barbara to amend existing County land codes and ordinances to allow certain activities relating to the growth, production, and sale of cannabis and cannabis products in the unincorporated areas of our County.

100-1  
In my view, the proposed Cannabis Land Use Ordinance and Licensing Program is an ill-thought out effort on the part of certain county officials, with the full support of the very powerful cannabis lobby and certain would be get-rich-quick property owners, to ram this program through the bureaucratic process before the public is even aware of what is going on and the County has had time to thoroughly study and evaluate the possible effects it might have on the County as a whole, and its unincorporated areas in particular. This effort is being spearheaded by a recently formed subcommittee of the County Board of Supervisors, headed by two of its members who are most eager to support this effort, without the participation of the other Supervisors.

Proponents of this Program argue that tax revenues generated by this currently exceedingly profitable business would alleviate considerably, if not eliminate, the County's financial woes. However, recent reports indicate that the State of California's marijuana producers are already producing between eight and ten times the amount needed for consumption, and that this glut will likely continue when new regulations that ban exports go into effect on January 1, 2018. While the current cannabis industry in Santa Barbara County is still enormously profitable, this will most likely change when new licenses are issued and the number of growers increases. Moreover, the cannabis industry is currently a cash industry, as cannabis activities are currently illegal in the eyes of the Federal Government. Since this makes it virtually impossible to track financial transactions in this industry, the much-hyped potential flow of tax dollars pouring into the county coffers may be considerably less than anticipated.

100-1  
Cont. Proponents of this Program also argue that the County needs to establish its own regulations governing the cultivation, production, and use of cannabis and cannabis products before the State begins issuing licenses on January 1, 2018. As Paragraph 3.3 of the Environmental Scoping Document for the Cannabis Land Use Ordinance and Licensing Program points out, however, "*None of the above regulations limit the authority of a local governing body to adopt and enforce local ordinances regulating or completely prohibiting state-licenses cannabis operations. Moreover, local jurisdictions may regulate or ban all outdoor cultivation and may impose reasonable regulations on personal cultivation (Health and Safety Code section 11362.2(3)(b)).*" (Emphasis mine)

In my view, there is insufficient time between now and January 1, 2018, when the State of California is supposed to start issuing licenses for entities to engage in medical and nonmedical cannabis activity, for the County to establish well thought out local regulations governing the growth, production, and use of cannabis and cannabis products, taking into consideration the full and largely irreversible environmental and other impacts they would have on our county and its residents. Moreover, the question of who is going to enforce the regulations that are approved, and where the money needed to do so is going to come from, needs to be addressed. In light of these and the other aforementioned considerations, I believe the current ad hoc subcommittee should be disbanded and the issue returned to the full Board of Supervisors to handle in more open and transparent manner, and that the push to rush this Project through by the 1<sup>st</sup> of January, 2018, be stopped. In the meantime, the Board should simply prohibit state-licensed cannabis operations in our county except, perhaps, for medical purposes, until we have sufficient time to assess the long-term environmental and other impact of such operations on our county and decide whether we even want to permit them at all.

With regard to any regulations that may be formulated or Environmental Impact Report that may be drafted in the future concerning the growth, production, and/or use of cannabis or cannabis products, I would like to recommend the following:

- 100-2
- No activities relating to the growth, processing, production, distribution, or sale of cannabis or cannabis products should be permitted near residential areas, especially in the densely populated area along Hollister Avenue between Santa Barbara and Goleta.

100-3 • The “buffer” between any of these activities and “sensitive receptors” should be increased from 600 feet to at least 1,000 feet and preferably higher.

100-4 • No activities relating to the processing, production, distribution or sale of cannabis or cannabis products should be allowed in small shopping centers that serve nearby residential areas; they should be allowed, if at all, only in industrial areas or larger centers, such as Camino Real.

100-5 • In deciding which, if any, areas of the County would be appropriate for the conduct of any cannabis-related activities, primary consideration should be given to the impact they would have on nearby residents, local resources, especially water, and the environment—not the enrichment of local landowners or potential tax dollars resulting from same.

100-6 • County planners and other officials should consider the demonstrated effects of cannabis growing and related activities on residents in Colorado, as well as in nearby Carpinteria, before rushing to allow them in the Eastern Goleta Valley. They should also remember the abortive attempt to allow medical marijuana dispensaries to operate in City of Santa Barbara.

100-7 • In contemplating any zoning or ordinance changes, primary consideration should be given to preserving the County’s environment, its resources, including its valuable farmland, and the health and well being of its residents, not to self-serving interests of certain politicians and the cannabis industry.

Thank you for considering my views on this important issue.

Sincerely,

Susan Murphy

Resident of “Noleta”

**Cruz, Patrick**

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**From:** Charmaine Rogers [tbrogers@pacbell.net]  
**Sent:** Tuesday, August 08, 2017 9:21 AM  
**To:** Metzger, Jessica; Cannabis Info  
**Subject:** Comments on Proposed Cannabis Ordinance

Dear Ms. Metzger:

This letter is to express our concerns regarding the County Board of Supervisors ad hoc committee establishing a proposed ordinance regarding growing, manufacturing, testing and distribution of cannabis in Eastern Goleta Valley and possibly Montecito. We are residents of Montecito.

The residential areas in Eastern Goleta Valley are surrounded by Ag1 parcels such as Lane Farms and San Marcos Farms, which have a tradition of growing food sold at their sites and at farmers' markets. These areas are also close to San Marcos High School, as well as elementary schools.

101-1 Due to the odor emitted by growing cannabis, the health and quality of life for surrounding property owners and residents will be affected. There is also the uncertain future of property values for the current homeowners.

101-1 The fact that the proposed ordinance talks about the odor problem in section D.3. testifies to the fact that there is a problem, and does not take severe enough measures to deal with it when a complaint is received. The only way to eliminate the odor problem is to not have it in the first place.

101-2 Does the County of Santa Barbara which has a history of being able to grow avocados, citrus, strawberries, and other necessary food want to use land and water resources to grow cannabis? According to an MSN/Money report on July 30, 2017, "California marijuana producers are growing eight times the amount needed for consumption," citing Patrick McGreevy of the Los Angeles Times. Cannabis is not a necessity for life. Food is. If the County is bound and determined to cash in on this new California "gold rush," the cultivating and manufacture of cannabis should be confined to rural areas where water resources are not needed for residents or farming, and where this odoriferous crop will not affect homeowners. Certainly allowing it to be no less than 600 feet away from homes or schools is not far away enough to eliminate all the potential problems.

101-3 Rather than be established by committee, any ordinance meant to deal with the growing, cultivating, manufacture, testing and distribution of cannabis is such an important issue that it should be considered by all five members of Santa Barbara County Board of Supervisors, together with the Long Range Planning Division, and it should be accompanied by an open and transparent process in the public forum.

Sincerely,

Thomas and Charmaine Rogers

## Metzger, Jessica

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**From:** Tim [Tim@sm4.org]  
**Sent:** Friday, August 11, 2017 4:08 PM  
**To:** Metzger, Jessica  
**Subject:** Comments Re: County Marijuana Ordinances

Greetings, Jessica...

I'm writing to offer my comments regarding two concerns I have related to marijuana growing facilities. These concerns grow out of what has been experienced in Denver in recent years and are specifically related to zoning and establishing preventative measures to protect our county and its citizens.

First, because marijuana crops are known to be highly lucrative, increased theft against growing facilities should be anticipated (including theft by heavily armed individuals which places nearby residence in harms way). My suggestions are:

- 102-1
- Require added security measures for all growing facilities to discourage break-ins. These measures could include the requirement of K-rated security fencing (already required for chemical plants, etc.), security rated doors and windows, monitored alarm systems, and video surveillance.
  - Require added permitting fees that would help fund policing programs related to marijuana growing.
  - Strong zoning ordinances for growing facilities, ensuring such facilities not be in proximity of housing, schools, churches, or public parks.

Second, because marijuana grows are known to create serious odor nuisances, my suggestions are:

- 102-2
- Establish heightened odor ordinances, along with serious penalties for infractions, including shutting down facilities that are out of compliance.
  - Require significant industrial filtration to mitigate odor seeping out of growing facilities.
  - Strong zoning ordinances for growing facilities, ensuring such facilities not be in proximity of housing, schools, churches, or public parks.

Many thanks...

**Tim Mossholder**  
**Lead Pastor**  
**Santa Maria Foursquare Church**  
805.922.8445 - church  
503.816.4411 - cell  
[SM4.org](http://SM4.org)

## Cruz, Patrick

---

**From:** Todd Booth [toddboothsb@gmail.com]  
**Sent:** Monday, July 31, 2017 8:21 PM  
**To:** Cannabis Info  
**Subject:** Concerns of Hollister Cannabis Growers

Hi Jessica Metzger,

We have a real concerns over the growing of cannabis in our own neighborhood. We have lived on Santa Paula Ave for the past 20 yrs and do not want ]to see our neighborhood deteriorate with this large cannabis project scheduled for the near future.

103-1 My main concern is the awful skunk odor the plants give off during the growth process. I have friends that live in Carpinteria who have experienced quality of life issues due to the smell which I understand in reading about neighborhoods in Colorado with similar growers that the smell travels a long distance. Children that have breathing problems can't play in the neighborhood, I find it hard to believe that this area would be an option so close to an elementary school, Girls Inc and a high school. Shopping Center where people eat and buy food. Not to mention our property values will also be affected there are a lot of residents in this area that it will affect.

Please look for rural areas to at least grow the plants and please do not allow the growing in our residential areas with children. You will change the charector of our nice family neighborhoods.

This is a ridiculous idea to have this proposed in a neighborhood.

--

*Todd and Rosa*

Tom and Denise Peterson  
2725 Avena Road  
Lompoc, CA 93436

RECEIVED  
AUG 09 2017  
S B COUNTY  
PLANNING & DEVELOPMENT

August 6, 2017

We have lived at our present residence for over 13 years. We moved here for the rural, open space and ranch atmosphere. We greatly opposed the legalization of Marijuana knowing that people would acquire property for the soul purpose to grow marijuana with no concern for the neighborhood or the impact it would have on the environment and traffic.

We recently had to go through the CUP processes. County road usage, water and endangered Salamanders were the big issues. Our area falls under Rural Residential/Residential Ranchette.

These are our concerns:

- 104-1 | 1. Hoop houses popping up all around us, they apply for permits to grow tomatoes and flowers and are growing marijuana. Under section 35.42.140 they are to obtain permits.
- 104-2 | 2. No one is actually inspecting what they are truly growing.
- 104-3 | 3. Most are not "Owner Occupied" operations, they do not live here, thus do not care what happens to the land – contamination and waste.
- 104-4 | 4. Highly concentrated fertilizers, contaminating our aquafer, we are all on wells.
- 104-5 | 5. Run off and erosion from these Non Permeable building structures they are erecting.
- 104-6 | 6. Water usage in our canyon is another issue.
- 104-7 | 7. Generators running 24/7 – carbon dioxide?
- 104-8 | 8. Set up of illegal trailers for security, no septic tanks or permits for these trailers.
- 104-9 | 9. Traffic has increased considerably, using county roads. Since the workers are all paid in cash, how do you regulate the amount of people coming and going using the roads?
- 104-10 | 10. Cutting down mature oak trees to clear land for hoop houses.
- 104-11 | 11. What about the "Endangered Animals" in our area? I have seen ranches and farmers shut down because of salamanders in SB County.

Thank you for your consideration, our neighborhood is under siege.

  
Tom and Denise Peterson



Dear Jessica,

Please don't let Carpinteria go from "The World's Safest Beach", to "Pot Town", or "Stinky Town". As a long time resident and home owner I feel forced into selling my house now because property values will plummet soon. It should be illegal to ruin property values and investments for homeowners. Big business is taking over. What's next meth labs to generate \$\$\$\$?

Marijuana is not a harmless drug. When smoked it burns out your lung lining at an alarming rate, far worse than cigarettes. Ask any radiologist, they can tell right away an xray of a pot smoker versus a cigarette smoker. Medicinal edibles are very dangerous. They require a hands on administration to the patient due to hallucination etc. Pot is also very dangerous around pets if they ingest it!

The crime that goes along with being a "Pot" town will be huge and we do not have the



funding is up the sheriffs in Carpinteria,  
They are already short staffed and the drug  
related crime is up now in Carpinteria;  
I have already witnessed a guard dog at  
a newly purchased former greenhouse turned  
pot grower, escape the fenced facility and  
kill a neighbors cow! It will have a huge  
ripple effect and ruin our loved small town  
The greenhouse owners have bidding wars to  
purchase their greenhouses as we speak from  
outside multiple investors!

105-3  
Cont.

Please Help Stop this!

---

## Cruz, Patrick

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**From:** Valerie Bentz [valeriebentz@gmail.com]  
**Sent:** Wednesday, July 26, 2017 4:40 PM  
**To:** Cannabis Info  
**Cc:** Williams, Das; board  
**Subject:** Odor and Allergic Issues in Carpinteria--"Skunksville?"

Dear Santa Barbara County Board,

I am writing to request that Santa Barbara County significantly restrict or eliminate marijuana plant growing in and around Carpinteria, CA.

For the last six months or more I have noticed a skunk-like odor coming into my windows and around the area which comes from marijuana growing plants. The odor is not only objectionable but I also have an allergic reaction to it. The odor becomes intense nightly around 9 PM and continues through much of the night.

I have had to purchase an air purifier in my bedroom and home office in order to be comfortable.

106-1 I believe there a problem with allergic reactions, not just with the objectionable odor. (My dog also started coughing since this has intensified, sometimes for much of the night.)

There is a reputational factor to consider. Carpinteria is known as a small peaceful town where there are lots of flower greenhouses, nurseries, and avocado ranches. This has had an uplifting effect on tourists and residents.

Now, when I am driving from Santa Barbara to Carpinteria in the evening a distinct skunk odor begins at about Padaro Lane. It is strong and noticeable. This is obviously the effect of the marijuana growing.

While picking up an out of town guest from the Santa Barbara airport one evening, he said "Where do you live, in "Skunksville?" The odor certainly lowers the impression of our community.

106-2 In addition, pervasive marijuana growing could significantly change the sense of our community to a pot-ridden place which may attract undesirable elements. This could significantly lower our property values.

(Don't get me wrong, I am not in favor of marijuana use being illegal. I just think it needs to be highly regulated as is alcohol production and consumption.)

Think about it. What if the famous Carpinteria Avocado Festival turned into the Carpinteria Marijuana Festival with a slogan, "Peace, Love and Pot" replacing the usual, "Peace Love and Avocados"?

it gives you a different sense of the kind of family community we are, doesn't it?

Also, think of the "Rods and Roses" Event, becoming "Rods and Pot". We would not be attracting the kind of visitors who would make for a lovely family afternoon on Linden Drive!

Please, for the sake of the health and well being of Carpinterians, please significantly restrict or eliminate pot growing in our community.

Sincerely,  
Valerie Bentz, Ph.D.  
Homeowner at  
5367 Ogan Rd.,  
Carpinteria, CA 93013

**Cruz, Patrick**

---

**From:** Vicky Lorelli [vllorelli@gmail.com]  
**Sent:** Monday, July 31, 2017 11:23 AM  
**To:** Cannabis Info  
**Subject:** Rezoning for Pot

107-1 Rezoning for growing pot in areas near schools and neighborhoods is a bad idea. It affects the air quality for otherwise healthy citizens and especially for children, older adults, and others with upper respiratory health problems.

It appears that the rezoning is being pushed because the pot industry can be financially lucrative for Santa Barbara and Goleta which is true but it places financial greed above quality of life.

107-2 I do not live the the first potentially affected area. I also did not vote to legalize recreational marijuana, only because we had not studied the unintended consequences extensively enough. This rezoning issue is only the first of many to cause possibly serious problems. I will watch to see who votes to pass the rezoning initiative and then cast my vote accordingly when elections come around.

Vicky Lorelli  
248 Calle Amarilla  
Santa Barbara, CA 93110

## Cruz, Patrick

---

**From:** Bill Potts [mr.zip1950@yahoo.com]  
**Sent:** Saturday, July 29, 2017 3:42 PM  
**To:** Cannabis Info  
**Subject:** Tepusquet Canyon Marijuana growing farms

108-1 After reading the article in Friday's 7/28 edition of the Santa Maria Times, I feel compelled to express my opinion. If you are truly looking out for the environment, and not just the opportunity at extra money for the county, I would say to be honest and say it's for that reason only. I realize the county is in financial straits, but please don't ignore the areas water resources, lack of manpower to enforce your regulations, and resident's concerns. Just because it's the law, doesn't mean you have the right to force your citizen tax base to subsidize that industry. Please think this through, and find another way to locate the industry somewhere else, and quit trying to regulate other industries out of existence such as agriculture, tourism, or oil. Manage the county budget better, instead of looking for a quick fix!

Sincerely, William T. Potts  
931 N.Ridge View Dr. Santa Maria, CA. 93455



# Appendix - B

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## Proposed Ordinances and Amendments

Article II Coastal Zoning Ordinance  
Land Use & Development Code – Draft  
Cannabis Land Use Ordinance  
Montecito Land Use & Development Code

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COUNTY OF SANTA BARBARA

Planning and Development

**SANTA BARBARA COUNTY  
ARTICLE II COASTAL ZONING ORDINANCE  
SEPTEMBER 2017**

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In this document are staff’s recommended changes to the Santa Barbara County Code to incorporate cannabis activities associated with the Medicinal and Adult-Use Cannabis Regulation and Safety Act including the cultivation, distribution, storage, manufacturing, processing, and selling of cannabis, and industrial hemp, and on personal outdoor cultivation.

Proposed deletions are shown as ~~strikethrough~~ and proposed insertions are shown as **red text**.

## DIVISION 2. DEFINITIONS.

### Section 35-58. Definitions.

**Cannabis.** The following terms and phrases are defined for the purposes of Chapter 35.42.075 (Cannabis).

1. **Commercial cannabis activity.** The cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery, or sale of medical or recreational cannabis or a medical or recreational cannabis product, except as set forth in Section 19319 of the Business and Professions Code, related to qualifying patients and primary caregivers of medical cannabis or medical cannabis products.
2. **Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, or trimming of cannabis, as well as grading of land to conduct any such activity.
3. **Outdoor cultivation.** The cultivation of cannabis without the use of light deprivation and/or artificial lighting in the canopy area. Supplemental low intensity lighting is permissible only to maintain immature plants as a source for propagation.
4. **Indoor cultivation.** The cultivation of cannabis within a structure using 15 artificial bulbs, at a rate greater than 25 watts per square foot.
5. **Personal Use.** The cultivation, harvesting, drying, or processing of cannabis plants with the intent to possess, smoke, or ingest cannabis or cannabis products for their own individual use.
6. **Permit Types:**
  - a. **Cultivation.**
    - 1) Type 1, or “specialty outdoor,” for outdoor cultivation using no artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises, or up to 50 mature plants on noncontiguous plots.
    - 2) Type 1A, or “specialty indoor,” for indoor cultivation using exclusively artificial lighting of between 501 and 5,000 square feet of total canopy size on one premises.
    - 3) Type 1B, or “specialty mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of between 2,501 and 5,000 square feet of total canopy size on one premises.
    - 4) Type 1C, or “specialty cottage,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises.
    - 5) Type 2, or “small outdoor,” for outdoor cultivation using no artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 6) Type 2A, or “small indoor,” for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 7) Type 2B, or “small mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 8) Type 3, or “outdoor,” for outdoor cultivation using no artificial lighting from 10,001 square feet to one acre, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
    - 9) Type 3A, or “indoor,” for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.

- 10) Type 3B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
  - 11) Type 4, or “nursery” for cultivation of cannabis solely as a nursery.
  - 12) Type 5, or “outdoor,” for outdoor cultivation using no artificial lighting greater than one acre, inclusive, of total canopy size on one premises.
  - 13) Type 5A, or “indoor,” means for indoor cultivation using exclusively artificial lighting greater than 22,000 square feet, inclusive, of total canopy size on one premises.
  - 14) Type 5B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, greater than 22,000 square feet, inclusive, of total canopy size on one premises.
- b. Manufacturing.**
- 1) Type 6, or "manufacturing Level 1," for sites that manufacture marijuana products using nonvolatile solvents, or no solvents.
  - 2) Type 7, or “manufacturing Level 2,” for sites that manufacture marijuana products using volatile solvents.
- c. Testing.** Type 8, or “testing,” for a facility for testing of medical cannabis and medical cannabis products.
- d. Retail.** Type 10, or “retailer,” for the retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer’s premises may be closed to the public. A retailer may conduct sales exclusively by delivery.
- e. Distributor.** Type 11 or “Distributor,” for a facility for the distribution of cannabis and cannabis products. A distributor licensee shall be bonded and insured at a minimum level established by the licensing authority.
- f. Microbusiness.** Type 12, or “microbusiness,” permits that are for the cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer under this division, provided such licensee can demonstrate compliance with all requirements imposed by this division on licensed cultivators, distributors, Level 1 manufacturers, and retailers to the extent the licensee engages in such activities. Microbusiness licenses that authorize cultivation of cannabis shall include the license conditions described in subdivision (b) of Section 26060.1.
- 7. Mixed-light cultivation.** The cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.
- 8. Nursery.** A licensee that produces only clones, immature plants, seeds, and other agricultural products used.
- 9. Sensitive receptor.**
- 1) “Day care center” any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school age child care centers.
  - 2) “School” an institution providing instruction in kindergarten or any grades 1 through 12.  
“Youth center” any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

## DIVISION 4. ZONING DISTRICTS

### Section 35-68. AG-I - Agriculture I.

#### Section 35-68.3 Permitted Uses.

1. All types of agriculture and farming except a dairy, hog ranch, animal feed yard, or animal sales yard, subject to the limitations hereinafter provided in this Section 35-68.
2. Raising of animals not to exceed one horse, mule, cow, llama or ostrich; or three goats, hogs, or other livestock not specifically enumerated herein, shall be permitted for each 20,000 square feet of gross area of the lot upon which the same are kept. In no case shall more than three hogs be kept on any such lot.
3. Private kennels, and small animals and poultry raising limited to reasonable family use on a non-commercial basis.
4. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
5. Greenhouses, hothouses, other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a Development Plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans). For any greenhouse or related development, packing and shipping facility, and shade and hoop structure in the Carpinteria Valley additional regulations of the Carpinteria Agricultural (CA) Overlay District (Section 35-102F) shall apply.
6. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
7. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General Regulations) and accessory to the primary residential use of the same lot.
8. Home occupations, subject to the provisions of Section 35-121 (General regulations) and accessory to a residential use of the same lot.
9. One Attached Residential Second Unit per legal lot zoned AG-I-5, AG-I-10 or AG-I-20, subject to the provisions of Section 35-142 (Residential Second Units).
10. Special Care Homes, subject to the provisions of Section 35-143.4.
11. Uses, buildings and structures accessory and customarily incidental to the above uses.
12. Cannabis, Cultivation, subject to the provisions of Section 35.144S.
13. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.

#### Section 35-68.4 Uses Permitted with a Major Conditional Use Permit

1. Commercial raising of animals, boarding of animals, and commercial riding stables.
2. Animal hospitals, and animal husbandry services.
3. Facilities for the sorting, cleaning, packing, freezing, loading, transporting and storage of horticultural and agricultural products (not including animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form provided:
  - a. The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County),
  - b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County

for local processing, distribution, or sale,

- c. The primary intent of the development of this facility shall be to serve south coast agriculture,
- d. The products are determined by the Planning Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands,
- e. The facility processes products grown on the premises or on other local agricultural lands,
- f. All application for such facilities shall be accompanied by a landscape plan pursuant to the requirements of Section 35-68.4 of this Article,
- g. Siting of this type of facility on prime agricultural lands or agriculturally productive non-prime soils should be avoided where feasible, and
- h. All applications for such facilities shall be accompanied by defined truck and vehicle routes proposed to serve the facility.

No Conditional Use Permit shall be required under this section for such facilities if they are devoted primarily to the handling of products grown on the premises and the processing of products grown off premises if accessory and customarily incidental to the marketing of products in their natural form grown on the premises.

4. Farm labor camps, including trailers, for housing five or more employees engaged full-time in agriculture working on or off the farm or ranch upon which the dwelling(s) is located, subject to the provisions of Section 35-132.9 (General Regulations).
5. Within the Carpinteria Agricultural Overlay District, greenhouses and greenhouse related development of any size on slopes between five and 10 percent. No exception to this requirement, such as that stated under subsection (3) above, shall apply.
6. **Cannabis, Manufacturing, subject to the provisions of Section 35.144S.**

**Section 35-68.5** *Uses Permitted with a Minor Conditional Use Permit*

1. Additional dwellings for not to exceed four employees of the owner or lessee of the land engaged full time in agriculture on the farm or ranch upon which the dwelling is located provided:
  - a. The applicant can document the existing and proposed agricultural use of the land and demonstrate a need for additional dwellings, to support such use; and
  - b. The applicant provides proof of the full-time employment of the employees.
2. One Detached Residential Second Unit per legal lot zoned AG-I-5, AG-I-10, and AG-I-20 subject to the provisions of Section 35-142 (Residential Second Units) and Section 35-172 (Conditional Use Permits).
3. Commercial Kennels.
4. **Cannabis, Distribution, subject to the provisions of Section 35.144S.**

**Section 35-69. AG-II - Agriculture II**

**Section 35-69.3** *Permitted Uses.*

1. All types of agriculture and farming, including commercial raising of animals, subject to the limitations hereinafter provided in this Section 35-69.
2. Sale of agricultural products pursuant to the provisions of Section 35-131 (Agricultural Sales).
3. Commercial boarding of animals.
4. Private and/or commercial kennels.
5. One single family dwelling unit per legal lot. Such dwelling may be a mobile home certified under the National Mobile Home Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401 *et seq.*) on a permanent foundation system, pursuant to Health & Safety Code Section 18551, subject to the provisions of Section 35-141 (General Regulations).
6. One guest house or artist studio per legal lot subject to the provisions of Section 35-120 (General

Regulations) and accessory to the primary residential use located on the same lot.

7. Greenhouses, hothouses, or other plant protection structures, and related development, i.e., packing shed, parking, driveways, etc.; however, for any development of 20,000 square feet or more and all additions which when added to existing development total 20,000 square feet or more, a development plan shall be submitted, processed, and approved as provided in Section 35-174 (Development Plans).
8. On-shore oil development, including exploratory and production wells, pipelines, storage tanks, processing facilities for on-shore oil and gas, and truck terminals subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
9. Excavation or quarrying of building or construction materials, including diatomaceous earth, subject to the provisions of Section 35-177 (Reclamation Plans).
10. Home occupations, subject to the provisions of Section 35-121 (General Regulations) and accessory to a residential use located on the same lot.
11. Special Care Homes, subject to the provisions of Section 35-143.4.
12. Uses, buildings and structures accessory and customarily incidental to the above uses.
13. Cannabis, Cultivation, subject to the provisions of Section 35.144S.
14. Cannabis, Distribution, subject to the provisions of Section 35.144S.

***Section 35-69.4 Uses Permitted With a Major Conditional Use Permit.***

1. Animal hospitals and clinics.
2. Low-intensity recreational development such as hiking trails, public riding stables, recreational camps, campgrounds, retreats, and guest ranches, provided that such development:
  - a. Is in character with the rural setting,
  - b. Does not interfere with agricultural production on or adjacent to the lot on which it is located,
  - c. Does not include commercial facilities open to the general public who are not using the recreational facility, and
  - d. Does not require an expansion of urban services which will increase pressure for conversion of the affected agricultural lands.
3. Wineries, including processing, distribution, and sale of wine grapes and wine grape products grown off the premises, provided:
  - a. The winery is located on premises used for vineyard purposes,
  - b. The winery is operated in connection with the processing of wine grapes grown on the premises, and
  - c. Retail sales of wine grape products shall be limited to those processed on the premises.
4. Facilities for the sorting, cleaning, packing, freezing, and storage of horticultural and agricultural products (not including animals) grown off the premises preparatory to wholesale or retail sale and/or shipment in their natural form provided:
  - a. The facility shall be accessory to and supportive of other agricultural operations located on the same premises as the proposed facility and on other local agricultural lands (defined as lands located within 25 miles of the boundaries of Santa Barbara County),
  - b. The primary purpose of the facility shall not be to import, on a continuing basis, horticultural or agricultural products from land more than 25 miles beyond the boundaries of Santa Barbara County for local processing, distribution, or sale,
  - c. The products are determined by the Planning Commission to be similar to products grown on the premises where the facility is located or on other local agricultural lands, and
  - d. The facility processes products grown on the premises or on other local agricultural lands.

5. Piers and staging areas for oil and gas development subject to the regulations in DIVISION 9, OIL AND GAS FACILITIES.
6. Aquaculture, subject to the provisions of Section 35-136 (General Regulations).
7. Sorting, cleaning, and further breaking and storing of abalone shells landed live in Santa Barbara County, preparatory to shipment in their natural form.
8. Farm labor camps, including trailers, for housing five or more persons engaged full-time in agriculture working on or off the farm or ranch upon which the dwelling(s) is located, subject to the provisions of Section 35-132.9 (General Regulations).
9. Exploration and production of offshore oil and gas reservoirs from onshore locations, including exploratory and production wells, pipelines, temporary storage tanks, dehydration and separation facilities, and temporary truck terminals located within the Las Flores Canyon Consolidated Oil and Gas Processing Site, subject to the requirements set forth in DIVISION 9, OIL & GAS FACILITIES.
10. Consolidated pipeline terminal, subject to being designated for such use in Policy 6-13A and B of the Coastal Plan and the requirements set forth in DIVISION 9, OIL AND GAS FACILITIES.
11. Cannabis, Microbusiness, subject to the provisions of Section 35.144S.
12. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.

***Section 35-69.5 Uses Permitted with a Minor Conditional Use Permit.***

1. Additional dwellings for not to exceed four employees of the owner or lessee of the land engaged full time in agriculture on the farm or ranch upon which the dwelling is located provided:
  - a. The applicant can document the existing and proposed agricultural use of the land and demonstrate a need for additional dwellings to support such use; and
  - b. The applicant provides proof of the full-time employment of the employees.

**Section 35-77A. C-1 - Limited Commercial.**

***Section 35-77A.3 Permitted Uses.***

1. Retail stores, shops or establishments supplying commodities for travelers, as well as residents in the surrounding neighborhood, provided that such enterprises are conducted entirely within an enclosed building, such as bakeries, ice cream shops, grocery and liquor stores, hardware and appliance stores, clothing and shoe stores, sporting goods stores, pet shops, prescription pharmacies, florist shops, automobile accessory stores, garden supply stores and other similar uses, but not including uses which are incompatible with their adjoining residential uses due to noise, glare, odor and hazardous material concerns, such as amusement enterprises, miniature golf courses, automobile and machinery sales or service establishments, music recording studios, pool supply stores or car washes.
2. Service uses conducted entirely indoors such as laundry, laundromats, dry-cleaning sub-stations, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, radio and repair shops, physical fitness studios, and other similar uses.
3. Restaurants and cafes, including outdoor restaurant, cafe or tea room.
4. Financial institutions such as banks, excluding corporate offices, and savings and loan offices and general business offices which would serve the neighborhoods, such as real estate offices and general practitioners' offices, but not including trade or business schools.
5. Retail Plant nurseries.
6. Community non-profit recycling facility.
7. Child Care Facilities.
8. One Single Family Residence, on a lot where there is no commercial use, subject to the regulations set out in Section 35-77A.6, Minimum Lot Size, and Section 35-71 (R-1/E-1).



9. On lots where commercial uses are present, residential uses that are secondary to the primary commercial use.
10. Any other uses which the Planning Commission determines to be similar in character to those enumerated in this section and not more injurious to health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, or vibration.
11. Overnight visitor-serving accommodations such as bed-and-breakfasts, lodges and hostels.
12. Accessory uses, buildings and structures which are customarily incidental to any of the above uses provided:
  - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments.
  - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life and property, or other similar causes.
13. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.
14. Cannabis, Retail, subject to the provisions of Section 35.144S.

***Section 35-77A.4 Uses Permitted with a Major Conditional Use Permit.***

1. Small animal hospitals, provided all animals are kept within a completely enclosed, soundproofed building designed to eliminate outdoor odor and reduce the level of noise from such animals to the extent that adjacent residential properties will not be adversely affected in any way by noise or odors.
2. Hotels and motels.
3. Cannabis, Microbusiness, subject to the provisions of Section 35.144S.

***Section 35-77A.5 Uses Permitted with a Minor Conditional Use Permit.***

1. Automobile service station, provided no gasoline is stored above ground.
2. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
3. Community Center.
4. Certified Farmer's Market.

**Section 35-78. C-2 - Retail Commercial.**

***Section 35-78.3 Permitted Uses.***

1. Amusement enterprises if conducted wholly within a completely enclosed building, such as video arcades and pool halls.
2. Automobile service station, provided no gasoline is stored above ground.
3. New and used automobile and machinery sales, leases and rentals.
4. Automobile and machinery repair and service if conducted wholly within a completely enclosed building or within an area enclosed by a solid wall, hedge, or fence not less than six feet in height approved as to design by the Director, but not including automobile or machinery wrecking establishments or junk yards.
5. Retail stores, shops, or establishments supplying commodities for residents of the community, provided such enterprises are conducted within a completely enclosed building, such as bakeries, ice cream shops, grocery, and liquor stores, furniture, hardware, and appliance stores, department stores, sporting goods stores, pet shops, florist shops, automobile accessory stores, and the like.
6. Repair and service uses such as laundry and dry cleaning establishments, barber shops, beauty parlors, shoe repair and tailor shops, photography studios, copy shops, radio and TV repair shops, etc.
7. Restaurants, bars, cocktail lounges, and microbreweries that are secondary and accessory to a restaurant, bar, or lounge.
8. Financial institutions such as banks and savings and loan offices, professional, administrative and general

business offices.

9. Business, professional, and trade schools.
10. Hotels and motels.
11. Automobile parking lot.
12. Golf course, miniature or practice range.
13. Nursery.
14. Outdoor restaurant, cafe, or tea room.
15. Music recording studio.
16. Indoor theater.
17. Community non-profit recycling facility.
18. Residential uses existing at the time of adoption of this Article shall be considered permitted uses rather than legal nonconforming uses.
19. Any other light commercial use which the Planning Commission finds is of similar character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, vibration, danger to life or property, or other similar causes.
20. Spas or health clubs.
21. Non-Residential Child Care Center, pursuant to Section 35-143.3.
22. Accessory uses, buildings, and structures, which are customarily incidental to any of the above uses provided:
  - a. There shall be no manufacture, assembly, processing, or compounding of products other than such as are customarily incidental or essential to retail establishments, and provided further that there shall be not more than five persons engaged in any such manufacture, processing, or treatment of products.
  - b. Such operations are not injurious to the health, safety, or welfare of the neighborhood because of noise, odor, dust, smoke, vibration, danger to life or property, or other similar causes.
23. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.
25. Cannabis, Retail, subject to the provisions of Section 35.144S.

Section 35-78.4 Uses Permitted With a Major Conditional Use Permit.

1. Amusement enterprises conducted partially or wholly outdoors.
2. Bus terminal.
3. Outdoor theater.
4. Swap meet.

**Section 35-78.5 Uses Permitted With a Minor Conditional Use Permit.**

1. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
2. Automobile and machinery repair and service conducted partially or wholly outdoors.
3. Boat sales yard and boat repair and services, but not including painting or junk yards for boats.
4. Cabinet shop.
5. Cannabis, Microbusiness, subject to the provisions of Section 35.144S.
5. Cleaning and dyeing establishment.

6. Electrical shop.
7. Frozen food locker as part of a retail store.
8. Furniture repair and upholstery.
9. Handicraft-type industries subject to the provisions of Section 35-172.11 (Conditional Use Permits).
10. Lumber and building materials sales yard.
11. Mechanical car wash.
12. Plumbing, heating, and ventilating shop.
13. Pump sales and service.
14. Outdoor sale of pool supplies, patio furniture, and spas.
15. Sales of fresh fruit, vegetables, and flowers from a motor vehicle or stand not affixed to the ground.
16. Sales or storage lot for trailers, including trailers used for carrying property, and recreational vehicles.
17. Sign painting shop.
18. Trailer rentals, including trailers used for carrying property, and truck rentals.
19. Welding and small tool machine shop.
20. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
21. Certified Farmer's Market.
22. Emergency Shelter.
23. Single Room Occupancy Facility.

**Section 35-83. PI - Professional and Institutional.**

***Section 35-83.4 Permitted Uses.***

1. Professional offices, studios, and office buildings.
2. Hospitals, sanitariums, medical clinics, special care homes, and similar buildings, when used for the treatment of human ailments, subject to the approval as to need of the Santa Barbara Subarea Advisory Counsel of the Health Systems Agency, Ventura-Santa Barbara.
3. Eleemosynary and philanthropic institutions for human beings.
4. Churches, libraries, museums, and schools, including business schools, but not including dance halls nor trade schools using heavy equipment.
5. Community, civic center, and governmental buildings and structures.
6. Clubs, golf courses, and country clubs.
7. Cemetery, crematory, or mausoleums.
8. Off-street parking facilities accessory and incidental to an adjacent commercial use.
9. Retail stores, shops, or establishments supplying commodities or services intended to meet the day to day needs of employees in the vicinity including but not limited to drug stores, convenience markets, barber shops, shoe repair, dry cleaners, restaurants, and coffee shops. Cumulative development of these uses shall not exceed 20 percent of the total gross floor area on the lot.
10. Athletic clubs.
11. Banks and savings and loans offices.
12. Any other professional or institutional use which the Planning Commission finds is similar in character to those enumerated in this section and is not more injurious to the health, safety, or welfare of the neighborhood because

of noise, odor, smoke, vibration, danger to life or property, or other similar causes.

13. Non-Residential Child Care Centers, that are ancillary to uses permitted by Section 35-83 when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
14. Uses, buildings and structures accessory and customarily incidental to the above uses.
15. Cannabis, Testing, subject to the provisions of Section 35.144S.

***Section 35-83.5 Uses Permitted With Major Conditional Use Permit.***

1. Small animal hospitals, provided all animals are kept within a completely enclosed building designed to reduce odor and the level of noise from such animals to the extent that adjacent properties will not be adversely affected by reason of such odor or noise.
2. Restaurants located in an office building, but not including drive-through or fast food restaurants and not including cocktail lounges or bars.

***Section 35-83.6 Uses Permitted with a Minor Conditional Use Permit.***

1. Residences, provided the residential use is secondary to a permitted or conditionally permitted (i.e., Conditional Use Permit) commercial use on the same lot.
2. Certified Farmer's Market.

***Section 35-83.7 Limitation on Uses.***

No sales, production, repair, or processing shall take place on any site except to the extent necessary for and incidental to operation of the permitted or conditionally permitted uses.

**Section 35-84. M-RP - Industrial Research Park.**

***Section 35-84.4 Permitted Uses.***

1. Manufacturing and assembly of business machines including electronic data processing equipment, accounting machines, calculators, typewriters, and related equipment.
2. Manufacture of ceramic products, such as pottery, figurines and small glazed tile, utilizing only previously pulverized clay, provided that kilns are fired only by electricity or gas.
3. Manufacturing, assembling, compounding, packaging and processing of cosmetics, drugs, pharmaceuticals, perfumes, perfumed toilet soap (not including refining or rendering of fats or oils), and toiletries.
4. Manufacture, design, and production of handicraft articles, musical instruments, toys, jewelry, and novelties.
5. Assembly of electrical appliances, electronic instruments, and devices, and radio, phonograph, and television sets, including the manufacture of small parts only, such as coils, condensers, transformers, and crystal holders.
6. Printing, embossing, engraving, etching, lithographic, and bookbinding plants.
7. Experimental photo or motion picture film, research, and testing laboratories.
8. Scientific instrument and equipment manufacture or precision machine shops.
9. Manufacture of optical goods.
10. Packaging business.
11. Administrative offices required in conjunction with the uses permitted in this district and executive headquarters of business firms that are compatible with uses permitted in this district.
12. Storage warehouse and wholesale distributing.
13. Research, development, and testing laboratories and facilities.
14. Any other light industrial use, building, or structure which the Planning Commission finds is of similar character to those enumerated in this district and is not obnoxious or offensive because of noise, odor, dust,

smoke, vibration, danger to life or property, or similar causes.

15. Aquaculture subject to the provisions of Section 35-136 (General Regulations).
16. Retail stores, shops, or establishments supplying commodities or services intended to meet the day to day needs of employees in the vicinity including but not limited to drug stores, convenience markets, barber shops, shoe repair, dry cleaners, banks, restaurants, and coffee shops. Cumulative development of these uses shall not exceed 20 percent of the total gross floor area on the lot.
17. Light recreational uses and facilities such as tennis courts, gymnasium, racquetball courts which are operated only for the use of the employees in the industrial research park.
18. Non-Residential Child Care Centers, that are ancillary to uses permitted by Section 35-84.4, when sited and designed to ensure compatibility with other permitted uses on the project site and on adjacent parcels.
19. Emergency Shelter.
20. Accessory uses, buildings, and structures, which are customarily incidental to any of the above uses.
21. Cannabis, Cultivation, subject to the provisions of Section 35.144S.
24. Cannabis, Distribution, subject to the provisions of Section 35.144S.
25. Cannabis, Manufacturing, subject to the provisions of Section 35.144S.
26. Cannabis, Testing, subject to the provisions of Section 35.144S.

***Section 35-84.5 Uses Permitted With a Major Conditional Use Permit.***

1. On shore oil development including exploratory and production wells, pipelines, storage tanks, processing facilities for onshore oil and gas, and truck terminals, subject to the requirements set forth in DIVISION 9-OIL AND GAS FACILITIES.

***Section 35-84.6 Uses Permitted with a Minor Conditional Use Permit.***

1. Certified Farmer's Market.

## DIVISION 7 GENERAL REGULATIONS

### Section 35-144S Cannabis Regulations

#### A. Purpose and applicability.

1. **Purpose.** This Section establishes the standards to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls in compliance with state law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment, by establishing minimum land use requirements for the medicinal and adult use of cannabis activities including cultivation, distribution, transportation, storage, manufacturing, processing, and sales.
2. **Applicability.** The standards of this Section shall apply to all cannabis activities as that use is defined in Division 2 (Definitions). Cannabis activities shall only be permitted in the AG-I, AG-II, C-1, C-2, PI, and M-RP zoning districts in compliance with Division 4 (Zoning Districts) and table X-1 in this section. Cannabis activities must also comply with the following:
  - a. All cannabis activities shall comply with the provisions of this Section, as well as all applicable state laws, regardless of whether the activity existed or occurred prior to [effective date of ordinance], the effective date of this Section.
  - b. Nothing in this Section is intended, nor shall it be construed, to allow persons to engage in conduct that endangers others or causes a public nuisance, or allows any activity relating to the cultivation, distribution, or consumption of cannabis that is illegal under state law.
  - c. Nothing in this Section is intended, nor shall it be construed, to exempt the cultivation of cannabis from compliance with all other applicable County zoning and land use regulations, as well as other applicable provisions of the County Code, state and local cannabis licensing requirements, or compliance with any applicable state laws.
  - d. All persons operating facilities and conducting cannabis activities, as defined in this Section, are subject to possible federal prosecution, regardless of the protections provided by State or local law.

#### B. Allowed uses and permit requirements.

- a. Cannabis activities may only occur in compliance with the approval of the applicable permit identified in the following Table X-1. The required permit shall be obtained and all applicable conditions of the permit shall be satisfied prior to the commencement of the cannabis activity.
- b. **Personal Use.** Personal use cultivation of cannabis is allowed without a land use entitlement, provided that it complies with the following standards:
  - (1) Only adults 21 years or above may use and grow cannabis for personal use within a legally established dwelling.
  - (2) The individual, possesses, stores, or cultivates cannabis exclusively for their

personal use, and does not provide, donate, sell, or distribute cannabis to any other person.

- (3) Personal growing of cannabis is limited to six plants per legally established dwelling.
- (4) Outdoor cultivation shall not be permitted.
- (5) The growing area shall not impact areas that are required to satisfy the parking requirement for the primary use of the lot.
- (6) None of the cannabis cultivation or consumption activities shall be detectable (e.g., due to odor or lighting) outside of the building in which the activities occur.
- (7) No cannabis shall be cultivated in accessory structures.

**Allowable Zones for Cannabis Land Uses**

LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	AG-I	AG-II	C-1	C-2	PI	M-RP	
<b>Table X-1 - Permit Requirements</b> E Allowed use, no permit required (Exempt) P Permitted use, Land Use or Coastal Permit required (2) MCUP Minor Conditional Use Permit required CUP Conditional Use Permit required S Permit determined by Specific Use Regulations — Use Not Allowed							
<b>CANNABIS CULTIVATION AND MICROBUSINESS</b>							
Cultivation Type 1, Type 1A, Type 1B, Type 1C	P	P	—	—	—	P	35-144S
Cultivation Type 2, Type 2A, Type 2B	P	P	—	—	—	P	35-144S
Cultivation Type 3, Type 3A, Type 3B	P	P	—	—	—	P	35-144S
Cultivation Type 4	P	P	—	—	—	P	35-144S
Cultivation Type 5, Type 5A, Type 5B	P	P	—	—	—	P	35-144S
Microbusiness - Type 12	—	CUP	CUP	CUP	—	—	35-144S
<b>CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING</b>							
Distribution - Type 11	MCUP	P	—	—	—	P	35-144S
Manufacturing - Type 6	P	P	P	P	—	P	35-144S
Manufacturing - Type 7	CUP	CUP	—	—	—	—	35-144S
Testing - Type 8	—	—	—	—	P	P	35-144S
<b>CANNABIS RETAIL</b>							
Retail - Type 10	—	—	P	P	—	—	35-144S
<b>Notes:</b>							
(1) See Section 35-58 (Definitions) for land use definitions.							

**C. Commercial Permit Types.**

**1. Cultivation.**

- a. Type 1 - Cultivation; Specialty outdoor; Small.
- b. Type 1A - Cultivation; Specialty indoor; Small.
- c. Type 1B - Cultivation; Specialty mixed-light; Small.
- d. Type 1C - Cultivation; Specialty cottage; Small.
- e. Type 2 - Cultivation; Outdoor; Small.
- f. Type 2A - Cultivation; Indoor; Small.
- g. Type 2B - Cultivation; Mixed-light; Small.
- h. Type 3 - Cultivation; Outdoor; Medium.
- i. Type 3A - Cultivation; Indoor; Medium.
- j. Type 3B - Cultivation; Mixed-light; Medium.
- k. Type 4 - Cultivation; Nursery.

**2. Manufacturing.**

- a. Type 6 - Manufacturer 1.
- b. Type 7 - Manufacturer 2.

**3. Testing.**

- a. Type 8 - Testing.

**4. Retailer.**

- a. Type 10 - Retailer.

**5. Distributor.**

- a. Type 11 - Distributor.

**6. Microbusiness.**

- a. Type 12 - Microbusiness.

**D. Specific Use Development Standards.** All cannabis activities shall comply with the following development standards.

**1. Cultivation.**

- a. A cultivation operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- b. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis cultivator is to be located without regard to intervening structures.
- c. Cultivation shall only be allowed indoors in the zones of M-RP in compliance with the permit requirement identified in Division 4 (Zoning District).
- d. Post-processing and packaging of cannabis products shall be considered an ancillary use to the cultivation entitlement.

**2. Manufacturing.**



- a. All cannabis manufacturing operations shall ensure that cannabis is obtained from permitted and licensed cultivation sources and shall comply with State regulations to ensure that all manufactured cannabis products are properly stored, labeled, transported, and inspected, prior to distribution at a legally permitted and licensed dispensary.
- b. The manufacturing facility shall comply with all of the cannabis manufacturing requirements of the State and County.
- c. A non-volatile manufacturing operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- d. A volatile manufacturing operation permitted under this division shall not be located within a 1,200 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- e. The distances specified in this section shall be the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the cannabis manufacturer is to be located.
- f. The permittee of a volatile manufacturing operation permitted under this division shall train the employees of the cannabis manufacturing facility on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure.
- g. No cannabis manufacturing shall be allowed as a Home Occupation including (but not limited to) Cottage Food Operations and In-home Retail Sales in accordance with Section 35-121 (Home Occupations).

**3. Retailer.**

- a. A retail operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
- b. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the sensitive receptor to the closest property line of the lot on which the cannabis cultivator is to be located.
- c. Retail operations shall implement and maintain sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products in compliance with the California Business and Professions Code.
- d. Microbusiness shall only include delivery retail in AG-II zone in compliance with the permit requirement identified in Division 4 (Zoning Districts). No retail sales shall occur on the lot on which the microbusiness exists, in AG-II zones.

**4. Testing.** Cannabis testing facilities shall adopt standard operating procedures using methods consistent with general requirements for the competence of testing and calibration activities, including sampling, using standard methods established by the International Organization for Standardization that are approved by an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement and in with State law and regulations.

**E. General Commercial Development Standards.**

- 1. Fencing.** Prohibited fencing materials include tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.
- 2. Lighting.**
  - a. No lighting for cultivation purposes, except that necessary for security, shall be visible at cultivation sites from sunset to sunrise, such that no light can be detected outside of the

structure.

- b. Any outdoor light used for the illumination of parking areas and/or loading areas, or for security shall be arranged in a manner to be fully shielded, downlit and emit no light rays above the horizontal plane and effectively obscure the visibility of the lamp.

**3. Noise.**

- a. The use of generators for cultivation is prohibited, except for temporary use in the event of a power outage or emergency.
- b. Environmental control systems shall be located and/or shielded to avoid generating incompatible noise to sensitive receptors, in compliance with the Santa Barbara County Noise Element.

**4. Odor.**

- a. The Permittee shall prepare an odor abatement plan that includes (but is not limited to):
  - (1) Designating an individual who is responsible for responding to odor complaints, 24-hours a day, seven days a week.
  - (2) Providing property owners and residents of property within a 1,000 radius of the cannabis facility, with the contact information of the individual responsible for responding to odor complaints.
  - (3) Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the responsible party on how to respond to an odor complaint.
  - (4) The description of methods for reducing odors, including minimizing potential add-on air pollution control equipment.

**5. Security.** The operator of a dispensary must:

- a. Prevent individuals from loitering on the premises of the dispensary if they are not engaging in activity expressly related to the operations of the dispensary.
- b. Establish limited access areas accessible only to authorized dispensary personnel.
- c. Store all cannabis and cannabis products in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis and cannabis products used for display purposes, samples or immediate sale.
- d. Install security cameras on site in accordance with State law and regulations.

**6. Signage.** All Signs shall comply with Chapter 35-138 (Sign and Advertising Structures).

- F. Records.** The owner and all permittees of cannabis activities requiring approval of a land use entitlement shall maintain clear and adequate records and documentation, in accordance with the States track-and-trace program, demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.
- G. Inspection.** All land use permits and permitted cannabis activity sites are subject to review and inspection from law enforcement or any agents of the State or County charged with enforcement of this Chapter and in accordance with Section 35-185 (Enforcement, Legal Procedures, and Penalties).
- H. State license required.** The Permittee of a cannabis activity that requires one or more of the State cannabis license types set forth in California Business and Professions Code shall: (1) obtain the requisite State cannabis license for the cannabis activity; and (2) conduct the cannabis activity in compliance with the State cannabis license.

- I. Land use permit compliance.** Following issuance of the land use entitlement for the cannabis activity, all cannabis activities that are subject to a land use entitlement shall be subject to a County inspection to determine compliance with the land use entitlement.
- J. Revocation.**
1. An entitlement to allow cannabis activities may be revoked in compliance with Section Section 35-169.8 (Revocation).
  2. In addition to the basis for revocation in compliance with Subsection Section 35-169.8 (Revocation), the entitlement may also be revoked if the applicant, after receiving entitlement:
    - a. fails or refuses to inform the County of alterations to the property that would compromise the original permit approval (e.g., removal of required parking, conversion of space);
    - b. has submitted false or misleading information as part of the application;
    - c. fails to comply with the permit conditions;
    - d. fails to obtain or comply with any other required County, state or local permit;
    - e. fails to comply with one or more of the conditions of the entitlement; or
    - f. the ownership or control of the cannabis business has been transferred and/or sold, an entitlement issued pursuant to this Chapter has been transferred and/or sold, or the title of any of the lots constituting the site on which the entitlement was originally issued has been transferred.



COUNTY OF SANTA BARBARA

Planning and Development

**SANTA BARBARA COUNTY  
LAND USE & DEVELOPMENT CODE  
DRAFT CANNABIS LAND USE ORDINANCE  
SEPTEMBER 2017**

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In this document are staff’s recommended changes to the Santa Barbara County Code to incorporate cannabis activities associated with the Medicinal and Adult-Use Cannabis Regulation and Safety Act including the cultivation, distribution, storage, manufacturing, processing, and selling of cannabis, and industrial hemp, and on personal outdoor cultivation.

Proposed deletions are shown as ~~striketrough~~ and proposed insertions are shown as **red text**.

## ARTICLE 35.2 - ZONES AND ALLOWABLE LAND USES

### 35.21.030 - Agricultural Zones Allowable Land Uses

<b>Table 2-1</b>  <b>Allowed Land Uses and Permit Requirements for Agricultural Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>AG-I</b>	<b>AG-II</b>	

#### AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	P	P	35.42.020
Agricultural processing - On-premise products	P	P (3)	35.42.040
Agricultural processing - Off-premise products	—	CUP (3)	35.42.040
Agricultural processing - Extensive	—	CUP (4)	35.42.040
Animal keeping (except equestrian facilities, see RECREATION)	S	S	35.42.060
Aquaculture	—	CUP	35.42.070
Aquaponics	—	S (5)	35.42.060
Cannabis - Cultivation and microbusiness	S	S	35.42.075
Cultivated agriculture, orchard, vineyard	E	E	
Grazing	E	E	
Greenhouse	P	P (6)	35.42.140
Mining - Agricultural soil export	—	MCUP	35.82.160
Mining, extracting & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	35.82.160
Mining- Surface, less than 1,000 cubic yards (7)	P	P	35.82.160
Mining- Surface, 1,000 cubic yards or more	CUP	CUP	35.82.160
Oil and gas uses	S	S	35.5
Utility-scale photovoltaic facilities	—	CUP	35.59
Winery	S	S	35.42.280

#### INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Cannabis - Manufacturing	S	S	35.42.075
Cannabis - Testing	—	—	35.42.075
Composting facility	MCUP	MCUP	35.42.100
Composting (small scale)	—	S (5)	35.21.060
Fertilizer manufacturing	—	CUP (4)	
Firewood processing and sales	—	S (5)	35.21.060
Lumber processing, milling (small scale)	—	S (5)	35.21.060

#### Key to Zone symbols

<b>AG-I</b>	Agriculture I	<b>AG-II</b>	Agriculture II
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#### Notes:

- See Article 35.11 (Glossary) for land use definitions.
- Development Plan approval may also be required; see Section 35.21.030.C.
- See Section 35.42.070.C for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- Use limited to areas designated on the Land Use Element Maps with the “Agricultural Industry overlay.”
- Limited to locations within the Gaviota Coast Plan area.
- See Section 35.42.140.C for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.
- See Section 35.42.240.D for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

<b>Table 2-1 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Agricultural Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>AG-I</b>	<b>AG-II</b>	

**RETAIL TRADE**

Agricultural product sales	P	P (6)	35.42.050
<b>Cannabis - Retail</b>	—	—	

**Key to Zone Symbols**

<b>AG-I</b>	Agriculture I	<b>AG-II</b>	Agriculture II
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**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.21.030.C.
- (3) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.42.205.
- (4) Limited to locations within the Gaviota Coast Plan area; see Section 35.28.210.I.
- (5) Limited to specific locations. See the limitations on location for the use in Chapter 35.42 (Standards for Specific Land Uses).
- (6) See Section 35.42.050.E for special permit requirements and development standards that apply within the Gaviota Coast Plan area.
- (7) See Section 35.42.240.D for special permit requirements and development standards that apply within the Gaviota Coast Plan area.

<b>Table 2-1 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Agricultural Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	ZC	Zoning Clearance required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>AG-I</b>	<b>AG-II</b>	

**TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE**

Agricultural product transportation facility	—	CUP	35.42.040.B.2
Airport, public	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	
<b>Cannabis - Distribution</b>	<b>S</b>	<b>S</b>	<b>35.42.075</b>
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project, less than 20,000 sf total area	P	P	
Flood control project, 20,000 sf or more total area	MCUP	MCUP	
Heliport	CUP	CUP	
Pipeline - Oil or gas	P	P	35.5
Public utility facility	CUP	CUP	
Public works or private service facility	MCUP	MCUP	
Road, street, less than 20,000 sf total area	P	P	
Road, street, 20,00 sf or more total area	P	P	
Telecommunications facility	S	S	35.44
Wind turbines and wind energy systems	S	S	35.57

**Key to Zone Symbols**

<b>AG-I</b>	Agriculture I	<b>AG-II</b>	Agriculture II
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**Notes:**

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.21.030.C](#).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.

### 35.22.030 - Resource Protection Zones Allowable Land Uses

<b>Table 2-4</b>  <b>Allowed Land Uses and Permit Requirements for Resource Protection Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>MT-GAV</b>	<b>MT-GOL</b>	<b>MT-TORO</b>	<b>RMZ</b>	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
Aquaculture	CUP	CUP	—	CUP	35.42.070
Cultivated agriculture, orchard, vineyard	—	—	—	—	
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	—	
Cultivated agriculture, orchard, vineyard - Historic legal use	—	—	E	MCUP	
Cultivated agriculture, orchard, vineyard - Limited slope	E	E	MCUP	CUP	
Cultivated agriculture, orchard, vineyard - Steep slope	MCUP	MCUP	MCUP	CUP	
Grazing	E	E	—	E	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (3)	P (3)	P (3)	P (3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	35.82.160
Oil and gas development, offshore, from onshore location	—	—	—	S	35.5
Oil and gas development, onshore	CUP	CUP	CUP	S	35.5
Oil and gas treatment and processing	—	—	—	S	35.5

#### Key to Zone Symbols

<b>MT-GAV</b>	Mountainous - Gaviota	<b>MT-TORO</b>	Mountainous - Toro Canyon
<b>MT-GOL</b>	Mountainous - Goleta	<b>RMZ</b>	Resource Management

#### Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.22.030.C.
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, than a CUP is required.

<b>Table 2-4 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Resource Protection Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>MT-GAV</b>	<b>MT-GOL</b>	<b>MT-TORO</b>	<b>RMZ</b>	

#### RETAIL TRADE

Agricultural product sales	—	—	—	—	
<b>Cannabis - Retail</b>	—	—	—	—	

#### Key to Zone Symbols

<b>MT-GAV</b>	Mountainous - Gaviota	<b>MT-TORO</b>	Mountainous - Toro Canyon
<b>MT-GOL</b>	Mountainous - Goleta	<b>RMZ</b>	Resource Management

#### Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.22.030.C.



Table 2-4 - Continued  Allowed Land Uses and Permit Requirements for Resource Protection Zones	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	MT-GAV	MT-GOL	MT-TORO	RMZ	

**INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING**

Cannabis - Manufacturing	—	—	—	—	
Cannabis - Testing	—	—	—	—	

**TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE**

Airport, public	—	CUP	CUP	CUP	
Airstrip, private and temporary	—	CUP	CUP	CUP	
Airstrip, temporary	—	CUP	—	—	
Cannabis - Distribution	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (4)	CUP	CUP	CUP	CUP	
Heliport	CUP	CUP	CUP	CUP	
Pipeline - Oil and gas	P	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area (5)	P	P	P	P	
Road, street, 20,000 sf or more total area (5)	P	P	P	P	
Telecommunications facility	S	S	S	S	35.44
Wind turbines and wind energy systems	S	S	S	S	35.57

**Key to Zone Symbols**

<b>MT-GAV</b>	Mountainous - Gaviota	<b>MT-TORO</b>	Mountainous - Toro Canyon
<b>MT-GOL</b>	Mountainous - Goleta	<b>RMZ</b>	Resource Management

**Notes:**

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.22.030.C](#).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

### 35.23.030 - Residential Zones Allowable Land Uses

<b>Table 2-7</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	RR	R-1/E-1	EX-1	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	P	P	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	35.42.060
Aquaculture	CUP	—	—	35.42.070
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	
Cultivated agriculture, orchard, vineyard	E	E	E	
Greenhouse, 300 sf or less	P	P	P	35.42.140
Greenhouse, more than 300 sf to 800 sf	CUP	MCUP	MCUP	35.42.140
Greenhouse, 800 sf or more	CUP	—	—	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	35.82.160
Oil and gas uses	S	—	—	35.5

#### Key to Zone Symbols

<b>RR</b>	Rural Residential/Residential Ranchette	<b>EX-1</b>	One-Family Exclusive Residential
<b>R-1/E-1</b>	Single-Family Residential	<b>CZ</b>	Coastal Zone

#### Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

<b>Table 2-7 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use or Coastal Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>RR</b>	<b>R-1/E-1</b>	

**RETAIL TRADE**

Agricultural product sales, onsite production only	P	MCUP	—	35.42.050
<b>Cannabis - Retail</b>	—	—	—	
Convenience store	—	—	—	
Drive-through facility, accessory to permitted use	—	—	—	
Visitor-serving commercial	—	—	—	

**Key to Zone Symbols**

<b>RR</b>	Rural Residential/Residential Ranchette	<b>EX-1</b>	One-Family Exclusive Residential
<b>R-1/E-1</b>	Single-Family Residential	<b>CZ</b>	Coastal Zone

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit (Section 35.82.110) for a primary single-family dwelling on a lot that resulted from the recordation of a Final (tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.42.205.

<b>Table 2-7 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)					
	P	Permitted use, Land Use or Coastal Permit required (2)					
	MCUP	Minor Conditional Use Permit required					
	CUP	Conditional Use Permit required					
	S	Permit determined by Specific Use Regulations					
	—	Use Not Allowed					
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>						<b>Specific Use Regulations</b>
	<b>RR</b>	<b>RR CZ</b>	<b>R-1/E-1</b>	<b>R-1/E-1 CZ</b>	<b>EX-1</b>	<b>EX-1 CZ</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	—	CUP	—	—	—	
Airstrip, private and temporary	CUP	—	CUP	—	—	—	
Airstrip, temporary	—	CUP	—	CUP	—	—	
<b>Cannabis - Distribution</b>	—	—	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	—	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	CUP	CUP	
Electrical substation - Major	—	—	—	—	CUP	CUP	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	—	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	—	MCUP	
Heliport	CUP	CUP	CUP	CUP	—	—	
Parking facility, commercial, for residential use	—	—	—	—	—	—	
Pipeline - Oil and gas	P	—	P	—	P	—	35.5
Public utility facility	CUP	—	CUP	—	CUP	—	
Public works or private service facility	MCUP	—	MCUP	—	MCUP	—	
Road, street, less than 20,000 sf total area (6)	P	P	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	P	MCUP	P	MCUP	P	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	CUP	—	CUP	—	—	
Telecommunications facility	S	S	S	S	S	S	35.44
Utility service line with less than 5 connections (4)	—	P	—	P	—	P	
Utility service line with 5 or more connections(4)	—	MCUP	—	MCUP	—	MCUP	
Wind turbines and wind energy systems	S	—	S	—	S	—	35.57

**Key to Zone Symbols**

<b>RR</b>	Rural Residential/Residential Ranchette	<b>EX-1</b>	One-Family Exclusive Residential
<b>R-1/E-1</b>	Single-Family Residential	<b>CZ</b>	Coastal Zone

**Notes:**

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see [Section 35.23.030.C](#).
- (3) Use is subject to the standards of the PU Zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

<b>Table 2-8</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	ZC	Zoning Clearance			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>R-2</b>	<b>DR</b>	<b>MR-O</b>	<b>PRD</b>	

**AGRICULTURAL, MINING & ENERGY FACILITIES**

Agricultural accessory structure	P	P	—	P	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
Aquaculture	—	—	—	—	
<b>Cannabis - Cultivation and microbusiness</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	
Cultivated agriculture, orchard, vineyard	E	E	—	E	
Greenhouse, 300 sf or less	P	P	—	—	35.42.140
Greenhouse, greater than 300 sf to 800 sf	MCUP	—	—	—	35.42.140
Greenhouse, 800 sf or more	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	—	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P(3)	—	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	—	CUP	35.82.160
Oil and gas uses	—	—	—	—	

**Key to Zone Symbols**

<b>R-2</b>	Two-Family Residential	<b>PRD</b>	Planned Residential Development
<b>DR</b>	Design Residential	<b>CZ</b>	Coastal Zone
<b>MR-O</b>	Multi-Family Residential - Orcutt		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

<b>Table 2-8 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	ZC	Zoning Clearance			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>R-2</b>	<b>DR</b>	<b>MR-O</b>	<b>PRD</b>	

**RETAIL TRADE**

Agricultural product sales, on-site production only	MCUP	MCUP	—	MCUP	35.42.050
<b>Cannabis - Retail</b>	—	—	—	—	
Convenience store	—	—	—	CUP	35.23.100.G
Drive-through facility, accessory to permitted use	—	—	—	CUP	35.42.130
Visitor-serving commercial	—	—	—	—	35.23.100.H

**Key to Zone Symbols**

<b>R-2</b>	Two-Family Residential	<b>PRD</b>	Planned Residential Development
<b>DR</b>	Design Residential	<b>CZ</b>	Coastal Zone
<b>MR-O</b>	Multi-Family Residential - Orcutt		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit (Section 35.82.110) for a primary one-family dwelling on a lot that resulted from recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) Limited to student housing facilities located in an area where such facilities are to be used by students of a permitted educational facility.

<b>Table 2-8 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	ZC	Zoning Clearance			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>R-2</b>	<b>DR</b>	<b>MR-O</b>	<b>PRD</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	—	CUP	
Airstrip, private and temporary	CUP	CUP	—	CUP	
Airstrip, temporary	—	—	—	—	
<b>Cannabis - Distribution</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>—</b>	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUO	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	—	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	—	CUP	
Parking facility, commercial, for residential use	—	—	—	—	
Pipeline - Oil and gas	P	P	—	P	35.5
Public utility facility	CUP	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area	P	P	P	P	
Road, street, 20,000 sf or more total area	P	P	P	P	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	—	
Telecommunications facility	S	S	S	S	35.44
Utility service line with less than 5 connections (4)	—	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	—	
Wind turbines and wind energy systems	S	S	—	S	35.57

**Key to Zone Symbols**

<b>R-2</b>	Two-Family Residential	<b>PRD</b>	Planned Residential Development
<b>DR</b>	Design Residential		
<b>MR-O</b>	Multi-Family Residential - Orcutt		

**Notes:**

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.23.030.C](#).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

<b>Table 2-9</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	SLP	MHP	MHS	

**AGRICULTURAL, MINING & ENERGY FACILITIES**

Agricultural accessory structure	—	—	—	35.42.020
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	35.42.060
Aquaculture	—	—	—	
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	
Cultivated agriculture, orchard, vineyard	—	—	—	
Greenhouse, 300 sf or less	—	—	—	35.42.140
Greenhouse, 300 sf to 800 sf	—	—	—	35.42.140
Greenhouse, 800 sf or more	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	

**Key to Zone Symbols**

<b>SLP</b>	Small Lot Planned Development	<b>MHP</b>	Mobile Home Planned Development
<b>SR-M</b>	Medium Density Student Residential	<b>MHS</b>	Mobile Home Subdivision
<b>SR-H</b>	High Density Student Residential		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.



<b>Table 2-9 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	SLP	MHP	MHS	

**RETAIL TRADE**

Agricultural product sales, on-site production only	—	—	—	35.42.050
<b>Cannabis - Retail</b>	—	—	—	
Convenience store	—	—	—	
Drive-through facility, accessory to permitted use	—	—	—	
Visitor-serving, commercial	—	—	—	

**Key to Zone Symbols**

<b>SLP</b>	Small Lot Planned Development	<b>MHP</b>	Mobile Home Planned Development
<b>SR-M</b>	Medium Density Student Residential	<b>MHS</b>	Mobile Home Subdivision
<b>SR-H</b>	High Density Student Residential		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.23.030.C.
- (3) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit (Section 35.82.110) for a primary single-family dwelling on a lot that resulted from the recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) See Section 35.23.080 (Mobile Home Park zone standards).
- (5) Mobile home must be on a permanent foundation, see Section 35.42.205

<b>Table 2-9 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	SLP	MHP	MHS	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	CUP	
Airstrip, temporary	—	—	—	
<b>Cannabis - Distribution</b>	<b>—</b>	<b>—</b>	<b>—</b>	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	
Electrical transmission line (4) (5)	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	
Parking facility, commercial, for residential use	—	—	—	
Pipeline - Oil and gas	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area (6)	P	P	P	
Road, street, 20,000 sf or more total area (6)	P	P	P	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	
Telecommunications facility	S	S	S	35.44
Utility service line with less than 5 connections (4)	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	
Wind turbines and wind energy systems	S	S	S	35.57

**Key to Zone Symbols**

<b>SLP</b>	Small Lot Planned Development	<b>MHP</b>	Mobile Home Planned Development
<b>SR-M</b>	Medium Density Student Residential	<b>MHS</b>	Mobile Home Subdivision
<b>SR-H</b>	High Density Student Residential		

**Notes:**

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.23.030.C](#).
- (3) Use is subject to the standards of the PU Zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

### 35.24.030 - Commercial Zones Allowable Land Uses

<b>Table 2-14</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>CN</b>	<b>C-1</b>	<b>C-2</b>	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	—	—	
Agricultural processing	—	—	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	35.42.060
<b>Cannabis - Cultivation and microbusiness</b>	<b>—</b>	<b>S</b>	<b>S</b>	35.42.075
Cultivated agriculture, orchard, vineyard	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	S	35.5

#### INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	
<b>Cannabis - Manufacturing</b>	<b>—</b>	<b>S</b>	<b>S</b>	35.42.075
<b>Cannabis - Testing</b>	<b>—</b>	<b>—</b>	<b>—</b>	
Furniture/fixtures manufacturing, cabinet shops	—	—	MCUP	
Handcraft industry, small scale manufacturing	—	—	MCUP	35.42.160
Laundry, dry cleaning plant	—	—	MCUP	
Media production	—	—	—	
Metal products fabrication, machine and welding shops	—	—	—	
Printing and publishing	—	—	—	
Recycling - Small collection center	—	—	MCUP	
Recycling - Small collection center, non-profit	—	P	MCUP	
Recycling - Specialized materials collection center	—	—	—	
Sign fabrication and painting shop	—	—	—	
Sign painting shop	—	—	MCUP	
Storage - Contractor equipment storage yard	—	—	—	
Storage - Personal storage facility (mini storage)	—	—	—	
Wholesaling and distribution	—	—	—	
Wholesaling and distribution - Essential to agriculture	—	—	—	

#### Key to Zone Symbols

<b>CN</b>	Neighborhood Commercial	<b>C-2</b>	Retail Commercial
<b>C-1</b>	Limited Commercial		

#### Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

<b>Table 2-14 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>CN</b>	<b>C-1</b>	<b>C-2</b>	

**RETAIL TRADE**

Auto and vehicle sales and rental	—	—	P	
Bar, tavern	—	—	P(3)	
Building and landscape materials sales - Indoor	—	—	MCUP	
Building and landscape materials sales - Outdoor	—	—	MCUP	
<b>Cannabis - Retail</b>	<b>—</b>	<b>S</b>	<b>S</b>	35.42.075
Convenience store, less than 3,000 sf or less net floor area	P(4)	P(5)	P	
Convenience store, 3,000 sf or more net floor area	P(4)	P(5)	P	
Drive-through facility	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	—	
Fuel dealer	—	—	—	
General retail	P(4)	P(5)	P	
Grocery/food store, 3,000 sf or less	P(4)	P(5)	P	
Grocery/food store, 5,000 sf or less	—	P(5)	P	
Grocery/food store, more than 5,000 sf	—	P(5)	P	
Mobile home, boat, and RV sales and repair	—	—	MCUP	
Office supporting retail	P(4)	P(5)	P	
Plant nursery	—	P	P	
Restaurant, café, coffee shop - Indoor and outdoor	P	P	P(3)	
Restaurant, café, coffee shop,- Within an office building	—	—	—	
Service station	MCUP	MCUP	P	
Shopping center - Community	—	—	—	
Shopping center - Convenience	—	—	—	
Swap meet	—	—	CUP	
Truck stop	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	MCUP	
Visitor-serving commercial	—	—	P	

**Key to Zone Symbols**

<b>CN</b>	Neighborhood Commercial	<b>C-2</b>	Retail Commercial
<b>C-1</b>	Limited Commercial		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) May include beer brewing and wine making provided (a) the area devoted to beer brewing and wine making, including the area devoted to equipment and storage of materials and supplies, does not exceed 50 percent of the interior floor area of the primary business, and (b) the product is primarily sold for on-site consumption.
- (4) Limited to establishments that supply commodities to meet the day-to-day needs of residents in the neighborhood.
- (5) Limited to establishments that supply commodities to the residences in the neighborhood.

<b>Table 2-14 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>CN</b>	<b>C-1</b>	<b>C-2</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	CUP	
Airstrip, temporary	—	—	—	
<b>Cannabis - Distribution</b>	—	—	—	<b>35.42.075</b>
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	
Electrical transmission line (4) (5)	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	
Parking facility, public or private	—	—	P	
Pier, dock	—	—	—	
Pipeline - Oil and gas	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area (6)	P	P	P	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	
Telecommunications facility	S	S	S	35.44
Transit station or terminal	—	—	CUP	
Utility service line with less than 5 connections (4)	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	
Vehicle dispatch facility	—	—	—	
Vehicle storage	—	—	MCUP	
Wind turbines and wind energy systems	S	S	S	35.57

**Key to Zone Symbols**

<b>CN</b>	Neighborhood Commercial	<b>C-2</b>	Retail Commercial
<b>C-1</b>	Limited Commercial		

**Notes:**

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

<b>Table 2-15</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>C-3</b>	<b>CS</b>	<b>CH</b>	<b>CM-LA</b>	

**AGRICULTURAL, MINING, & ENERGY FACILITIES**

Agricultural accessory structure	—	—	P	—	35.42.020
Agricultural processing	P (3)	P (3)	P (4)	—	35.42.040
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	P	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
<b>Cannabis - Cultivation and microbusiness</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>35.42.075</b>
Cultivated agriculture, orchard, vineyard	—	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	—	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (5)	P (5)	P (5)	—	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	—	35.82.160
Oil and gas uses	CUP	—	—	—	35.5

**INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING**

<b>Cannabis - Manufacturing</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>S</b>	<b>35.42.075</b>
<b>Cannabis - Testing</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>35.42.075</b>
Bakery and baked goods production and distribution	P	P (3)	—	—	
Furniture/fixtures manufacturing, cabinet shops	P (3)	P (3)	—	MCUP	
Handcraft industry, small scale manufacturing	MCUP	MCUP	—	MCUP	35.42.160
Laundry, dry cleaning plant	P (3)	P (3)	—	—	
Media production	—	—	—	—	
Metal products fabrication, machine and welding shops	P (3)	P (3)	—	—	
Printing and publishing	P	P (3)	—	—	
Recycling - Small collection center	—	CUP	—	—	
Recycling - Small collection center, non-profit	P	CUP	—	—	
Recycling - Specialized materials collection center	P	—	—	—	
Sign fabrication and painting shop	—	P (3)	—	MCUP	
Sign painting shop	P (3)	P	—	MCUP	
Storage - Contractor equipment storage yard	P	P (3)	—	—	
Storage - Personal storage facility (mini storage)	P	P	—	—	
Storage - Warehouse, not used for wholesaling or distribution	P	P	—	—	
Wholesaling and distribution	P (3)	P (3)	—	—	
Wholesaling and distribution - Essential to agriculture, except	P (3)	P	CUP	—	

**Key to Zone symbols**

<b>C-3</b>	General Commercial	<b>CH</b>	Highway Commercial
<b>C-S</b>	Service Commercial	<b>CM-LA</b>	Community Mixed Use - Los Alamos

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Shall be conducted within a completely enclosed building except for material storage which may be permitted within an area enclosed by a solid wall, fence or hedge not less than six feet in height.
- (4) Restricted to the processing of on-premise products.
- (5) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

<b>Table 2-15 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	MCUP	Minor Conditional Use Permit required
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed

LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	C-3	CS	CH	CM-LA	

**RETAIL TRADE**

Auto and vehicle sales and rental	P	—	—	—	
Bar, tavern	P (3)	—	—	P	
Building and landscape materials - Indoor	P (4)	P (4)	—	—	
Building and landscape materials - Outdoor	P	P	—	—	
<b>Cannabis - Retail</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>S</b>	<b>35.42.075</b>
Convenience store, 3,000 sf or less net floor area	P	—	P (5)	P	
Convenience store, 3,000 sf or more net floor area	P	—	—	P	
Drive-through facility	CUP	CUP	CUP	—	35.42.130
Farm supply and feed store	P	P (4)	—	—	
Fuel dealer	P (6)	P (4)	—	—	
General retail	P	—	—	P	
Grocery/food store, 3,000 sf or less	P	—	CUP (5)	P	
Grocery/food store, 5,000 sf or less	P	—	CUP (5)	P	
Grocery/food store, more than 5,000 sf	P	—	—	P	
Mobile home, boat, and RV sales and repair	—	—	—	—	
Office supporting retail	P	—	—	P	
Plant nursery	P	—	—	P	
Restaurant, café, coffee shop - Indoor and outdoor	P (5)	—	P (5)	P	
Restaurant, café, coffee shop - Within an office building	—	—	—	—	
Service station	P	—	P	— (7)	
Shopping center - Community	—	—	—	—	
Shopping center - Convenience	—	—	—	—	
Swap meet	CUP	—	—	CUP	
Truck stop	—	—	MCUP	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	P	—	—	—	
Visitor-serving commercial	P	—	P (5)	P	

**Key to Zone symbols**

<b>C-3</b>	General Commercial	<b>CH</b>	Highway Commercial
<b>C-S</b>	Service Commercial	<b>CM-LA</b>	Community Mixed Use - Los Alamos

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Includes microbreweries that are accessory and secondary to a bar or restaurant.
- (4) Shall be conducted within a completely enclosed building except for material storage which may be permitted within an area enclosed by a solid wall, fence or hedge not less than six feet in height.
- (5) No off-premise alcoholic beverage sales allowed; no alcoholic beverage sales in restaurant except when food also served.
- (6) Limited to the sale of fuel for agricultural equipment.
- (7) A service station existing at the time of the adoption of the CM-LA zone shall be considered a permitted use rather than a nonconforming use.

<b>Table 2-15 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>C-3</b>	<b>CS</b>	<b>CH</b>	<b>CM-LA</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	—	
Airstrip, private and temporary	CUP	CUP	CUP	—	
Airstrip, temporary	—	—	—	—	
<b>Cannabis - Distribution</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>—</b>	<b>35.42.075</b>
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	MCUP	
Electrical transmission line (4)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (5)	P	P	P	P	
Flood control project, 20,000 sf or more total area (5)	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	—	
Parking facility, public or private	P	—	—	MCUP	
Pier, dock	—	—	—	—	
Pipeline - Oil and gas	P	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area (5)	P	P	P	P	
Road, street, 20,000 sf or more total area (5)	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	—	
Telecommunications facility	S	S	S	S	35.44
Transit station or terminal	P	—	P	—	
Utility service line with less than 5 connections (4)	—	—	—	P	
Utility service line with 5 or more connections (4)	—	—	—	P	
Vehicle dispatch facility	MCUP	—	—	—	
Vehicle storage	—	—	—	—	
Wind turbines and wind energy systems	S	S	S	—	35.57

**Key to Zone symbols**

<b>C-3</b>	General Commercial	<b>CH</b>	Highway Commercial
<b>C-S</b>	Service Commercial	<b>CM-LA</b>	Community Mixed Use - Los Alamos

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.



<b>Table 2-16</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>C-V</b>	<b>SC</b>	<b>PI</b>	

**AGRICULTURAL, MINING & ENERGY FACILITIES**

Agricultural accessory structure	—	—	—	
Agricultural processing	—	—	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	—	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	35.42.060
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	
Cultivated agriculture, orchard, vineyard	—	—	—	
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(3)	P(3)	P(3)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	35.82.160
Oil and gas uses	—	—	—	

**INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING**

Bakery and baked goods production and distribution	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	—	
<b>Cannabis - Manufacturing</b>	—	S	—	35.42.075
<b>Cannabis - Testing</b>	—	—	S	35.42.075
Handcraft industry, small scale manufacturing	—	—	—	
Laundry, dry cleaning plant	—	—	—	
Media production	—	—	—	
Metal products fabrication, machine and welding shops	—	—	—	
Printing and publishing	—	—	—	
Recycling - Small collection center	—	—	—	
Recycling - Small collection center, non-profit	—	—	—	
Recycling - Specialized materials collection center	—	—	—	
Sign fabrication and painting shop	—	—	—	
Sign painting shop	—	—	—	
Storage - Contractor equipment storage yard	—	—	—	
Storage - Personal storage facility (mini storage)	—	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	—	
Wholesaling and distribution	—	—	—	
Wholesaling and distribution - Essential to agriculture, except	—	—	—	

**Key to Zone Symbols**

<b>C-V</b>	Visitor Serving Commercial	<b>PI</b>	Public and Institutional
<b>SC</b>	Shopping Center	<b>CZ</b>	Coastal Zone

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

<b>Table 2-16 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>C-V</b>	<b>SC</b>	<b>PI</b>	

**RETAIL TRADE**

Auto and vehicle sales and rental	—	—	—	
Bar, tavern	—	—	—	
Building and landscape materials - Indoor	—	—	—	
Building and landscape materials - Outdoor	—	—	—	
<b>Cannabis - Retail</b>	<b>—</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
Convenience store, less than 3,000 sf net floor area	—	—	—	
Convenience store, 3,000 sf or more net floor area	—	—	—	
Drive-through facility	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	—	—	
Fuel dealer	—	—	—	
General retail	—	—	—	
Grocery/food store, 3,000 sf or less	—	—	—	
Grocery/food store, 5,000 sf or less	—	—	—	
Grocery/food store, more than 5,000 sf	—	—	—	
Mobile home, boat, and RV sales and repair	—	—	—	
Office supporting retail	—	—	P	
Plant nursery	—	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	
Restaurant, café, coffee shop - Within an office building	—	—	CUP	
Service station	—	—	—	
Shopping center - Community	—	S	—	
Shopping center - Convenience	—	S	—	
Swap meet	—	—	—	
Truck stop	—	—	—	
Truck, trailer, construction, farm, heavy equipment sales/rental	—	—	—	
Visitor-serving commercial	P(4)	—	—	

**Key to Zone Symbols**

<b>C-V</b>	Visitor Serving Commercial	<b>PI</b>	Public and Institutional
<b>SC</b>	Shopping Center		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.24.030.C (Commercial Zone Allowable Land Uses).
- (3) May be approved only in an area designated rural on the Coastal Land Use Plan maps, and where no other gasoline retail sales exists within 10 miles of site perimeter.
- (4) Use only allowed accessory and incidental to an approved resort/visitor-serving facility.

<b>Table 2-16 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>C-V</b>	<b>SC</b>	<b>PI</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	CUP	
Airstrip, temporary	—	—	—	
<b>Cannabis - Distribution</b>	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	MCUP	MCUP	
Electrical transmission line (4) (5)	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	—	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	—	
Heliport	CUP	CUP	CUP	
Parking facility, public or private	—	—	—	
Pier, dock	P	—	—	
Pipeline - Oil and gas	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	
Public works or public service structures	—	—	—	
Road, street, less than 20,000 sf total area (6)	P	P	P	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	
Telecommunications facility	S	S	S	35.44
Transit station or terminal	—	—	—	
Utility service line with less than 5 connections (4)	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	
Vehicle dispatch facility	—	—	—	
Vehicle storage	—	—	—	
Wind turbines and wind energy systems	S	S	S	35.57

**Key to Zone Symbols**

<b>C-V</b>	Visitor Serving Commercial	<b>PI</b>	Public and Institutional
<b>SC</b>	Shopping Center	<b>CZ</b>	Coastal Zone

**Notes:**

- (1) See [Article 35.11 \(Glossary\)](#) for land use definitions.
- (2) Development Plan approval may also be required; see Section [35.24.030.C](#) (Commercial Zone Allowable Land Uses).
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

### 35.25.030 - Industrial Zones Allowable Land Uses

<b>Table 2-22</b>  <b>Allowed Land Uses and Permit Requirements for Industrial Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>M-RP</b>	<b>M-1</b>	<b>M-2</b>	<b>M-CR</b>	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	P	P	P	35.42.020
Agricultural processing	—	P	P	P(3)	
Agricultural processing - Extensive	—	P	P	—	
Agricultural use as permitted on adjacent lot zoned AG or residential	—	P	P	—	
Animal keeping (except equestrian facilities - see RECREATION)	S	S	S	S	35.42.060
Aquaculture	P	P	—	P	35.42.070
<b>Cannabis - Cultivation and microbusiness</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
Cultivated agriculture, orchard, vineyard	—	E	E	E	
Grazing	—	—	—	E	
Greenhouse	—	—	—	P	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P(4)	P(4)	P(4)	P(4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	CUP	CUP	35.82.160
Oil and gas uses	S	S	S	S	35.5
Winery	—	P(6)	P(6)	S(7)	

#### Key to Zone Symbols

<b>M-RP</b>	Industrial Research Park	<b>M-CR</b>	Coastal-Related Industry
<b>M-1</b>	Light Industry	<b>M-CD</b>	Coastal-Dependent Industry
<b>M-2</b>	General Industry		

#### Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.25.030.D (Development Plan approval required).
- (3) Restricted to products produced on-premise and in compliance with Section 35.42.040 (Agricultural Processing Facilities)
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.
- (5) Requires a site on or adjacent to the sea to be able to function at all.
- (6) Does not include tasting rooms or onsite retail sales.
- (7) Subject to the regulations of Section 35.42.280 (Wineries).

<b>Table 2-22 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Industrial Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	M-RP	M-1	M-2	M-CR	

**INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING**

Appliance manufacturing	—	—	P	—	
Bakery and baked goods production and distribution	—	P	P	—	
Boat building and sales - Indoor and outdoor	—	P	P	—	
Business machine manufacturing and assembly	P	P	P	—	
<b>Cannabis - Manufacturing</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
<b>Cannabis - Testing</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
Ceramic product manufacturing	P	P	P	—	
Chemical product manufacturing	—	—	CUP	—	
Concrete, gypsum and plaster products	—	P	CUP	—	
Cosmetic and pharmaceutical manufacturing	P	P	P	—	
Electronics assembly	P	P	P	—	
Electronics equipment manufacturing	P	P	P	—	
Explosives, fireworks, and ordinance manufacturing	—	—	CUP	—	
Fertilizer plant	—	—	CUP	—	
Fish cannery	—	—	CUP	—	
Food and beverage product manufacturing	—	P	P	—	
Foundry	—	P(3)	P	—	
Furniture/fixtures manufacturing, cabinet shops	—	P	P	—	
Handcraft industry, small scale manufacturing	P	P	P	—	
Laboratory - Medical, analytical, research and development	P	P	P	—	
Laundry, dry cleaning plant	—	P	P	—	
Lumber and wood product manufacturing	—	P	CUP	—	
Media production	—	—	—	—	
Merchandise manufacturing	—	P	P	—	
Metal products fabrication, machine and welding shops	—	P(4)	P	—	
Motor vehicle and transportation equipment manufacturing	—	P(5)	P	—	
Music recording studio	CUP	CUP	CUP	CUP	
<b>Additional INDUSTRY, MANUFACTURING &amp; PROCESSING, WHOLESALING uses are listed on the following page.</b>					

**Key to Zone Symbols**

<b>M-RP</b>	Industrial Research Park	<b>M-CR</b>	Coastal-Related Industry
<b>M-1</b>	Light Industry	<b>M-CD</b>	Coastal-Dependent Industry
<b>M-2</b>	General Industry		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.25.030.D (Development Plan approval required).
- (3) Limited to the casting of lightweight non-ferrous metal not causing noxious fumes or odors.
- (4) Does not include drop hammers.
- (5) Limited to automobiles.

<b>Table 2-22 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Industrial Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE				Specific Use Regulations
	M-RP	M-1	M-2	M-CR	

**RETAIL TRADE**

Auto and vehicle sales and rental	—	—	—	—	
Bar, tavern, brew pub	—	P	—	—	
Building and landscape materials sales - Indoor	—	P	—	—	
Building and landscape materials sales - Outdoor	—	P	—	—	
<b>Cannabis - Retail</b>	<b>—</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>35.42.075</b>
Drive-through facility, accessory	CUP	CUP	CUP	CUP	35.42.130
Farm supply and feed store	—	P	—	—	
Office-supporting retail	P	P	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	—	—	
Service station	—	—	—	—	

**Key to Zone Symbols**

<b>M-RP</b>	Industrial Research Park	<b>M-CR</b>	Coastal-Related Industry
<b>M-1</b>	Light Industry	<b>M-CD</b>	Coastal-Dependent Industry
<b>M-2</b>	General Industry		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.25.030.D (Development Plan approval required).
- (3) Dwellings maybe allowed for the employees of the owner or lessee of the land engaged in a permitted use of the land upon which the dwelling is located.
- (4) Same permit requirement as required for an adjacent lot zoned agricultural or residential if agricultural uses are allowed.

<b>Table 2-22 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Industrial Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>M-RP</b>	<b>M-1</b>	<b>M-2</b>	<b>M-CR</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	CUP	CUP	
Airstrip, temporary	—	—	CUP	—	
<b>Cannabis - Distribution</b>	<b>S</b>	<b>S</b>	<b>S</b>	<b>—</b>	<b>35.42.075</b>
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	MCUP	P	P	MCUP	
Electrical substation - Major	—	P	P	—	
Electrical transmission line (4) (5)	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (6)	P	P	P	P	
Flood control project, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	
Heliport	CUP	CUP	CUP	CUP	
Marine terminal, onshore facility for petroleum transport	—	—	—	—	
Pier, dock	—	—	—	—	
Pipeline - Oil and gas	P	P	P	P	35.5
Public utility facility	CUP	CUP	CUP	CUP	
Public works or private service facility	MCUP	MCUP	MCUP	MCUP	
Road, street, less than 20,000 sf total area (6)	P	P	P	P	
Road, street, 20,000 sf or more total area (6)	MCUP	MCUP	MCUP	MCUP	
Sea wall, revetment, groin, or other shoreline structure	—	—	—	—	
Telecommunications facility	S	S	S	S	35.44
Truck or freight terminal	—	P	P	—	
Utility service line with less than 5 connections(4)	—	—	—	—	
Utility service line with 5 or more connections (4)	—	—	—	—	
Vehicle dispatch facility	—	MCUP	MCUP	—	
Vehicle storage	—	P	P	—	
Wind energy systems	S	S	S	S	35.57

**Key to Zone Symbols**

<b>M-RP</b>	Industrial Research Park	<b>M-CR</b>	Coastal-Related Industry
<b>M-1</b>	Light Industry	<b>M-CD</b>	Coastal-Dependent Industry
<b>M-2</b>	General Industry	<b>CZ</b>	Coastal Zone

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.25.030.D (Development Plan approval required).
- (3) Use is subject to the standards of the PU Zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not allowed in the VC overlay.
- (6) Not applicable to facilities constructed by the County outside of the Coastal Zone.

### 35.26.030 – Special Purpose Zones Allowable Land Uses

<b>Table 2-24</b>  <b>Allowed Land Uses and Permit Requirements for Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Agricultural accessory structure	—	P (3)	P	—	—	35.42.020
Agricultural processing - On-premise products	—	P (3)	—	—	—	
Animal keeping (except equestrian facilities- see RECREATION)	S	S (3)	S	S	S	35.42.060
Aquaculture	—	—	—	—	—	
<b>Cannabis - Cultivation and microbusiness</b>	—	—	—	—	—	
Cultivated agriculture, orchard, vineyard	—	P (3)	E	—	—	
Grazing	—	E	—	—	—	
Greenhouse, 300 sf or less	—	—	P	—	—	35.42.140
Greenhouse, more than 300 sf	—	—	—	—	—	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	—	—	CUP	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	—	—	P (4)	P (4)	P (4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	—	—	CUP	CUP	CUP	35.82.160
Oil & gas uses	—	—	—	—	—	35.5

#### INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Bakery and baked goods production and distribution	—	—	—	—	—	
Business machine manufacturing and assembly	—	—	—	—	—	
<b>Cannabis - Manufacturing</b>	S	—	—	S	S	35.42.080
<b>Cannabis - Testing</b>	—	—	—	—	—	35.42.080
Ceramic product manufacturing	—	—	—	—	—	
Cosmetic and pharmaceutical manufacturing	—	—	—	—	—	
Electronics assembly	—	—	—	—	—	
Electronics, equipment, and appliance manufacturing	—	—	—	—	—	
Food and beverage product manufacturing	—	—	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	—	—	—	
Handcraft industry, small scale manufacturing	P	—	—	—	—	
Laboratory - Medical, analytical, research and development	—	—	—	—	—	
Media production	P	—	—	—	—	
Merchandise manufacturing	P	—	—	—	—	
Precision machine shop	—	—	—	—	—	
Printing and publishing	P	—	—	—	—	
Recycling - Community recycling facility	—	—	—	—	—	
Recycling - Small collection center	—	—	—	—	—	
Recycling - Small collection center, non-profit	—	—	—	—	—	
Recycling - Specialized materials collection center	—	—	—	—	—	
Research and development	—	—	—	—	—	
Storage - Personal storage facility (mini-storage)	—	—	—	—	—	
Storage - Warehouse	—	—	—	—	—	
Wholesaling and distribution	—	—	—	—	—	

#### Key to Zone Symbols

<b>MU</b>	Mixed Use	<b>OT-R/LC</b>	Old Town - Residential/Light Commercial
<b>NTS</b>	Naples Townsite	<b>OT-R/GC</b>	Old Town - Residential/General Commercial
<b>OT-R</b>	Old Town - Residential		

#### Notes:

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Shall not be allowed within easement areas designated as part of an Open Space and Habitat Management Plan in compliance with Section 35.26.060.
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.



Table 2-24 - Continued  Allowed Land Uses and Permit Requirements for Special Purpose Zones	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
CUP	Conditional Use Permit required					
S	Permit determined by Specific Use Regulations					
—	Use Not Allowed					
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	
<b>RETAIL TRADE</b>						
Agricultural product sales, on-site production only	—	P	MCUP	—	—	35.42.050
Auto and vehicle sales and rental	—	—	—	—	P	
Bar, tavern	P (7)	—	—	—	P (7)	
Building and landscape materials sales - Outdoor	—	—	—	—	—	
<b>Cannabis - Retail</b>	<b>S</b>	<b>—</b>	<b>—</b>	<b>S</b>	<b>S</b>	<b>35.42.075</b>
Clothing store	P	—	—	P	P	
Convenience store	P	—	—	—	P	
Drive-through facility	—	—	CUP	CUP	CUP	35.42.130
General retail	P	—	—	—	P	
Grocery/food store	P	—	—	—	P	
Office supporting retail	P	—	—	—	P	
Plant nursery	P (8)	—	—	—	P	
Restaurant, café, coffee shop - Indoor and outdoor	P (7)	—	—	—	P (7)	
Restaurant, café, coffee shop - Accessory to recreation use	—	—	—	—	—	
Service station	—	—	—	—	P	
Visitor-serving commercial	—	—	—	—	P	

**Key to Zone Symbols**

<b>MU</b>	Mixed Use	<b>OT-R/LC</b>	Old Town - Residential/Light Commercial
<b>NTS</b>	Naples Townsite	<b>OT-R/GC</b>	Old Town - Residential/General Commercial
<b>OT-R</b>	Old Town - Residential		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) A Zoning Clearance (Section 35.82.210) is required instead of a Land Use Permit for a primary one-family dwelling on a lot that resulted from recordation of a Final (Tract) Map for which its Tentative Map was approved after January 1, 1990, and was vacant at the time the Final Map was recorded.
- (4) Use not allowed if the OT designation is OT-LC or OT-GC, and not OT-R/LC or OT-G/LC.
- (5) Not allowed in addition to an artist studio.
- (6) Second unit restricted to lots where the primary use is a one-family dwelling.
- (7) May include beer brewing and wine making provided (a) the area devoted to beer brewing and wine making, including the area devoted to equipment and storage of materials and supplies, does not exceed 50 percent of the interior floor area of the primary business, and (b) the product is primarily sold for on-site consumption.
- (8) Must be conducted within a completely enclosed building.

<b>Table 2-24 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
LAND USE (1)	PERMIT REQUIRED BY ZONE					Specific Use Regulations
	MU	NTS	OT-R	OT-R/LC	OT-R/GC	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Agricultural product transportation facility	—	CUP	—	—	—	35.36.040.B.2
Airstrip, public	—	—	CUP	CUP	CUP	
Airstrip, private and temporary	—	—	CUP	CUP	CUP	
Airstrip, temporary	—	—	—	—	—	
Boat launching facility accessory to approved recreation use	—	—	—	—	—	
<b>Cannabis - Distribution</b>	—	—	—	—	—	
Drainage channel, water course, storm drain, less than 20,000 sf	P	—	P	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	P	MCUP	MCUP	MCUP	
Electrical substation - Minor (3)	—	MCUP	MCUP	MCUP	MCUP	
Electrical substation - Major	—	—	—	—	—	
Electrical transmission line (4)	CUP	CUP	CUP	CUP	CUP	
Flood control project, less than 20,000 sf total area (5)	P	P	P	P	P	
Flood control project, 20,000 sf or more total area (5)	MCUP	MCUP	MCUP	MCUP	MCUP	
Freeways and related facilities	—	—	—	—	—	
Heliport	—	—	CUP	CUP	CUP	
Parking facility, conjunctive use	CUP	—	—	—	—	35.36.120
Parking facility, public or private	—	—	P	—	P	
Pier, dock	—	—	—	—	—	
Pipeline - Oil and gas	P	—	P	P	P	35.5
Public utility facility	CUP	—	CUP	CUP	CUP	
Public works or private service facility	—	—	MCUP	MCUP	MCUP	
Railroad	—	—	—	—	—	
Road, street, less than 20,000 sf total area (5)	P	P	P	P	P	
Road, street, 20,000 sf or more total area (5)	P	MCUP	P	P	P	
Telecommunications facility	S	S	S	S	S	35.44
Transit station or terminal	—	—	—	—	—	
Truck and freight terminal - Temporary	—	—	—	—	—	
Truck and freight terminal - Permanent	—	—	—	—	—	
Utility service line with less than 5 connections (4)	—	P	—	—	—	
Utility service line with 5 or more connections (4)	—	MCUP	—	—	—	
Wind turbines and wind energy systems	S	S	S	S	S	35.57

**Key to Zone Symbols**

<b>MU</b>	Mixed Use	<b>OT-R/LC</b>	Old Town - Residential/Light Commercial
<b>NTS</b>	Naples Townsite	<b>OT-R/GC</b>	Old Town - Residential/General Commercial
<b>OT-R</b>	Old Town - Residential		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Use is subject to the standards of the PU zone.
- (4) Does not include lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

<b>Table 2-25</b>  <b>Allowed Land Uses and Permit Requirements for the Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use or Coastal Permit required (2)
	MCUP	Minor Conditional Use Permit required
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>	
	<b>PU</b>	<b>REC</b>
		<b>Specific Use Regulations</b>

**AGRICULTURAL, MINING, & ENERGY FACILITIES**

Agricultural accessory structure	P	—	35.42.020
Agricultural processing - On-premise products	P	—	
Animal keeping (except equestrian facilities - see RECREATION below)	S	S	35.42.060
Aquaculture	—	—	35.42.070
<b>Cannabis - Cultivation and microbusiness</b>	—	—	
Cultivated agriculture, orchard, vineyard	E	—	
Grazing	E	—	
Greenhouse, less than 300 sf	P	—	35.42.140
Greenhouse, 300 sf or more	P	—	35.42.140
Mining, extraction & quarrying of natural resources, not including gas, oil & other hydrocarbons	CUP	CUP	35.82.160
Mining - Surface, less than 1,000 cubic yards	P (3)	P(4)	35.82.160
Mining - Surface, 1,000 cubic yards or more	CUP	CUP	35.82.160
Oil and gas uses	—	S	35.5

**INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING**

Bakery and baked goods production and distribution	—	—	
Business machine manufacturing and assembly	—	—	
<b>Cannabis - Manufacturing</b>	—	—	
<b>Cannabis - Testing</b>	—	—	
Ceramic product manufacturing	—	—	
Cosmetic and pharmaceutical manufacturing	—	—	
Food and beverage product manufacturing	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	
Handcraft industry, small scale manufacturing	—	—	
Laboratory - Medical, analytical, research and development	—	—	
Media production	—	—	
Merchandise manufacturing	—	—	
Precision machine shop	—	—	
Printing and publishing	—	—	
Recycling - Community recycling facility	—	—	
Recycling - Small collection center	—	—	
Recycling - Small collection center, non-profit	—	—	
Recycling - Specialized materials collection center	—	—	
Research and development	—	—	
Storage - Warehouse, not used for wholesaling or distribution	—	—	
Wholesaling and distribution	—	—	

**Key to Zone symbols**

<b>PU</b>	Public Works Facilities	<b>TC</b>	Transportation Corridor
<b>REC</b>	Recreation		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (4) On one or more locations or lots under the control of an operator that do not exceed a total area of one acre; if the total area exceeds one acre, then a CUP is required.

<b>Table 2-25 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for the Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use or Coastal Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>PU</b>	<b>REC</b>	

**RETAIL TRADE**

Agricultural product sales, on-site production only	MCUP	—	35.42.050
Auto and vehicle sales and rental	—	—	
Bar, tavern	—	—	
Building and landscape materials sales - Outdoor	—	—	
<b>Cannabis - Retail</b>	—	—	
Clothing store	—	—	
Convenience store	—	—	
Convenience store, in mixed use project	—	—	
Drive-through facility	CUP	CUP	35.42.130
General retail	—	—	
Grocery/food store	—	—	
Office supporting retail	—	—	
Plant nursery	—	—	
Restaurant, café, coffee shop - Indoor and outdoor	—	—	
Restaurant, café, coffee shop - Accessory to recreation use	—	CUP	
Service station	—	—	
Visitor-serving commercial	—	—	

**Key to Zone symbols**

<b>PU</b>	Public Works Facilities	<b>TC</b>	Transportation Corridor
<b>REC</b>	Recreation		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (4) Allowed only in an urban area designated by the Coastal Land Use Plan.

<b>Table 2-25 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for the Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use or Coastal Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>PU</b>	<b>REC</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Airport, public	CUP	CUP	
Airstrip, private and temporary	CUP	CUP	
Airstrip, temporary	—	—	
Boat launching facility accessory to approved recreation use	—	P	
<b>Cannabis - Distribution</b>	<b>—</b>	<b>—</b>	
Drainage channel, water course, storm drain, less than 20,000 sf	P	P	
Drainage channel, water course, storm drain, 20,000 sf or more	MCUP	MCUP	
Electrical substation - Minor (4)	MCUP	MCUP	
Electrical substation - Major	P	—	
Electrical transmission line (5) (6)	CUP	CUP	
Flood control project, less than 20,000 sf total area (7)	P	—	
Flood control project, 20,000 sf or more total area (7)	MCUP	MCUP	
Freeways and related facilities	—	—	
Heliport	CUP	CUP	
Parking facility, conjunctive use	—	—	
Parking facility, public or private	—	—	
Pier, dock	—	P	
Pipeline - Oil and gas	P	P	35.5
Public utility facility	P	CUP	
Public works or private service facility	MCUP	MCUP	
Railroad	—	—	
Road, street, less than 20,000 sf total area (7)	P	P	
Road, street, 20,000 sf or more total area (7)	P	P	
Roadside rest area operated by a governmental agency	—	—	
Sea wall, revetment, groin, or other shoreline structure	—	—	
Telecommunications facility	S	S	35.44
Transit station or terminal	—	—	
Truck and freight terminal - Temporary	—	—	
Truck and freight terminal - Permanent	—	—	
Underground gas storage	P	—	
Utility service lines with less than 5 connections (5)	—	—	
Utility service lines with 5 or more connections (5)	—	—	
Vehicle inspection station, permanent, governmental	—	—	
Wind turbines and wind energy systems	S	S	35.57

**Key to Zone symbols**

<b>PU</b>	Public Works Facilities	<b>TC</b>	Transportation Corridor
<b>REC</b>	Recreation		

**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.26.030.C.
- (3) Uses allowed as a “P” in abutting zones and in compliance with any applicable specific use regulations.
- (4) Subject to standards of the PU zone.
- (5) Does not include lines outside the jurisdiction of the County.
- (6) Not allowed in the VC overlay.
- (7) Not applicable to facilities constructed by the County outside of the Coastal Zone.
- (8) May include park and ride facilities.

## CHAPTER 35.42 - STANDARDS FOR SPECIFIC LAND USES

### 35.42.075 – Cannabis Regulations

#### A. Purpose and applicability.

1. **Purpose.** This Section establishes the standards to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls in compliance with state law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment, by establishing minimum land use requirements for the medicinal and adult use of cannabis activities including cultivation, distribution, transportation, storage, manufacturing, processing, and sales.
2. **Applicability.** The standards of this Section shall apply to all cannabis activities as that use is defined in Section 35.110.020 (Definition of Specialized Terms and Phrases). Cannabis activities must also comply with the following:
  - a. All cannabis activities shall comply with the provisions of this Section, as well as all applicable state laws, regardless of whether the activity existed or occurred prior to [effective date of ordinance], the effective date of this Section.
  - b. Nothing in this Section is intended, nor shall it be construed, to allow persons to engage in conduct that endangers others or causes a public nuisance, or allows any activity relating to the cultivation, distribution, or consumption of cannabis that is illegal under state law.
  - c. Nothing in this Section is intended, nor shall it be construed, to exempt the cultivation of cannabis from compliance with all other applicable County zoning and land use regulations, as well as other applicable provisions of the County Code, state and local cannabis licensing requirements, or compliance with any applicable state laws.
  - d. All persons operating facilities and conducting cannabis activities, as defined in this Section, are subject to possible federal prosecution, regardless of the protections provided by State or local law.

#### B. Allowed uses and permit requirements.

- a. Cannabis activities may only occur in compliance with the approval of the applicable permit identified in the following Tables X-1 through X-6. The required permit shall be obtained and all applicable conditions of the permit shall be satisfied prior to the commencement of the cannabis activity.
- b. **Personal Use.** Personal use cultivation of cannabis is allowed without a land use entitlement, provided that it complies with the following standards:
  - (1) Only adults 21 years or above may use and grow cannabis for personal use within a legally established dwelling.
  - (2) The individual, possesses, stores, or cultivates cannabis exclusively for their personal use, and does not provide, donate, sell, or distribute cannabis to any other person.
  - (3) Personal growing of cannabis is limited to six plants per legally established dwelling.
  - (4) Outdoor cultivation shall not be permitted.
  - (5) The growing area shall not impact areas that are required to satisfy the parking requirement for the primary use of the lot.
  - (6) None of the cannabis cultivation or consumption activities shall be detectable (e.g., due to odor or lighting) outside of the building in which the activities occur.
  - (7) No cannabis shall be cultivated in accessory structures.

***Agricultural Zones Allowable Land Uses for Cannabis***

<b>Table X-1</b>  <b>Permit Requirements for Cannabis in Agricultural Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>AG-I</b>	<b>AG-II</b>		

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cannabis Cultivation - Type 1, Type 1A, Type 1B, Type 1C	P	P	35.42.075
Cannabis Cultivation -Type 2, Type 2A, Type 2B	P	P	35.42.075
Cannabis Cultivation -Type 3, Type 3A, Type 3B	P	P	35.42.075
Cannabis Cultivation - Type 4	P	P	35.42.075
Microbusiness - Type 12	—	CUP(2)	

**CANNABIS DISTRIBUTION, MANUFACTURING, AND TESTING**

Distribution - Type 11	MCUP	P	
Manufacturing - Type 6	P	P	35.42.075
Manufacturing - Type 7	CUP	CUP	35.42.075
Testing - Type 8	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	
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**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.
- (2) Microbusiness - Type 12 only allows delivery retail and not store front retail.

***Resource Protection Zones Allowable Land Uses for Cannabis***

<b>Table X-2</b>  <b>Permit Requirements for Cannabis in Resource Protection Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>MT-GAV</b>	<b>MT-GOL</b>	<b>MT-TORO</b>	<b>RMZ</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	—	
Cultivation Type 4	—	—	—	—	
Microbusiness - Type 12	—	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	—	
Manufacturing - Type 6	—	—	—	—	
Manufacturing - Type 7	—	—	—	—	
Testing - Type 8	—	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	—	—	
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**Notes:**

- (1) See Article 35.11 (Glossary) for land use definitions.

**Residential Zones Allowable Land Uses for Cannabis**

<b>Table X-3</b>  <b>Permit Requirements for Cannabis in Residential Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>RR</b>	<b>R-1/E-1</b>	<b>EX-1</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	
Cultivation Type 4	—	—	—	
Microbusiness - Type 12	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	
Manufacturing - Type 6	—	—	—	
Manufacturing - Type 7	—	—	—	
Testing - Type 8	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	—	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-3 - Continued</b>  <b>Permit Requirements for Cannabis in Residential Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>R-2</b>	<b>DR</b>	<b>MR-O</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	—	
Cultivation Type 4	—	—	—	—	
Microbusiness - Type 12	—	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	—	
Manufacturing - Type 6	—	—	—	—	
Manufacturing - Type 7	—	—	—	—	
Testing - Type 8	—	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	—	—	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.



<b>Table X-3 - Continued</b>  <b>Permit Requirements for Cannabis in Residential Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>SLP</b>	<b>MHP</b>	<b>MHS</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	
Cultivation Type 4	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	—	
Microbusiness - Type 12	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	
Manufacturing - Type 6	—	—	—	
Manufacturing - Type 7	—	—	—	
Testing - Type 8	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	—	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

**Commercial Zones Allowable Land Uses for Cannabis**

<b>Table X-4</b>  <b>Permit Requirements for Cannabis in Commercial Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>CN</b>	<b>C-1</b>	<b>C-2</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	
Cultivation Type 4	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	—	
Microbusiness - Type 12	—	CUP	CUP	35.42.075

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	
Manufacturing - Type 6	—	P	P	35.42.075
Manufacturing - Type 7	—	—	—	
Testing - Type 8	—	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	P	P	35.42.075
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-4 - Continued</b>  <b>Permit Requirements for Cannabis in Commercial Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>C-3</b>	<b>CS</b>	<b>CH</b>	<b>CM-LA</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	P	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	P	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	P	—	—	—	
Cultivation Type 4	P	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	P	—	—	—	
Microbusiness - Type 12	CUP	CUP	—	—	35.42.075

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	P	—	—	—	35.42.075
Manufacturing - Type 6	P	P	—	P	35.42.075
Manufacturing - Type 7	—	—	—	—	
Testing - Type 8	P	—	—	—	35.42.075

**CANNABIS RETAIL**

Retail - Type 10	P	P	—	P	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-4 - Continued</b>  <b>Permit Requirements for Cannabis in Commercial Zones</b>	E	Allowed use, no permit required (Exempt)		
	P	Permitted use, Land Use or Coastal Permit required (2)		
	MCUP	Minor Conditional Use Permit required		
	CUP	Conditional Use Permit required		
	S	Permit determined by Specific Use Regulations		
	—	Use Not Allowed		
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>			<b>Specific Use Regulations</b>
	<b>C-V</b>	<b>SC</b>	<b>PI</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	
Cultivation Type 4	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	—	
Microbusiness - Type 12	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Distribution - Type 11	—	—	—	
Manufacturing - Type 6	—	P	—	35.42.075
Manufacturing - Type 7	—	—	—	
Testing - Type 8	—	—	P	35.42.075

**CANNABIS RETAIL**

Retail - Type 10	—	P	—	35.42.075
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

**Industrial Zones Allowable Land Uses for Cannabis**

<b>Table X-5</b>  <b>Permit Requirements for Cannabis in Industrial Zones</b>	E	Allowed use, no permit required (Exempt)			
	P	Permitted use, Land Use or Coastal Permit required (2)			
	MCUP	Minor Conditional Use Permit required			
	CUP	Conditional Use Permit required			
	S	Permit determined by Specific Use Regulations			
	—	Use Not Allowed			
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>				<b>Specific Use Regulations</b>
	<b>M-RP</b>	<b>M-1</b>	<b>M-2</b>	<b>M-CR</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	P	P	P	—	35.42.075
Cultivation Type 2, Type 2A, Type 2B	P	P	P	—	35.42.075
Cultivation Type 3, Type 3A, Type 3B	P	P	P	—	35.42.075
Cultivation Type 4	P	P	P	—	35.42.075
Cultivation Type 5, Type 5A, Type 5B	P	P	P	—	35.42.075
Microbusiness - Type 12	—	CUP	CUP	—	35.42.075

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Cannabis Distribution - Type 11	P	P	P	—	35.42.075
Cannabis Manufacturing - Type 6	P	P	P	—	35.42.075
Cannabis Manufacturing - Type 7	—	P	P	—	35.42.075
Cannabis Testing - Type 8	P	P	P	—	35.42.075

**CANNABIS RETAIL**

Retail - Type 10	—	P	—	—	35.42.075
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

**Special Purpose Zones Allowable Land Uses for Cannabis**

<b>Table X-6</b>  <b>Permit Requirements for Cannabis in Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)				
	P	Permitted use, Land Use or Coastal Permit required (2)				
	MCUP	Minor Conditional Use Permit required				
	CUP	Conditional Use Permit required				
	S	Permit determined by Specific Use Regulations				
	—	Use Not Allowed				
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>					<b>Specific Use Regulations</b>
	<b>MU</b>	<b>NTS</b>	<b>OT-R</b>	<b>OT-R/LC</b>	<b>OT-R/GC</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	—	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	—	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	—	—	—	
Cultivation Type 4	—	—	—	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	—	—	—	
Microbusiness - Type 12	—	—	—	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Cannabis Distribution - Type 11	—	—	—	—	—	
Cannabis Manufacturing - Type 6	P	—	—	P	P	35.42.075
Cannabis Manufacturing - Type 7	—	—	—	—	—	
Cannabis Testing - Type 8	—	—	—	—	—	35.42.075

**CANNABIS RETAIL**

Retail - Type 10	P	—	—	P	P	35.42.075
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

<b>Table X-6 - Continued</b>  <b>Permit Requirements for Cannabis in Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use or Coastal Permit required (2)	
	MCUP	Minor Conditional Use Permit required	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>PU</b>	<b>REC</b>	

**CANNABIS CULTIVATION AND MICROBUSINESS**

Cultivation Type 1, Type 1A, Type 1B, Type 1C	—	—	
Cultivation Type 2, Type 2A, Type 2B	—	—	
Cultivation Type 3, Type 3A, Type 3B	—	—	
Cultivation Type 4	—	—	
Cultivation Type 5, Type 5A, Type 5B	—	—	
Microbusiness - Type 12	—	—	

**CANNABIS DISTRIBUTION, MANUFACTURING AND TESTING**

Cannabis Distribution - Type 11	—	—	
Cannabis Manufacturing - Type 6	—	—	
Cannabis Manufacturing - Type 7	—	—	
Cannabis Testing - Type 8	—	—	

**CANNABIS RETAIL**

Retail - Type 10	—	—	
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**Notes:**

(1) See Article 35.11 (Glossary) for land use definitions.

**C. Commercial Permit Types.**

**1. Cultivation.**

- a. Type 1 - Cultivation; Specialty outdoor; Small.
- b. Type 1A - Cultivation; Specialty indoor; Small.
- c. Type 1B - Cultivation; Specialty mixed-light; Small.
- d. Type 1C - Cultivation; Specialty cottage; Small.
- e. Type 2 - Cultivation; Outdoor; Small.
- f. Type 2A - Cultivation; Indoor; Small.
- g. Type 2B - Cultivation; Mixed-light; Small.
- h. Type 3 - Cultivation; Outdoor; Medium.
- i. Type 3A - Cultivation; Indoor; Medium.
- j. Type 3B - Cultivation; Mixed-light; Medium.
- k. Type 4 - Cultivation; Nursery.

**2. Manufacturing.**

- a. Type 6 - Manufacturer 1.
- b. Type 7 - Manufacturer 2.

**3. Testing.**

- a. Type 8 - Testing.

**4. Retailer.**

- a. Type 10 - Retailer.

**5. Distributor.**

- a. Type 11 - Distributor.

**6. Microbusiness.**

- a. Type 12 - Microbusiness.

**D. Specific Use Development Standards.** All cannabis activities shall comply with the following development standards.

**1. Cultivation.**

- a. A cultivation operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- b. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the lot on which the sensitive receptor is located to the closest property line of the lot on which the cannabis cultivator is to be located without regard to intervening structures.
- c. Cultivation shall only be allowed indoors in the zones of C3, M-RP, M-1, and M-2 in compliance with the permit requirement identified in Article 35.2 (Zones and Allowable Land Uses).
- d. Post-processing and packaging of cannabis products shall be considered an ancillary use to the cultivation entitlement.

**2. Manufacturing.**

- a. All cannabis manufacturing operations shall ensure that cannabis is obtained from permitted and licensed cultivation sources and shall comply with State regulations to ensure that all manufactured cannabis products are properly stored, labeled, transported, and inspected, prior to distribution at a legally permitted and licensed dispensary.
- b. The manufacturing facility shall comply with all of the cannabis manufacturing requirements of the State and County.
- c. A non-volatile manufacturing operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- d. A volatile manufacturing operation permitted under this division shall not be located within a 1,200 foot radius of a sensitive receptor that is in existence at the time the license is issued.
  - (1) The applicant shall provide a list of all youth centers located within 600 feet from the lot line.
- e. The distances specified in this section shall be the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the cannabis manufacturer is to be located.
- f. The permittee of a volatile manufacturing operation permitted under this division shall train the employees of the cannabis manufacturing facility on the proper use of equipment and on the proper hazard response protocols in the event of equipment failure.
- g. No cannabis manufacturing shall be allowed as a Home Occupation including (but not limited to) Cottage Food Operations and In-home Retail Sales in accordance with section 35.42.190.

**3. Retailer.**

- a. A retail operation permitted under this division shall not be located within a 600 foot radius of a sensitive receptor that is in existence at the time the license is issued.
- b. The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the sensitive receptor to the closest property line of the lot on which the cannabis cultivator is to be located.
- c. Retail operations shall implement and maintain sufficient security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products in compliance with the California Business and Professions Code.
- d. Microbusiness shall only include delivery retail in AG-II, M-1, and M-2 zones in compliance with the permit requirement identified in Article 35.2 (Zones and Allowable Land Uses). No retail sales shall occur on the lot on which the microbusiness exists, in AG-II, M-1, and M-2 zones.

- 4. Testing.** Cannabis testing facilities shall adopt standard operating procedures using methods consistent with general requirements for the competence of testing and calibration activities, including sampling, using standard methods established by the International Organization for Standardization that are approved by an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement and in with State law and regulations.

**E. General Commercial Development Standards.**

- 1. Fencing.** Prohibited fencing materials include tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.

**2. Lighting.**

- a. No lighting for cultivation purposes, except that necessary for security, shall be visible at cultivation sites from sunset to sunrise, such that no light can be detected outside of the structure.
- b. Any outdoor light used for the illumination of parking areas and/or loading areas, or for security shall be arranged in a manner to be fully shielded, downlit and emit no light rays above the horizontal plane and effectively obscure the visibility of the lamp.

**3. Noise.**

- a. The use of generators for cultivation is prohibited, except for temporary use in the event of a power outage or emergency.
- b. Environmental control systems shall be located and/or shielded to avoid generating incompatible noise to sensitive receptors, in compliance with the Santa Barbara County Noise Element.

**4. Odor.**

- a. The Permittee shall prepare an odor abatement plan that includes (but is not limited to):
  - (1) Designating an individual who is responsible for responding to odor complaints, 24-hours a day, seven days a week.
  - (2) Providing property owners and residents of property within a 1,000 foot radius of the cannabis facility, with the contact information of the individual responsible for responding to odor complaints.
  - (3) Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the responsible party on how to respond to an odor complaint.
  - (4) The description of methods for reducing odors, including minimizing potential add-on air pollution control equipment.

- 5. Security.** The operator of a dispensary must:
  - a. Prevent individuals from loitering on the premises of the dispensary if they are not engaging in activity expressly related to the operations of the dispensary.
  - b. Establish limited access areas accessible only to authorized dispensary personnel.
  - c. Store all cannabis and cannabis products in a secured and locked safe room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis and cannabis products used for display purposes, samples or immediate sale.
  - d. Install security cameras on site in accordance with State law and regulations.
- 6. Signage.** All Signs shall comply with Chapter 35.38 - Sign Standards.
- F. Records.** The owner and all permittees of cannabis activities requiring approval of a land use entitlement shall maintain clear and adequate records and documentation, in accordance with the States track-and-trace program, demonstrating that all cannabis or cannabis products have been obtained from and are provided to other permitted and licensed cannabis operations. The County shall have the right to examine, monitor, and audit such records and documentation, which shall be made available to the County upon request.
- G. Inspection.** All land use permits and permitted cannabis activity sites are subject to review and inspection from law enforcement or any agents of the State or County charged with enforcement of this Chapter and in accordance with Chapter 35.108 (Enforcement and Penalties).
- H. State license required.** The Permittee of a cannabis activity that requires one or more of the State cannabis license types set forth in California Business and Professions Code shall: (1) obtain the requisite State cannabis license for the cannabis activity; and (2) conduct the cannabis activity in compliance with the State cannabis license.
- I. Land use permit compliance.** Following issuance of the land use entitlement for the cannabis activity, all cannabis activities that are subject to a land use entitlement shall be subject to a County inspection to determine compliance with the land use entitlement.
- J. Revocation.**
  1. An entitlement to allow cannabis activities may be revoked in compliance with Section 35.84.060 (Revocations).
  2. In addition to the basis for revocation in compliance with Subsection 35.474.060.A (Revocations), the entitlement may also be revoked if the applicant, after receiving entitlement:
    - a. fails or refuses to inform the County of alterations to the property that would compromise the original permit approval (e.g., removal of required parking, conversion of space);
    - b. has submitted false or misleading information as part of the application;
    - c. fails to comply with the permit conditions;
    - d. fails to obtain or comply with any other required County, state or local permit;
    - e. fails to comply with one or more of the conditions of the entitlement; or
    - f. the ownership or control of the cannabis business has been transferred and/or sold, an entitlement issued pursuant to this Chapter has been transferred and/or sold, or the title of any of the lots constituting the site on which the entitlement was originally issued has been transferred.

## CHAPTER 35.110 - DEFINITIONS

### 35.110.010 - Purpose

This Chapter provides definitions of terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the County Code, these definitions shall control for the purposes of this

Development Code. If a word is not defined in this Chapter, or in other provisions of the Santa Barbara County Code, the Director shall determine the correct definition utilizing State law and the latest edition standard dictionary. In cases where a definition is provided in both State law and the latest edition standard dictionary, and the definitions conflict with one-another, the definition set forth in State law shall take precedent.

### **35.110.020 - Definitions of Specialized Terms and Phrases**

**Cannabis.** The following terms and phrases are defined for the purposes of Chapter 35.42.075 (Cannabis).

- 1. Commercial cannabis activity.** The cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery, or sale of medical or recreational cannabis or a medical or recreational cannabis product, except as set forth in Section 19319 of the Business and Professions Code, related to qualifying patients and primary caregivers of medical cannabis or medical cannabis products.
- 2. Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, or trimming of cannabis, as well as grading of land to conduct any such activity.
- 3. Outdoor cultivation.** The cultivation of cannabis without the use of light deprivation and/or artificial lighting in the canopy area. Supplemental low intensity lighting is permissible only to maintain immature plants as a source for propagation.
- 4. Indoor cultivation.** The cultivation of cannabis within a structure using 15 artificial bulbs, at a rate greater than 25 watts per square foot.
- 5. Personal Use.** The cultivation, harvesting, drying, or processing of cannabis plants with the intent to possess, smoke, or ingest cannabis or cannabis products for their own individual use.
- 6. Permit Types:**
  - a. Cultivation.**
    - 1) Type 1, or “specialty outdoor,” for outdoor cultivation using no artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises, or up to 50 mature plants on noncontiguous plots.
    - 2) Type 1A, or “specialty indoor,” for indoor cultivation using exclusively artificial lighting of between 501 and 5,000 square feet of total canopy size on one premises.
    - 3) Type 1B, or “specialty mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of between 2,501 and 5,000 square feet of total canopy size on one premises.
    - 4) Type 1C, or “specialty cottage,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises.
    - 5) Type 2, or “small outdoor,” for outdoor cultivation using no artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 6) Type 2A, or “small indoor,” for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 7) Type 2B, or “small mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
    - 8) Type 3, or “outdoor,” for outdoor cultivation using no artificial lighting from 10,001 square feet to one acre, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.



- 9) Type 3A, or “indoor,” for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
  - 10) Type 3B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
  - 11) Type 4, or “nursery” for cultivation of cannabis solely as a nursery.
  - 12) Type 5, or “outdoor,” for outdoor cultivation using no artificial lighting greater than one acre, inclusive, of total canopy size on one premises.
  - 13) Type 5A, or “indoor,” means for indoor cultivation using exclusively artificial lighting greater than 22,000 square feet, inclusive, of total canopy size on one premises.
  - 14) Type 5B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, greater than 22,000 square feet, inclusive, of total canopy size on one premises.
- b. Manufacturing.**
- 1) Type 6, or "manufacturing Level 1," for sites that manufacture marijuana products using nonvolatile solvents, or no solvents.
  - 2) Type 7, or “manufacturing Level 2,” for sites that manufacture marijuana products using volatile solvents.
- c. Testing.** Type 8, or “testing,” for a facility for testing of medical cannabis and medical cannabis products.
- d. Retail.** Type 10, or “retailer,” for the retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer’s premises may be closed to the public. A retailer may conduct sales exclusively by delivery.
- e. Distributor.** Type 11 or “Distributor,” for a facility for the distribution of cannabis and cannabis products. A distributor licensee shall be bonded and insured at a minimum level established by the licensing authority.
- f. Microbusiness.** Type 12, or “microbusiness,” permits that are for the cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer under this division, provided such licensee can demonstrate compliance with all requirements imposed by this division on licensed cultivators, distributors, Level 1 manufacturers, and retailers to the extent the licensee engages in such activities. Microbusiness licenses that authorize cultivation of cannabis shall include the license conditions described in subdivision (b) of Section 26060.1.
- 7. Mixed-light cultivation.** The cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.
- 8. Nursery.** A licensee that produces only clones, immature plants, seeds, and other agricultural products used.
- 9. Sensitive receptor.**
- 1) “Day care center” any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school age child care centers.
  - 2) “School” an institution providing instruction in kindergarten or any grades 1 through 12.  
“Youth center” any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership

organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.



COUNTY OF SANTA BARBARA

Planning and Development

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**SANTA BARBARA COUNTY  
MONTECITO  
LAND USE & DEVELOPMENT CODE  
SEPTEMBER 2017**

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In this document are staff’s recommended changes to the Santa Barbara County Code to incorporate cannabis activities associated with the Medicinal and Adult-Use Cannabis Regulation and Safety Act including the cultivation, distribution, storage, manufacturing, processing, and selling of cannabis, and industrial hemp, and on personal outdoor cultivation.

Proposed deletions are shown as ~~strikethrough~~ and proposed insertions are shown as **red text**.

## Division 35.2 Montecito Zones and Allowable Land Uses

### 35.422.030 - Resource Protection Zone Allowable Land Uses

<b>Table 2-4</b>  <b>Allowed Land Uses and Permit Requirements for Resource Protection Zone</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>	
	<b>RMZ</b>	
		<b>Specific Use Regulations</b>

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping	S	35.442.040
Aquaculture	CUP	
Cannabis - Cultivation and microbusiness	—	
Cultivated agriculture, orchard, vineyard, new	CUP	
Cultivated agriculture, orchard, vineyard, historic legal use	CUP	
Grazing	E	
Mining	CUP	35.472.140

#### Key to Zone Symbols

RMZ	Resource Management
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Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.422.030.C (Development Plan approval required).

<b>Table 2-4 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Resource Protection Zone</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>	
	<b>RMZ</b>	<b>Specific Use Regulations</b>

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	
Electrical substation - Minor (3)	CUP	
Electrical substation - Major (3)	CUP	
Electrical transmission line (4)	CUP	
Private services and utilities	CUP	
Public works and utilities	CUP	
Telecommunications facility	S	35.444

**Key to Zone Symbols**

RMZ	Resource Management
-----	---------------------

Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.422.030.C (Development Plan approval required).
- (3) Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.

### 35.423.030 – Residential Zones Allowable Land Uses

<b>Table 2-7</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>R-1/E-1</b>	<b>R-2</b>	

#### AGRICULTURAL, MINING, & ENERGY FACILITIES

Agricultural accessory structure	P	P	35.442.020
Animal keeping (except for equestrian facilities- see RECREATION below)	S	S	35.442.040
<b>Cannabis - Cultivation and microbusiness</b>	—	—	
Cultivated agriculture, orchard, vineyard	E	E	
Greenhouse - commercial or noncommercial, 300 sf or less	P	P	35.442.110
Greenhouse - commercial or noncommercial, greater than 300 sf to less than 800 sf	CUP	CUP	35.442.110

#### Key to Zone Symbols

<b>R-1/E-1</b>	Single-Family Residential
<b>R-2</b>	Two-Family Residential

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required).
- (3) One-family dwelling may be a mobile home on a permanent foundation, see Section 35.442.140 (Mobile Homes on Foundations).

<b>Table 2-7 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	R-1/E-1	R-2	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	—	
Drainage channel, watercourse, storm drain less than 20,000 sf	—	—	
Drainage channel, watercourse, storm drain 20,000 sf or more	—	—	
Electrical substation - Minor (3)	CUP	CUP	
Electrical substation - Major (3)	CUP	CUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project less than 20,000 sf total area (5)	—	—	
Flood control project 20,000 sf or more total area (5)	—	—	
Public safety facility (6)	CUP	CUP	
Public works and utilities	CUP	CUP	
Road, street less than 20,000 sf total area (5)	—	—	
Road, street 20,000 sf or more total area (5)	—	—	
Sea wall, revetment, groin or other shoreline structure	—	—	
Telecommunications facility	S	S	35.444
Utility service line with 4 or fewer connections (5)	—	—	
Utility service line with 5 or more connections (5)	—	—	

**Key to Zone Symbols**

<b>R-1/E-1</b>	Single-Family Residential
<b>R-2</b>	Two-Family Residential

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required).
- (3) Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.
- (6) May include paramedic services associated with a fire station.



<b>Table 2-8</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>DR</b>	<b>PRD</b>	

**AGRICULTURAL, MINING, & ENERGY FACILITIES**

Agricultural accessory structure	—	—	35.442.020
Animal keeping (except for equestrian facilities- see RECREATION below)	S	S	35.442.040
Cannabis - Cultivation and microbusiness	—	—	
Cultivated agriculture, orchard, vineyard	—	—	
Greenhouse, commercial or noncommercial 300 sf or more	P (3)	—	35.442.110
Greenhouse, commercial or noncommercial greater than 300 sf to less than 800 sf	—	—	

**Key to Zone Symbols**

<b>DR</b>	Design Residential
<b>PRD</b>	Planned Residential Development

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see Section 35.423.030.C (Development Plan approval required).
- (3) Non-commercial only.

<b>Table 2-8 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Residential Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>		<b>Specific Use Regulations</b>
	<b>DR</b>	<b>PRD</b>	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	—	
Drainage channel, watercourse, storm drain less than 20,000 sf	—	—	
Drainage channel, watercourse, storm drain 20,000 sf or more	—	—	
Electrical substation - Minor (3)	CUP	CUP	
Electrical substation - Major (3)	CUP	CUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project less than 20,000 sf total area (6)	—	—	
Flood control project 20,000 sf or more total area (6)	—	—	
Public safety facility (7)	CUP	CUP	
Public works and utilities	CUP	CUP	
Road, street less than 20,000 sf total area (6)	—	—	
Road, street 20,000 sf or more total area (6)	—	—	
Sea wall, revetment, groin or other shoreline structure	—	—	
Telecommunications facility	S	S	35.444
Utility service line with 4 or fewer connections (6)	—	—	
Utility service line with 5 or more connections (6)	—	—	

**Key to Zone Symbols**

DR	Design Residential
PRD	Planned Residential Development

**Notes:**

See Division 35.10 (Glossary) for land use definitions.

Development Plan approval may also be required; see 35.423.030.C (Development Plan approval required).

Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).

Does not include electrical transmission lines outside the jurisdiction of the County.

Not applicable to facilities constructed by the County.

May include paramedic services associated with a fire station

### 35.424.030 – Commercial Zones Allowable Land Uses

<b>Table 2-12</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	CN	CV	

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping	S	S	35.442.040
<b>Cannabis - Cultivation and microbusiness</b>	—	—	

#### Key to Zone Symbols

CN	Neighborhood Commercial
CV	Resort/Visitor Serving Commercial

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required).
- (3) Must comply with standards of Section 35.424.050.A (Mixed use affordable residential unit standards) or 35.424.060.D (Mixed use affordable residential unit standards) as applicable to the specific zone.

<b>Table 2-12 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	CN	CV	

#### RETAIL TRADE

<b>Cannabis - Retail</b>	—	—	
Drive-through facility	CUP	—	35.442.100
General retail	P	—	
Grocery and specialty food stores	P	—	
Health club, spa	P	P (3)	
Restaurant, café, coffee shop	P	P (3)	
Service station	P	—	35.442.050
Visitor serving commercial	—	P (3)	

#### Key to Zone Symbols

CN	Neighborhood Commercial
CV	Resort/Visitor Serving Commercial

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required).
- (3) Use only allowed accessory and incidental to an approved resort or guest ranch.

<b>Table 2-12 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Commercial Zones</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>	
	<b>CN</b>	<b>CV</b>
	<b>Specific Use Regulations</b>	

**TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	—	
Drainage channel, water course, storm drain less than 20,000 sf	—	—	
Drainage channel, water course, storm drain 20,000 sf or more	—	—	
Electrical substation - Minor (3)	CUP	CUP	
Electrical substation - Major (3)	CUP	CUP	
Electrical transmission line (4)	CUP	CUP	
Flood control project less than 20,000 sf total area (6)	—	—	
Flood control project 20,000 sf or more total area (6)	—	—	
Public works and utilities	CUP	CUP	
Road, street less than 20,000 sf total area (6)	—	—	
Road, street 20,000 sf or more total area (6)	—	—	
Sea wall, revetment, groin, or other shoreline structure	—	—	
Telecommunications facility	S	S	
Utility service line with 4 or fewer connections (6)	—	—	
Utility service line with 5 or more connections (6)	—	—	

**Key to Zone Symbols**

CN	Neighborhood Commercial
CV	Resort/Visitor Serving Commercial

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.424.030.C (Development Plan approval required).
- (3) Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.
- (5) Not applicable to facilities constructed by the County.

### 35.425.030 – Special Purpose Zones Allowable Land Uses

<b>Table 2-14</b>  <b>Allowed Land Uses and Permit Requirements for Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)
	P	Permitted use, Land Use Permit required (2)
	CUP	Conditional Use Permit required
	S	Permit determined by Specific Use Regulations
	—	Use Not Allowed
<b>LAND USE (1)</b>	<b>PERMIT REQUIRED BY ZONE</b>	
	<b>REC</b>	<b>PU</b>
		<b>Specific Use Regulations</b>

#### AGRICULTURAL, MINING & ENERGY FACILITIES

Animal keeping (except equestrian facilities- see RECREATION below )	S	S	35.442.040
Cannabis - Cultivation and microbusiness	—	—	

#### RETAIL TRADE

Cannabis - Retail	—	—	
Restaurant, café, coffee shop, accessory to allowed recreation use	CUP	—	

#### Key to Zone Symbols

REC	Recreation
PU	Public Utilities

#### Notes:

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.425.030.C (Development Plan approval required).

<b>Table 2-14 - Continued</b>  <b>Allowed Land Uses and Permit Requirements for Special Purpose Zones</b>	E	Allowed use, no permit required (Exempt)	
	P	Permitted use, Land Use Permit required (2)	
	CUP	Conditional Use Permit required	
	S	Permit determined by Specific Use Regulations	
	—	Use Not Allowed	
LAND USE (1)	PERMIT REQUIRED BY ZONE		Specific Use Regulations
	REC	PU	

**TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE**

<b>Cannabis - Distribution</b>	—	—	
Electrical substation - Minor (3)	CUP	P	
Electrical substation - Major (3)	CUP	P	
Electrical transmission line (4)	CUP	CUP	
Public works and utilities	CUP	CUP	
Telecommunications facility	S	S	35.444

**Key to Zone Symbols**

REC	Recreation
PU	Public Utilities

**Notes:**

- (1) See Division 35.10 (Glossary) for land use definitions.
- (2) Development Plan approval may also be required; see 35.425.030.C.
- (3) Shall comply with the requirements of the PU zone; see Table 2-15 (Special Purpose Zones Development Standards) and Section 35.425.050 (PU Zone Standards).
- (4) Does not include electrical transmission lines outside the jurisdiction of the County.

## CHAPTER 35.442 - STANDARDS FOR SPECIFIC LAND USES

### 35.442.055 - Cannabis Regulations

#### A. Purpose and applicability.

1. **Purpose.** This Section establishes the standards to protect the public health, safety, and welfare, enact strong and effective regulatory and enforcement controls in compliance with state law, protect neighborhood character, and minimize potential for negative impacts on people, communities, and the environment, by establishing minimum land use requirements for the medicinal and adult use of cannabis.
2. **Applicability.** The standards of this Section shall apply to all cannabis activities as that use is defined in Section 35.110.020 (Definition of Specialized Terms and Phrases). Cannabis activities must also comply with the following:
  - a. All cannabis activities shall comply with the provisions of this Section, as well as all applicable state laws, regardless of whether the activity existed or occurred prior to [effective date of ordinance], the effective date of this Section.
  - b. Nothing in this Section is intended, nor shall it be construed, to allow persons to engage in conduct that endangers others or causes a public nuisance, or allows any activity relating to the cultivation, distribution, or consumption of cannabis that is illegal under state law.
  - c. Nothing in this Section is intended, nor shall it be construed, to exempt the cultivation of cannabis from compliance with all other applicable County zoning and land use regulations, as well as other applicable provisions of the County Code, state and local cannabis licensing requirements, or compliance with any applicable state laws.
  - d. All persons operating facilities and conducting cannabis activities, as defined in this Section, are subject to possible federal prosecution, regardless of the protections provided by State or local law.

#### B. Allowed uses.

- a. **Personal Use.** Personal use cultivation of cannabis is allowed without a land use entitlement, provided that it complies with the following standards:
  - (1) Only adults 21 years or above may use and grow cannabis for personal use within a legally established dwelling.
  - (2) The individual, possesses, stores, or cultivates cannabis exclusively for their personal use, and does not provide, donate, sell, or distribute cannabis to any other person.
  - (3) Personal growing of cannabis is limited to six plants per legally established dwelling.
  - (4) Outdoor cultivation shall not be permitted.

- (5) The growing area shall not impact areas that are required to satisfy the parking requirement for the primary use of the lot.
- (6) None of the cannabis cultivation or consumption activities shall be detectable (e.g., due to odor or lighting) outside of the building in which the activities occur.
- (7) No cannabis shall be cultivated in accessory structures.



## CHAPTER 35.500 – DEFINITIONS

### 35.500.010 - Purpose

This Chapter provides definitions of terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage. If any of the definitions in this Chapter conflict with definitions in other provisions of the County Code, these definitions shall control for the purposes of this Development Code. If a word is not defined in this Chapter, or in other provisions of the Santa Barbara County Code, the Director shall determine the correct definition utilizing **State law and the latest edition standard dictionary**. **In cases where a definition is provided in both State law and the latest edition standard dictionary, and the definitions conflict with one-another, the definition set forth in State law shall take precedent.**

### 35.500.020 - Definitions of Specialized Terms and Phrases

**Cannabis.** The following terms and phrases are defined for the purposes of Division 35.2 - Montecito Zones and Allowable Land Uses and Chapter 35.442.055 (Cannabis).

1. **Commercial cannabis activity.** The cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery, or sale of medical or recreational cannabis or a medical or recreational cannabis product, except as set forth in Section 19319 of the Business and Professions Code, related to qualifying patients and primary caregivers of medical cannabis or medical cannabis products.
2. **Cultivation.** Any activity involving the planting, growing, harvesting, drying, curing, or trimming of cannabis, as well as grading of land to conduct any such activity.
3. **Outdoor cultivation.** The cultivation of cannabis without the use of light deprivation and/or artificial lighting in the canopy area. Supplemental low intensity lighting is permissible only to maintain immature plants as a source for propagation.
4. **Indoor cultivation.** The cultivation of cannabis within a structure using 15 artificial bulbs, at a rate greater than 25 watts per square foot.
5. **Personal Use.** The cultivation, harvesting, drying, or processing of cannabis plants with the intent to possess, smoke, or ingest cannabis or cannabis products for their own individual use.
6. **Permit Types:**
  - a. **Cultivation.**
    - 1) Type 1, or “specialty outdoor,” for outdoor cultivation using no artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises, or up to 50 mature plants on noncontiguous plots.
    - 2) Type 1A, or “specialty indoor,” for indoor cultivation using exclusively artificial lighting of between 501 and 5,000 square feet of total canopy size on one premises.
    - 3) Type 1B, or “specialty mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of between 2,501 and 5,000 square feet of total canopy size on one premises.

- 4) Type 1C, or “specialty cottage,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of 2,500 square feet or less of total canopy size for mixed-light cultivation, up to 25 mature plants for outdoor cultivation, or 500 square feet or less of total canopy size for indoor cultivation, on one premises.
- 5) Type 2, or “small outdoor,” for outdoor cultivation using no artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
- 6) Type 2A, or “small indoor,” for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
- 7) Type 2B, or “small mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.
- 8) Type 3, or “outdoor,” for outdoor cultivation using no artificial lighting from 10,001 square feet to one acre, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
- 9) Type 3A, or “indoor,” for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
- 10) Type 3B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
- 11) Type 4, or “nursery” for cultivation of cannabis solely as a nursery.
- 12) Type 5, or “outdoor,” for outdoor cultivation using no artificial lighting greater than one acre, inclusive, of total canopy size on one premises.
- 13) Type 5A, or “indoor,” means for indoor cultivation using exclusively artificial lighting greater than 22,000 square feet, inclusive, of total canopy size on one premises.
- 14) Type 5B, or “mixed-light,” for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, greater than 22,000 square feet, inclusive, of total canopy size on one premises.

**b. Manufacturing.**

- 1) Type 6, or “manufacturing Level 1,” for sites that manufacture marijuana products using nonvolatile solvents, or no solvents.
- 2) Type 7, or “manufacturing Level 2,” for sites that manufacture marijuana products using volatile solvents.

**c. Testing.** Type 8, or “testing,” for a facility for testing of medical cannabis and medical cannabis products.

**d. Retail.** Type 10, or “retailer,” for the retail sale and delivery of cannabis or cannabis products to customers. A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer’s

premises may be closed to the public. A retailer may conduct sales exclusively by delivery.

- e. **Distributor.** Type 11 or “Distributor,” for a facility for the distribution of cannabis and cannabis products. A distributor licensee shall be bonded and insured at a minimum level established by the licensing authority.
  - f. **Microbusiness.** Type 12, or “microbusiness,” permits that are for the cultivation of cannabis on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and retailer under this division, provided such licensee can demonstrate compliance with all requirements imposed by this division on licensed cultivators, distributors, Level 1 manufacturers, and retailers to the extent the licensee engages in such activities. Microbusiness licenses that authorize cultivation of cannabis shall include the license conditions described in subdivision (b) of Section 26060.1.
7. **Mixed-light cultivation.** The cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.
  8. **Nursery.** A licensee that produces only clones, immature plants, seeds, and other agricultural products used.

# Appendix - C

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## Project Description Data

June 2017 Non-Personal  
Cannabis Cultivation and  
Related Operations Registry  
Program Summary

Lists of identified schools,  
daycares, and youth centers

Focus area figures of schools,  
daycares, and youth centers  
with buffers (X-1 to X-6)

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## Cannabis Registry Survey Results Summary Sheet

### Summary of Cannabis Registry Responses

Total Respondents	506	100.0%
Prior NOT Current	25	4.9%
Current NOT Prior	1	0.2%
Prior AND Current	215	42.5%
NOT Prior OR Current	265	52.4%
Existing Manufacturers	24	11.1%

### Summary of Existing Location

Community	Existing Cultivators	Existing Manufacturers
Carpinteria	51	20.5%
Lompoc Valley	55	22.1%
Toro Canyon	2	0.8%
Los Alamos	10	4.0%
Isla Vista	1	0.4%
Eastern Goleta Valley	2	0.8%
Tepusquet	16	6.4%
Goleta Foothills	20	8.0%
Guadalupe/Casmalia	1	0.4%
Montecito/Summerland	2	0.8%
More Mesa	11	4.4%
Orcutt/Garey	4	1.6%
Gaviota	4	1.6%
Santa Maria Valley	11	4.4%
Santa Ynez/Solvang	17	6.8%
Cayuma	4	1.6%
Buellton	35	14.1%
Mission Canyon	3	1.2%
<b>Total</b>	<b>249</b>	<b>100.0%</b>

Region	Existing Cultivators	Existing Manufacturers
Santa Maria	16	6.4%
Santa Ynez	78	31.3%
Cuyama	4	1.6%
Lompoc	55	22.1%
South Coast	96	38.6%
<b>Total</b>	<b>249</b>	<b>100.0%</b>

### Those That Have Identified a New Cannabis Activity Site

Yes	154	30.4%
No	229	45.3%
Don't Know	123	24.3%

### Existing Cultivation Type

Primarily Outdoor	40.6%
Primarily Mixed-Light	56.7%
Indoor	2.7%

### Canopy Sizes

0-100	15.9%
101-500	7.0%
501-1,000	8.3%
1,001-5,000	16.6%
5,001-10,000	5.7%
10,001-22,000	12.1%
22,001-100,000	21.7%
100,001+	12.7%

### Sum of Canopy Size of All Registrants

Existing	Future	Difference
396 acres	1,126 acres	730 acres

### Number of Harvests per Year

Harvests	Existing	Future
1	13.2%	17.6%
2	8.1%	15.0%
3	11.7%	17.4%
4	15.6%	27.3%
5	4.9%	9.9%
5+	5.5%	12.6%
No Response	40.9%	0.2%

### Sources of Water Supply

Water Source	Existing	Future
Private Well	34.4%	60.5%
Water District	5.7%	8.9%
City Water	49.6%	30.6%
Other	5.9%	--
Shared Well	4.3%	--

### Quantity of Plants Currently Cultivated

Number of Plants		
0-99	106	37.2%
100-500	50	17.5%
500-1,000	22	7.7%
2,000-5,000	34	11.9%
5,000+	73	25.6%
<b>Total</b>	<b>285</b>	<b>100.0%</b>

### Summary of Employment

Existing	
Full-time Employees	867
Employees during Harvest	1,669

### Desired License Types

Type 1	9.1%
Type 2	11.3%
Type 3	19.8%
Type 4	14.0%
Type 5	--
Type 6	9.0%
Type 7	6.5%
Type 8	3.3%
Type 10	6.4%
Type 11	9.8%
Type 12	10.5%

**Schools**

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>
ADAM (WILLIAM LAIRD) ELEMENTARY SCHOOL	500 W WINDSOR	SANTA MARIA
ADAMS ELEMENTARY SCHOOL	2701 LAS POSITAS RD	SANTA BARBARA
AGAPE SCHOOL OF CHRISTIAN EDUCATION	109 W FESLER ST	SANTA MARIA
ALISO ELEMENTARY SCHOOL	4545 CARPINTERIA AVE	CARPINTERIA
ALVIN ELEMENTARY SCHOOL	301 E ALVIN AVE	SANTA MARIA
ANACAPA SCHOOL	814 SANTA BARBARA ST	SANTA BARBARA
ARELLANES (DON JUAN BAUTISTA) ELEMENTARY SCHOOL	1890 SANDALWOOD DR	SANTA MARIA
ARELLANES (DON JUAN BAUTISTA) JUNIOR HIGH SCHOOL	1890 SANDALWOOD DR	SANTA MARIA
BALLARD ELEMENTARY SCHOOL	2425 SCHOOL ST	SOLVANG
BATTLES (GEORGE WASHINGTON) ELEMENTARY SCHOOL	605 E BATTLES RD	SANTA MARIA
BISHOP GARCIA DIEGO HIGH SCHOOL	4000 LA COLINA RD	SANTA BARBARA
BONITA ELEMENTARY SCHOOL	2715 W MAIN ST	SANTA MARIA
BRANDON ELEMENTARY SCHOOL	195 BRANDON DR	GOLETA
BRUCE (ROBERT) ELEMENTARY SCHOOL	601 W ALVIN AVE	SANTA MARIA
BUENA VISTA ELEMENTARY SCHOOL	100 ALDEBARAN	LOMPOC
BUREN (MARY) ELEMENTARY SCHOOL	1050 PERALTA ST	GUADALUPE
CABRILLO HIGH SCHOOL	4350 CONSTELLATION BLVD	LOMPOC
CAMINO SEGUNDO SCHOOL	2121 S CENTERPOINTE PKWY, SUITE 139-A	SANTA MARIA
CANALINO ELEMENTARY SCHOOL	1480 LINDEN AVE	CARPINTERIA
CARPINTERIA FAMILY SCHOOL	1480 LINDEN AVE	CARPINTERIA
CARPINTERIA HIGH SCHOOL	4810 FOOTHILL RD	CARPINTERIA
CARPINTERIA MIDDLE SCHOOL	5351 CARPINTERIA AVE	CARPINTERIA
CASA FLORAL SCHOOL (TEMP. AT CAMINO SEGUNDO)	2121 S CENTERPOINTE PKWY, SUITE 139-A	SANTA MARIA
CATE SCHOOL	1960 CATE MESA RD	CARPINTERIA
CESAR E. CHAVEZ DUAL LANGUAGE IMMERSION CHARTER	1102 E YANONALI ST	SANTA BARBARA
CHILDREN'S HOUSE MONTESSORI SCHOOL	1331 E FOSTER RD	SANTA MARIA
CHILDREN'S MONTESSORI SCHOOL	4010 JUPITER AVE	LOMPOC
CHRISTIAN LIFE SCHOOL	709 N CURRYER ST	SANTA MARIA
CLEVELAND ELEMENTARY SCHOOL	123 ALAMEDA PADRE SERRA	SANTA BARBARA
COAST HILLS BAPTIST SCHOOL	650 W RICE RANCH RD	SANTA MARIA
COASTLINE CHRISTIAN ACADEMY	5950 CATHEDRAL OAKS RD	GOLETA
COLD SPRING ELEMENTARY SCHOOL	2243 SYCAMORE CANYON RD	SANTA BARBARA
COLLEGE ELEMENTARY SCHOOL	3525 PINE ST	SANTA YNEZ
COMMUNITY DAY SCHOOL	4025 FOOTHILL RD	SANTA BARBARA
CRANE COUNTRY DAY SCHOOL	1795 SAN LEANDRO LN	SANTA BARBARA
CRESTVIEW ELEMENTARY SCHOOL	UTAH AVE VANDENBERG AFB	VANDENBERG AIR FORCE BASE
CROSSROADS CHRISTIAN JUNIOR HIGH SCHOOL	1550 S COLLEGE DR	SANTA MARIA
CUYAMA CHRISTIAN ACADEMY	4803 CEBRIAN	NEW CUYAMA
CUYAMA ELEMENTARY SCHOOL	2300 HWY 166	NEW CUYAMA
CUYAMA VALLEY HIGH SCHOOL	4500 HWY 166	NEW CUYAMA
DELTA HIGH SCHOOL (CONTINUATION SCHOOL)	251 E CLARK AVE	SANTA MARIA
DEVEREUX FOUNDATION	6900 DEVEREUX WY	GOLETA
DOS PUEBLOS CONTINUATION HIGH SCHOOL	7268 ALAMEDA AVE	GOLETA
DOS PUEBLOS HIGH SCHOOL	7266 ALAMEDA AVE	GOLETA
DOS PUERTAS SCHOOL-SANTA MARIA JUVENILE HALL	4263 CALIFORNIA BLVD	SANTA MARIA
DUNLAP (RALPH) ELEMENTARY SCHOOL	1220 OAK KNOLL RD	SANTA MARIA
DUNN SCHOOL	2555 HIGHWAY 154	LOS OLIVOS
EL CAMINO ELEMENTARY SCHOOL	5020 SAN SIMEON DR	SANTA BARBARA
EL CAMINO JUNIOR HIGH SCHOOL	219 W EL CAMINO	SANTA MARIA
EL CAMINO MIDDLE SCHOOL	320 NORTH J ST	LOMPOC
EL MONTECITO SCHOOL	1455 EAST VALLEY RD	SANTA BARBARA
EL PUENTE COMMUNITY SCHOOL-LOMPOC	313 N NINTH ST	LOMPOC
EL PUENTE COMMUNITY SCHOOL-SANTA BARBARA	430 E GUTIERREZ ST	SANTA BARBARA
ELLWOOD ELEMENTARY SCHOOL	7686 HOLLISTER AVE	GOLETA
FAIRLAWN ELEMENTARY SCHOOL	120 N MARY DR	SANTA MARIA
FAITH ACADEMY	7190 HOLLISTER AVE	GOLETA
FAMILY PARTNERSHIP HOME STUDY CHARTER SCHOOL	545 N ALISAL RD	SOLVANG
FESLER (ISAAC) JUNIOR HIGH SCHOOL	1100 E FESLER ST	SANTA MARIA
FILLMORE (LEONORA) ELEMENTARY SCHOOL	1211 E PINE AV	LOMPOC
FOOTHILL ELEMENTARY SCHOOL	711 RIBERA DR	SANTA BARBARA

**Schools**

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>
FOXEN (BENJAMIN) ELEMENTARY SCHOOL	4949 FOXEN CANYON RD	SANTA MARIA
FRANKLIN ELEMENTARY SCHOOL	1111 E MASON ST	SANTA BARBARA
GOLETA FAMILY SCHOOL	711 RIBERA DR	GOLETA
GOLETA VALLEY JUNIOR HIGH SCHOOL	6100 STOW CANYON RD	GOLETA
GRISHAM (MAY) ELEMENTARY SCHOOL	610 PINAL ST	ORCUTT
HAPGOOD (ARTHUR) ELEMENTARY SCHOOL	324 SOUTH A ST	LOMPOC
HARDING ELEMENTARY SCHOOL	1625 ROBINS ST	SANTA BARBARA
HOLLISTER ELEMENTARY SCHOOL	4950 ANITA LN	SANTA BARBARA
HOME SCHOOL SANTA BARBARA	487 N TURNPIKE RD	SANTA BARBARA
HOPE ELEMENTARY SCHOOL	3970-A LA COLINA RD	SANTA BARBARA
ISLA VISTA ELEMENTARY SCHOOL	6875 EL COLEGIO RD	GOLETA
JONATA MIDDLE SCHOOL	301 SECOND ST	BUELLTON
KELLOGG ELEMENTARY SCHOOL	475 CAMBRIDGE DR	GOLETA
KUNST (TOMMIE) JUNIOR HIGH SCHOOL	930 HIDDEN PINES WY	SANTA MARIA
LA CANADA ELEMENTARY SCHOOL	621 W NORTH AVE	LOMPOC
LA COLINA JUNIOR HIGH SCHOOL	4025 FOOTHILL RD	SANTA BARBARA
LA CUESTA CONTINUATION HIGH SCHOOL	710 SANTA BARBARA ST	SANTA BARBARA
LA CUMBRE JUNIOR HIGH SCHOOL	2255 MODOC RD	SANTA BARBARA
LA HONDA ELEMENTARY SCHOOL	1213 NORTH A ST	LOMPOC
LA PATERA ELEMENTARY SCHOOL	555 N LA PATERA LN	GOLETA
LA POSADA SCHOOL-SANTA BARBARA JUVENILE HALL	4500 HOLLISTER AVE	SANTA BARBARA
LA PURISIMA CONCEPCION CATHOLIC SCHOOL	219 W OLIVE AVE	LOMPOC
LAGUNA BLANCA SCHOOL	4125 PALOMA DR	SANTA BARBARA
LAKEVIEW JUNIOR HIGH SCHOOL	3700 ORCUTT RD	SANTA MARIA
LAS ALTURAS CONTINUATION HIGH SCHOOL	4025 FOTTHILL RD	SANTA BARBARA
LIBERTY ELEMENTARY SCHOOL	1300 W SONYA LN	SANTA MARIA
LIGHTHOUSE BAPTIST SCHOOL	1310 BETTERAVIA RD	SANTA MARIA
LION OF JUDAH CHRISTIAN SCHOOL	415 E MONROE ST	SANTA MARIA
LOMPOC HIGH SCHOOL	515 W COLLEGE AVE	LOMPOC
LOMPOC LEARNING CENTER	MOUNTAIN VIEW BLVD VANDENBERG AFB	VANDENBERG AIR FORCE BASE
LOMPOC VALLEY MIDDLE SCHOOL	234 SOUTH N ST	LOMPOC
LOS BERROS ELEMENTARY SCHOOL	3745 VIA LATO	LOMPOC
LOS OLIVOS SCHOOL	2540 ALAMO PINTADO AV	LOS OLIVOS
LOS OSOS	4449 VIEJA DR	SANTA BARBARA
LOS ROBLES HIGH SCHOOL-LOS PRIETOS BOYS CAMP	STAR ROUTE	SANTA BARBARA
MAIN ELEMENTARY SCHOOL	5241 EIGHTH ST	CARPINTERIA
MAPLE CONTINUATION HIGH SCHOOL	4010 JUPITER AVE	LOMPOC
MARYMOUNT OF SANTA BARBARA	2130 MISSION RIDGE RD	SANTA BARBARA
MCKENZIE (KERMIT) JUNIOR HIGH SCHOOL	4710 W MAIN ST	GUADALUPE
MCKINLEY ELEMENTARY SCHOOL	350 LOMA ALTA DR	SANTA BARBARA
MIDLAND SCHOOL	5100 FIGUEROA MOUNTAIN RD	LOS OLIVOS
MIGUELITO ELEMENTARY SCHOOL	1600 W OLIVE AVE	LOMPOC
MILLER (ISAAC) ELEMENTARY SCHOOL	410 E CAMINO COLEGIO	SANTA MARIA
MISSION VALLEY SCHOOL	1301 NORTH A ST	LOMPOC
MONROE ELEMENTARY SCHOOL	431 FLORA VISTA DR	SANTA BARBARA
MONTE VISTA ELEMENTARY SCHOOL	730 N HOPE AVE	SANTA BARBARA
MONTECITO UNION ELEMENTARY SCHOOL	385 SAN YSIDRO RD	SANTA BARBARA
MONTESSORI CENTER SCHOOL OF SANTA BARBARA	401 N FAIRVIEW AVE #1	GOLETA
MOUNTAIN VIEW ELEMENTARY SCHOOL	5465 QUEEN ANNE LN	SANTA BARBARA
NEW LIFE CHRISTIAN ACADEMY	816 NORTH C ST	LOMPOC
NIGHTINGALE (JOE) ELEMENTARY SCHOOL	255 WINTER RD	SANTA MARIA
NOTRE DAME SCHOOL	33 E MICHELTORENA ST	SANTA BARBARA
OAK VALLEY ELEMENTARY SCHOOL	595 SECOND ST	BUELLTON
OAKLEY (CALVIN C.) ELEMENTARY SCHOOL	1120 W HARDING ST	SANTA MARIA
OLIVE GROVE CHARTER SCHOOL	2540 ALAMO PINTADO AV	LOS OLIVOS
ONTIVEROS (JUAN PACIFICO) ELEMENTARY SCHOOL	930 RANCHO VERDE	SANTA MARIA
OPEN ALTERNATIVE SCHOOL	4025 FOOTHILL RD	SANTA BARBARA
ORCA SCHOOL	2516 MESA SCHOOL LN	SANTA BARBARA
ORCUTT ACADEMY SCHOOL	608 PINAL ST	ORCUTT
ORCUTT JUNIOR HIGH SCHOOL	608 PINAL ST	ORCUTT



**Schools**

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>
OUR LADY OF MOUNT CARMEL SCHOOL	530 HOT SPRINGS RD	SANTA BARBARA
PACIFIC CHRISTIAN SCHOOL	3435 SANTA MARIA WY	SANTA MARIA
PATTERSON ROAD ELEMENTARY SCHOOL	400 E PATTERSON RD	SANTA MARIA
PEABODY CHARTER SCHOOL	3018 CALLE NOGUERA	SANTA BARBARA
PETER B. FITZGERALD COMMUNITY SCHOOL	402 FARNEL RD, SUITE M	SANTA MARIA
PINE GROVE ELEMENTARY SCHOOL	1050 RICE RANCE RD	SANTA MARIA
PIONEER VALLEY HIGH SCHOOL	675 PANTHER DR	SANTA MARIA
REED (OLGA L) SCHOOL	480 CENTENNIAL ST	LOS ALAMOS
REFUGIO HIGH SCHOOL (CONTINUATION SCHOOL)	2975 E HIGHWAY 246	SANTA YNEZ
RICE (WILLIAM) ELEMENTARY SCHOOL	700 E VICKIE AVE	SANTA MARIA
RIGHETTI (ERNEST) HIGH SCHOOL	941 E FOSTER RD	SANTA MARIA
RINCON CONT/FOOTHILL ALT HIGH SCHOOL	4698 FOOTHILL RD	CARPINTERIA
ROOSEVELT ELEMENTARY SCHOOL	1990 LAGUNA ST	SANTA BARBARA
RUTH (CLARENCE) ELEMENTARY SCHOOL	501 NORTH W ST	LOMPOC
SAN MARCOS CONTINUATION HIGH SCHOOL	4730 HOLLISTER AVE	SANTA BARBARA
SAN MARCOS HIGH SCHOOL	4750 HOLLISTER AVE	SANTA BARBARA
SAN ROQUE SCHOOL	3214 CALLE CEDRO	SANTA BARBARA
SANCHEZ (DAVID J. SR.) ELEMENTARY SCHOOL	804 W LIBERTY ST	SANTA MARIA
SANTA BARBARA ADVENTIST SCHOOL	425 ARROYO RD	SANTA BARBARA
SANTA BARBARA CHARTER MIDDLE SCHOOL	6100 STOW CANYON RD	GOLETA
SANTA BARBARA CHARTER SCHOOL	6100 STOW CANYON RD	GOLETA
SANTA BARBARA CHRISTIAN SCHOOL	3723 MODOC RD	SANTA BARBARA
SANTA BARBARA COMMUNITY ACADEMY	850 PORTESUELLO AVE	SANTA BARBARA
SANTA BARBARA CONTINUATION HIGH SCHOOL	700 E ANAPAMU ST	SANTA BARBARA
SANTA BARBARA CONTINUATION HIGH SCHOOL	700 E ANAPAMU ST	SANTA BARBARA
SANTA BARBARA COUNTY ROP-NORTH	4893 BETHANY LN	SANTA MARIA
SANTA BARBARA COUNTY ROP-SOUTH	3970 LA COLINA RD #8	SANTA BARBARA
SANTA BARBARA HIGH SCHOOL	700 E ANAPAMU ST	SANTA BARBARA
SANTA BARBARA JUNIOR HIGH SCHOOL	721 E COTA ST	SANTA BARBARA
SANTA BARBARA MIDDLE SCHOOL	2300 GARDEN ST #A	SANTA BARBARA
SANTA BARBARA MONTESSORI SCHOOL	7421 MIRANO DR	GOLETA
SANTA BARBARA SUMMIT HIGH SCHOOL	124 E CARRILLO ST	SANTA BARBARA
SANTA MARIA HIGH SCHOOL	901 S BROADWAY	SANTA MARIA
SANTA YNEZ SCHOOL	3325 PINE ST	SANTA YNEZ
SANTA YNEZ VALLEY CHARTER SCHOOL	3525 PINE ST	SANTA YNEZ
SANTA YNEZ VALLEY CHRISTIAN ACADEMY	891 REFUGIO RD	SANTA YNEZ
SANTA YNEZ VALLEY UNION HIGH SCHOOL	2975 E HIGHWAY 246	SANTA YNEZ
SHAW (ALICE) ELEMENTARY SCHOOL	759 DAHLIA PL	SANTA MARIA
SIERRA MADRE CONTINUATION HIGH SCHOOL	4500 HWY 166	NEW CUYAMA
SOLVANG SCHOOL	565 ATTERDAG RD	SOLVANG
ST. JOHN OF DAMASCUS ACADEMY	401 N FAIRVIEW AVE, RM 11	GOLETA
ST. JOSEPH HIGH SCHOOL	4120 S BRADLEY RD	SANTA MARIA
ST. LOUIS DE MONTFORT ELEMENTARY SCHOOL	5095 HARP RD	SANTA MARIA
ST. MARY OF THE ASSUMPTION SCHOOL	424 E CYPRESS ST	SANTA MARIA
ST. RAPHAEL SCHOOL	160 ST. JOSEPH ST	SANTA BARBARA
SUMMERLAND ELEMENTARY SCHOOL	135 VALENCIA	SUMMERLAND
SUNRISE MONTESSORI SCHOOL	1201 E YANONALI ST	SANTA BARBARA
TAYLOR (IDA REDMOND) ELEMENTARY SCHOOL	1921 N CARLOTTI DR	SANTA MARIA
THE FAMILY SCHOOL	5100 FIGUEROA MOUNTAIN RD	LOS OLIVOS
THE HOWARD CARDEN SCHOOL	5315 FOOTHILL RD	CARPINTERIA
TUNNELL (MARTIN LUTHER) ELEMENTARY SCHOOL	1248 E DENA WY	SANTA MARIA
VALLEY CHRISTIAN ACADEMY	2970 SANTA MARIA WY	SANTA MARIA
VANDENBERG MIDDLE SCHOOL	MOUNTAIN VIEW BLVD VANDENBERG AFB	VANDENBERG AIR FORCE BASE
VIEJA VALLEY ELEMENTARY SCHOOL	434 NOGAL DR	SANTA BARBARA
VILLA ESPERANZA	4500 HOLLISTER AVE	SANTA BARBARA
VISTA DE LAS CRUCES SCHOOL	9467 SAN JULIAN RD	GAVIOTA
WALDORF SCHOOL OF SANTA BARBARA-EARLY CHILDHOOD	434 NOGAL DR	SANTA BARBARA
WALDORF SCHOOL OF SANTA BARBARA-MAIN CAMPUS	401 N FAIRVIEW AVE	GOLETA
WASHINGTON ELEMENTARY SCHOOL	290 LIGHTHOUSE RD	SANTA BARBARA
WOLLAM (WINIFRED) ELEMENTARY SCHOOL	3491 POINT SAL RD	CASMALIA

## Daycare Centers

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>
Adam Center	500 W. Windsor St.	Santa Maria
Adam State Preschool	500 W. Windsor St.	Santa Maria
Adams State Preschool	2701 Las Positas Road	Santa Barbara
Aleph Bet Preschool	6047 Stow Canyon Rd.	Goleta
All About Kids Preschool	613 N. Elizabeth St	Santa Maria
All Saints By The Sea Parish School	84 Eucalyptus Ln.	Santa Barbara
Allan Hancock College Children'S Center	800 S. College Dr. Building Z	Santa Maria
Allan Hancock College Children'S Center	800 South College Dr	Santa Maria
Alvin Center	316 East Mcelhany Ave	Santa Maria
Alvin State Preschool	301 E. Alvin Ave	Santa Maria
Battles State Preschool	605 E. Battles Rd. Room 1	Santa Maria
Bethania Pre-School	611 Atterdag Road	Solvang
Blochman Preschool	4949 Foxen Canyon Road	Santa Maria
Bonita Migrant Head Start	4685 East 11Th Street	Guadalupe
Boys And Girls Club	1025 W. Ocean Ave.	Lompoc
Bright Beginnings	500 East North Avenue	Lompoc
Bright Start The Early Years	1617 Anacapa Street	Santa Barbara
Bruce State Preschool	601 W. Alvin	Santa Maria
Buena Vista Avenue	400 W. Park Ave.	Santa Maria
Cac - College Head Start	648 North G St.	Lompoc
Cac - Main School Center	5200 Eighth, #205	Carpinteria
Cac Chestnut Center	228 North I St.	Lompoc
Calvary Chapel Of Santa Maria Preschool	2620 Santa Maria Way	Santa Maria
Canalino Preschool	1480 Linden Ave.	Carpinteria
Carpinteria Kinderkirk Preschool & Day Care Cente	1111 Vallecito Rd	Carpinteria
Carpinteria State Preschool	4545 Carpinteria Ave.	Carpinteria
Casa Alegria	4233 Pozzo Circle	Santa Barbara
Cate Early Learning Center	1787 Cate Mesa Rd.	Carpinteria
Cathedral Oaks Nursery School	4974 Cathedral Oaks	Goleta
Channel Islands Ymca - Hope Site	3970 La Colina Rd.	Santa Barbara
Chapel Toddler Center	201 W. Chapel	Santa Maria
Chestnut Toddler Center	120 W. Chestnut Ave.	Lompoc
Child'S Play	1415 San Andres St	Santa Barbara
Children'S House Montessori School, The	1331 E. Foster Road	Santa Maria
Children'S Montessori School	1600 Berkeley Drive	Lompoc
Children'S Montessori School	3910 Constellation Road, #101	Lompoc
Childs Village Preschool Of Lompoc, A	126 North G St.	Lompoc
Christian Life Early Childhood	709 North Curryer Street	Santa Maria
Circle Of Friends Children'S Center	400 Puente Drive	Santa Barbara
Cleveland State Preschool	123 Alameda Padre Serra	Santa Barbara
Cliff Drive Care Center	1435 Cliff Drive	Santa Barbara
Columbia Children'S Center, Inc.	840 East Stowell Road	Santa Maria
Congregation B'Nai Brith	1000 San Antonio Creek Rd	Goleta
Coronel Center	629 Coronel Place	Santa Barbara
Cottage Health System'S Child Care Center	2205 Castillo St.	Santa Barbara
Creative Beginnings li	240 Pinal Ave.	Orcutt
Cuyama Center	2300 California Hwy 166	Cuyama
De Colores State Preschool	501 North W. Street	Lompoc
Discoveries Learning Center	4519 Hollister Ave.	Santa Barbara
Discoveries Learning Center	4515 Hollister Ave.	Santa Barbara
Early Steps To Learning	320 N. "J" St. Rm 14	Lompoc
El Camino School	5020 San Simeon	Goleta
El Montecito Early School	1455 E. Valley Rd.	Santa Barbara

## **Daycare Centers**

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>
El Montecito School	630 E. Canon Perdido St.	Santa Barbara
Ellwood School	7686 Hollister Ave.	Goleta
Evergreen Learning Center, Llc	7631 Evergreen Dr.	Goleta
Fairlawn State Preschool	120 North Mary Drive	Santa Maria
Fillmore Center	1316 E. Oak Ave	Lompoc
First Presbyterian Early Childhood Center	21 E. Constance Avenue	Santa Barbara
Franklin Children'S Center	1030 East Yanonalli St	Santa Barbara
Garden Preschool	305 E. Anapamu St.	Santa Barbara
Goleta I Center	5681 Hollister Avenue	Goleta
Goleta li Center	5681 Hollister Avenue	Goleta
Goleta Valley Nursery School	550 Cambridge Drive	Goleta
Good Shepherd Pre-School	380 North Fairview Avenue	Goleta
Grace Lutheran Nursery School	420 East Fesler	Santa Maria
Growing Babies Preschool	487 N Turnpike Rd	Santa Barbara
Guadalupe Center	130 Tognazzini Ave	Guadalupe
Guadalupe Head Start	120 Tognazzini Ave	Guadalupe
Happy Hollow	3945 So. Bradley Rd.	Santa Maria
Harding State Preschool	1625 Robbins St.	Santa Barbara
Hope 4 Kids Preschool	560 N. La Cumbre Rd.	Santa Barbara
Howard Carden Sch. Early Childhood Education, The	5315 Foothill Rd.	Carpinteria
Isla Vista Children'S Center	6842 Phelps Road	Goleta
Isla Vista Children'S Center	6842 Phelps Rd.	Goleta
Isla Vista School	6875 El Colegio Rd.	Goleta
It'S A Child'S World	2320 N. Central Park	Santa Maria
J.C. Washington Center	116 West Agnes	Santa Maria
Jesus Loves Me Preschool	3625 Rucker Rd.	Lompoc
Joe Nightingale Preschool	255 Winter Rd.	Santa Maria
Junior Kindergarten Marymount Of Santa Barbara	2130 Mission Ridge Rd.	Santa Barbara
Just For Kids State Preschool	324 South A St.	Lompoc
Kids Unlimited Preschool	510 E. Stowell	Santa Maria
Kinko'S Early Learning Center	365 Loma Alta	Santa Barbara
La Honda State Preschool	1213 North A Street	Lompoc
Las Flores Migrant Head Start	602 E. Central Ave.	Lompoc
Las Flores State Preschool	236 West Haley Street	Santa Barbara
Learning Place State Preschool, The	Utah Avenue	Lompoc
Learningden Preschool, The	4485 Hollister Avenue	Santa Barbara
Little Angels Preschool	909 N. La Cumbre	Goleta
Los Adobes Center	1026 W. Boone St	Santa Maria
Los Alamos State Preschool	480 Centennial Street	Los Alamos
Los Ninos Center	130 E. Cota St	Santa Barbara
Los Padres Center	530 E. Enos Dr.	Santa Maria
Lou Grant Parent-Child Workshop	5400 6Th Street	Carpinteria
Maple Center	120 W. Maple	Lompoc
Marian Children'S Center	1530 A Cypress Way	Santa Maria
Mckinley State Preschool	350 Loma Alta Drive	Santa Barbara
Meridian Center	1720 S. Depot	Santa Maria
Miller State Preschool	410 E. Camino Colegio	Santa Maria
Montecito Family Ymca Preschool	591 Santa Rosa Lane	Santa Barbara
Montessori Center School	401 N. Fairview Ave. #1	Goleta
Notre Dame Pre-K	33 E. Micheltorena St.	Santa Barbara
Oakley Center	1120 West Harding	Santa Maria
Oaks Parent Child Workshop	605 W. Junipero St.	Santa Barbara
Ontiveros State Preschool	930 W. Rancho Verde	Santa Maria

## Daycare Centers

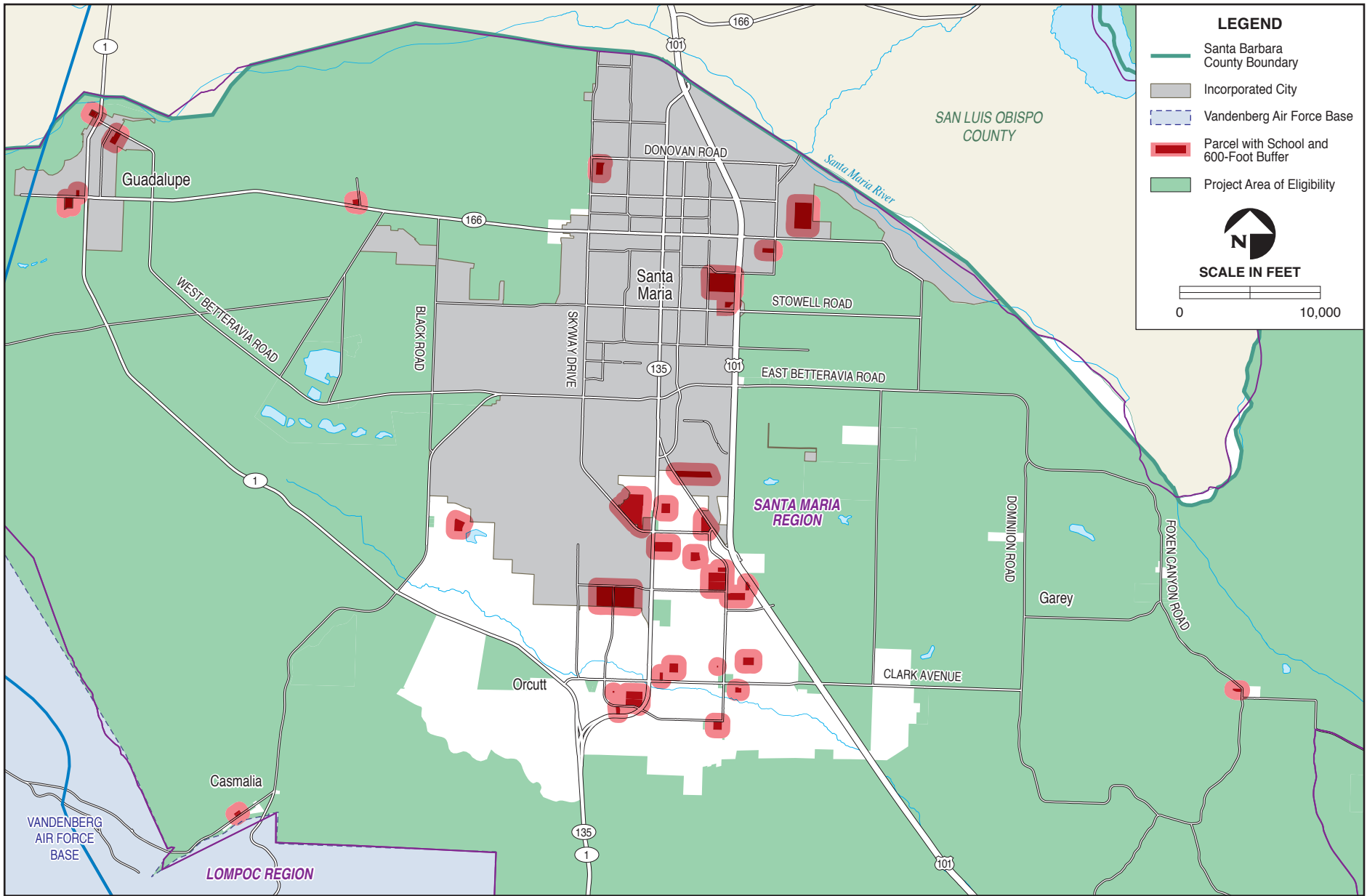
<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>
Orcutt Union School District Early Learning Center	610 Pinal Ave	Orcutt
Orfaea Family Children'S Center	900 West Campus Pointe Ln	Santa Barbara
Our Lady Of Mount Carmel School	530 Hot Springs Rd.	Santa Barbara
Pacific Christian School	3435 Santa Maria Way	Santa Maria
Parma Children'S Center	915 East Montecito Street	Santa Barbara
Pasitos Migrant Head Start	920 N. Railroad Ave	Santa Maria
Peabody State Preschool	3018 Calle Noguera	Santa Barbara
Queen Of Angels Christian Pre-School	3495 Rucker Road	Lompoc
Rainbow School	5689 Hollister Ave. Suite C-11	Goleta
Rice State Preschool	700 E. Vickie	Santa Maria
San Marcos Parent Child Workshop	4750 Hollister Avenue	Santa Barbara
San Roque School	3214 Calle Cedro	Goleta
Sanchez State Preschool	804 W. Liberty St	Santa Maria
Santa Barbara Community Academy State Preschool	850 Portesuello Ave.	Santa Barbara
Santa Barbara Family Ymca-Monte Vista	720 North Hope Avenue	Goleta
Santa Barbara Family Ymca-Preschool	36 Hitchcock Way	Santa Barbara
Santa Barbara High School Children'S Center	700 East Anapamu Street	Santa Barbara
Santa Barbara Montessori School	7421 Mirano Dr.	Goleta
Santa Barbara Waldorf, The	434 Nogal Dr.	Santa Barbara
Santa Maria Valley Ymca	3400 Skyway Drive	Santa Maria
Santa Maria Ymca Stepping Stones	2125 Centerpointe Pkwy	Santa Maria
Santa Ynez Center	1760 Mission Drive	Solvang
Santa Ynez Family School	5100 Figueroa Mountain Road	Los Olivos
Santa Ynez Valley Presbyterian Pre-School	1825 Alamo Pintado	Solvang
Santa Ynez Valley State Preschool	3525 Pine St	Santa Ynez
Sbceo/Zaca Center	27 Six Flags Cir.	Buellton
Shepherd Of The Valley Lutheran Preschool	3550 Baseline Ave.	Santa Ynez
Sherwood Montessori House Of Children	5070 Cathedral Oaks Road	Santa Barbara
Sierra Madre Center	1002 East Sierra Madre Avenue	Santa Maria
St. Andrew'S Preschool	4575 Auhay Drive	Santa Barbara
St. Mark Preschool	3942 La Colina Road	Santa Barbara
St. Marks In The Valley Espiscopal Church Pre-Sch	2901 Nojoqui Ave.	Los Olivos
St. Mary'S School	309 S.School	Santa Maria
St. Raphael School/Preschool	160 St. Joseph Street	Santa Barbara
Starr King Parent Child Workshop	1525 1/2 Santa Barbara Street	Santa Barbara
Steps To Learning Preschool	6901 Phelps Road	Goleta
Storyteller Children'S Center	2115 State Street	Santa Barbara
Storyteller Children'S Center	2115 State St.	Santa Barbara
Sunrise Montessori School	1201 Yanonali St.	Santa Barbara
Tanglewood Center	1890 Sandalwood Drive	Santa Maria
Trinity Baptist Preschool	1002 Cieneguitas Road	Santa Barbara
University Children'S Center	552 University Rd - Student Resource Bldg. Ucsb	Santa Barbara
Upward Bound Pre-School	1040 Patterson Rd.	Santa Maria
Valley Christian Preschool	2970 Santa Maria Way	Santa Maria
Westgate Child Development Center	1240 Bethel Ln - #1A	Santa Maria
Windmill Valley Preschool	830 Friendship Ln.	Solvang
Bethania Pre-School	611 Atterdag Road	Solvang
Boys & Girls Club Of Lompoc Valley	1025 W. Ocean Ave.	Lompoc
Boys And Girls Club Of Carpinteria	4849 Foothill Road	Carpinteria
Channel Islands Ymca - Lompoc Branch Clarence Ruth	501 North W Street	Lompoc
Channel Islands Ymca - Los Berros	3745 Via Lato	Lompoc
Cliff Drive Care Center	1435 Cliff Drive	Santa Barbara
Girls Inc. Of Greater Santa Barbara	4973 Hollister Ave.	Santa Barbara

**Daycare Centers**

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>
Girls Incorporated Of Carpinteria	5315 Foothill Road	Carpinteria
Girls Incorporated Of Greater S.B.-(S.B. Center)	531 East Ortega	Santa Barbara
Goleta Boys & Girls Club Learning Care Center	7966 Seaway Dr. Ucsb Campus	Santa Barbara
Goleta Boys And Girls Club	5701 Hollister Ave.	Goleta
Kid'S Club	401 North Fairview Avenue	Goleta
Lompoc Family Ymca Afterschool Program	100 Aldebaran Ave	Lompoc
Lompoc Family Ymca-Fillmore	1211 East Pine Avenue	Lompoc
Lompoc Ymca Child Care-La Canada	620 W. North Avenue	Lompoc
Montecito Family Ymca Children'S Center	591 Santa Rosa Lane	Santa Barbara
Oak Valley School	595 2Nd St.	Buellton
Rainbow School	5689 Hollister Ave. Suite C-15	Goleta
Santa Maria Valley Ymca	3400 Skyway Drive	Santa Maria
United Boys & Girls Clubs Of Santa Barbara	552 University Rd - 2312 C Robertsons Gym	Santa Barbara
Westside Boys & Girls Club Daycare Center	602 W. Anapamu St.	Santa Barbara
Ymca Tunnell School	1248 Dena Way	Santa Maria

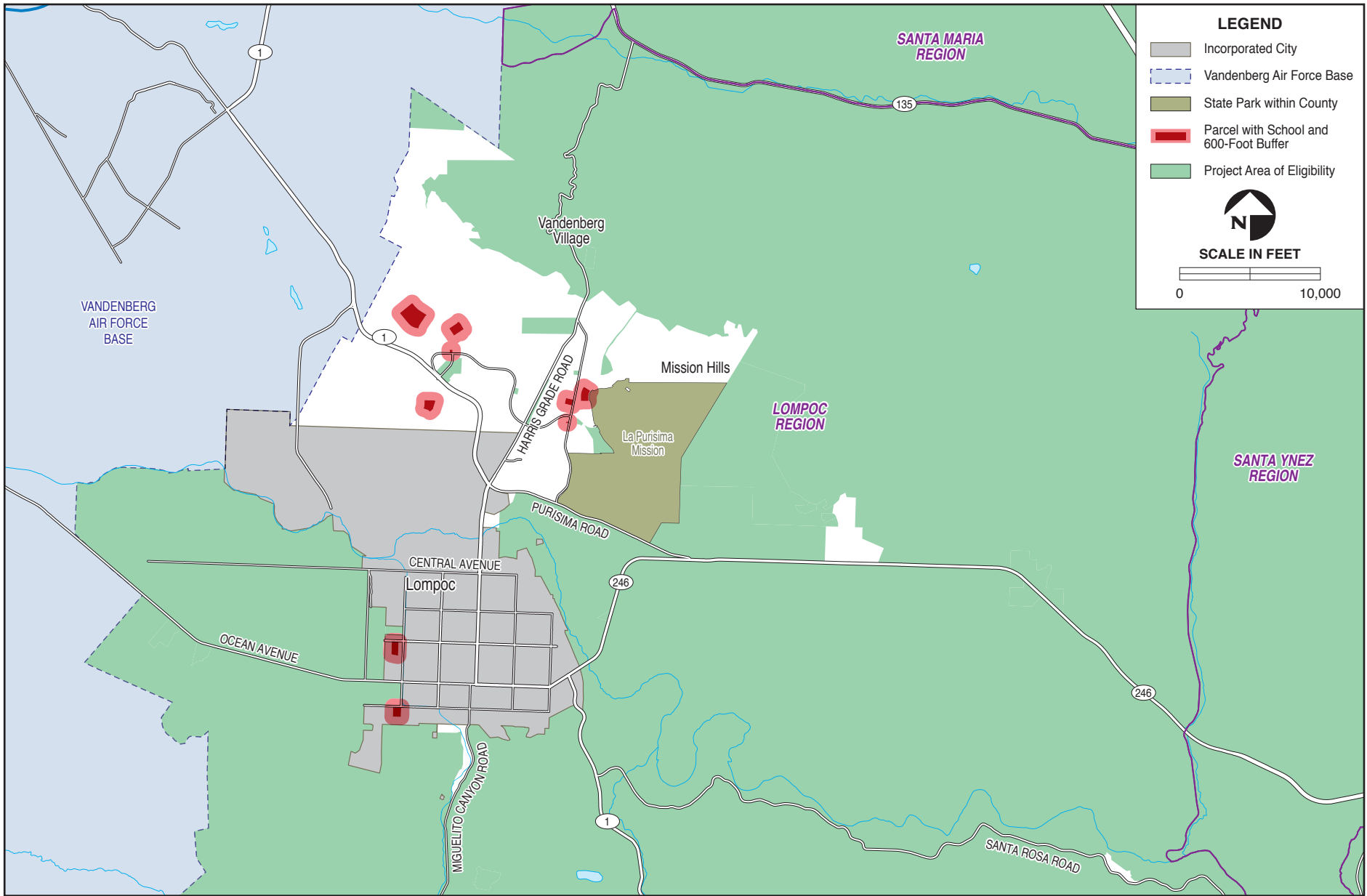
## **Youth Centers**

<b>Name</b>	<b>Address</b>	<b>City</b>
Abel Maldonado Youth Center	600 SOUTH MCCLELLAND ST	SANTA MARIA, CA 93454
Boys and Girls Club of Carpinteria	4859 FOOTHILL RD	CARPINTERIA, CA 93013
Boys and Girls Club of Lompoc	1025 W OCEAN AVE	LOMPOC, CA 93436
Boys and Girls Club of Santa Barbara	632 E CANON PERDIDO ST	SANTA BARBARA, CA 93103
Boys and Girls Club of Santa Barbara - Westside Unit	602 W ANAPAMU ST	SANTA BARBARA, CA 93101
Boys and Girls Club of Santa Maria Valley	901 N RAILROAD AVE	SANTA MARIA, CA 93458
Boys and Girls Club of Santa Maria Valley - Guadalupe Unit	4689 ELEVENTH ST	GUADALUPE, CA 93434
Cuyama Valley Family Resource Center	4689 HWY 166	NEW CUYAMA, CA 93254
Daniel Bryant Youth and Family Treatment Center	1111 GARDEN ST	SANTA BARBARA, CA 93101
Girls Inc. of Carpinteria	5315 FOOTHILL RD	CARPINTERIA, CA 93013
Girls Inc. of Goleta Valley	4973 HOLLISTER AVE	SANTA BARBARA, CA 93111
Girls Inc. of Santa Barbara	531 E ORTEGA ST	SANTA BARBARA, CA 93103
Goleta Boys and Girls Club	5681 HOLLISTER AVE	GOLETA, CA 93117
Isla Vista Youth Projects - Family Resource Center	6875 EL COLEGIO RD	GOLETA, CA 93117
Lompoc Family YMCA	201 W COLLEGE AVE	LOMPOC, CA 93436
Montecito Family YMCA	390 SAN YSIDRO RD	SANTA BARBARA, CA 93108
Noah's Anchorage Youth and Family Crisis Shelter	301 W FIGUEROA ST	SANTA BARBARA, CA 93101
Page Youth Center	4540 HOLLISTER AVE	SANTA BARBARA, CA 93110
Santa Barbara Family YMCA	36 HITCHCOCK WAY	SANTA BARBARA, CA 93105
Santa Maria Valley YMCA	300 GOODWIN RD	SANTA MARIA, CA 93455
St. George Family Youth Center	889 CAMINO DEL SUR	GOLETA, CA 93117
Stuart C. Gildred Family YMCA	900 N REFUGIO RD	SANTA YNEZ, CA 93460
Twelve 35 Teen Center	1235 CHAPALA ST	SANTA BARBARA, CA 93101
YMCA Haley Street Family and Teen Center	701 E HALEY ST	SANTA BARBARA, CA 93103



**Santa Maria Area  
Project Eligibility for Cannabis Activities**

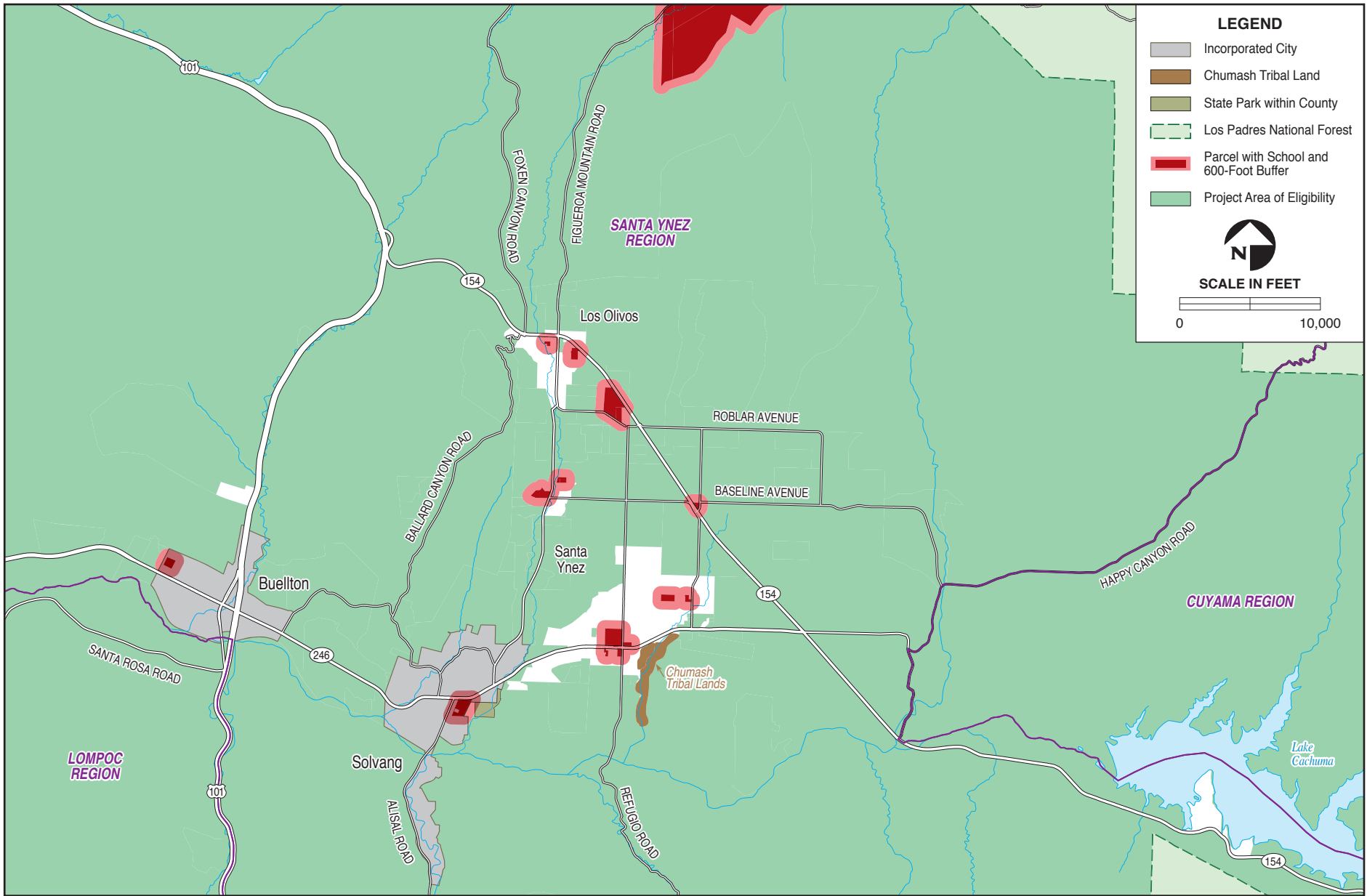
**FIGURE  
X-1**



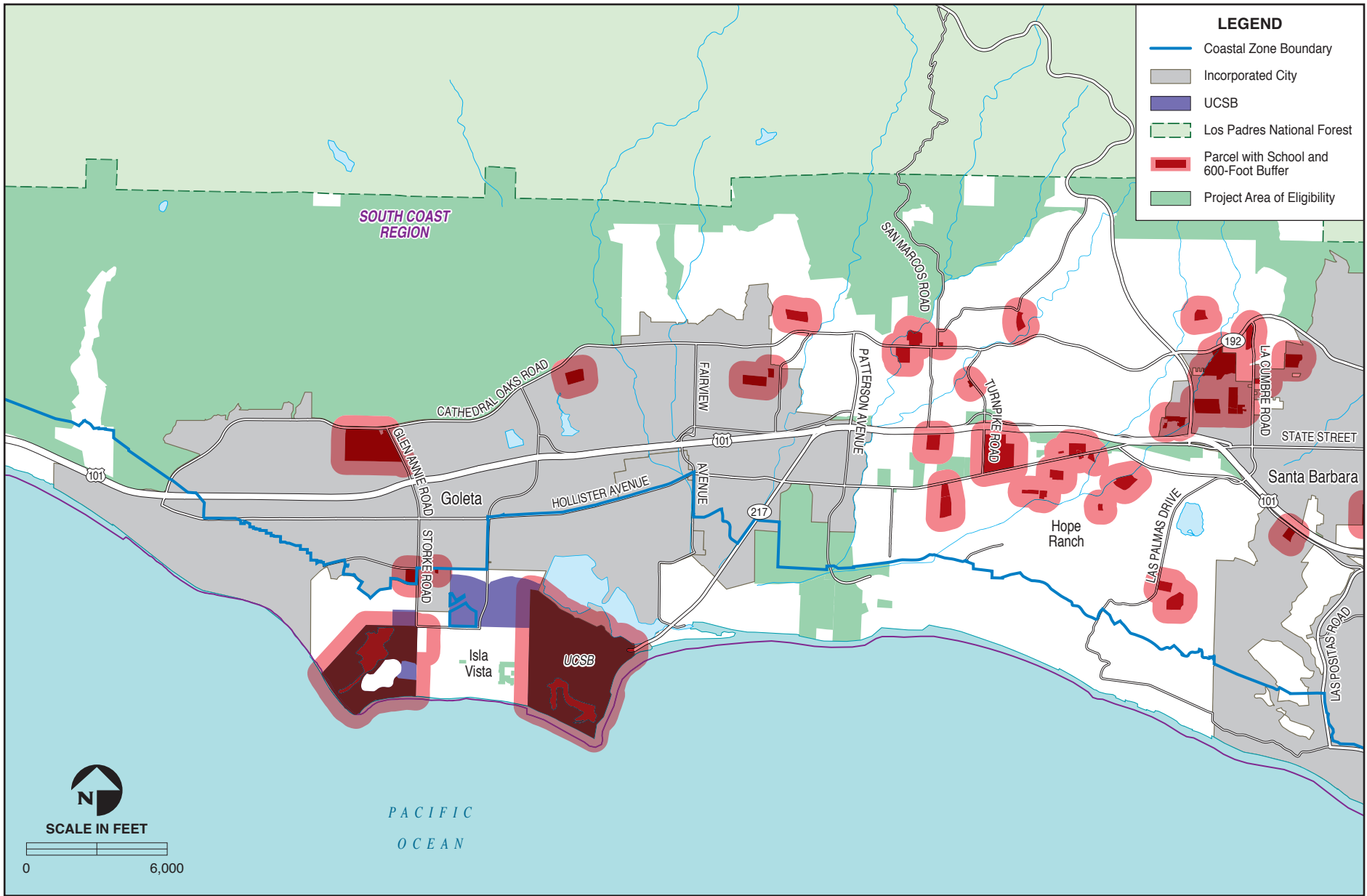
**Lompoc Area  
Project Eligibility for Cannabis Activities**

**FIGURE  
X-2**





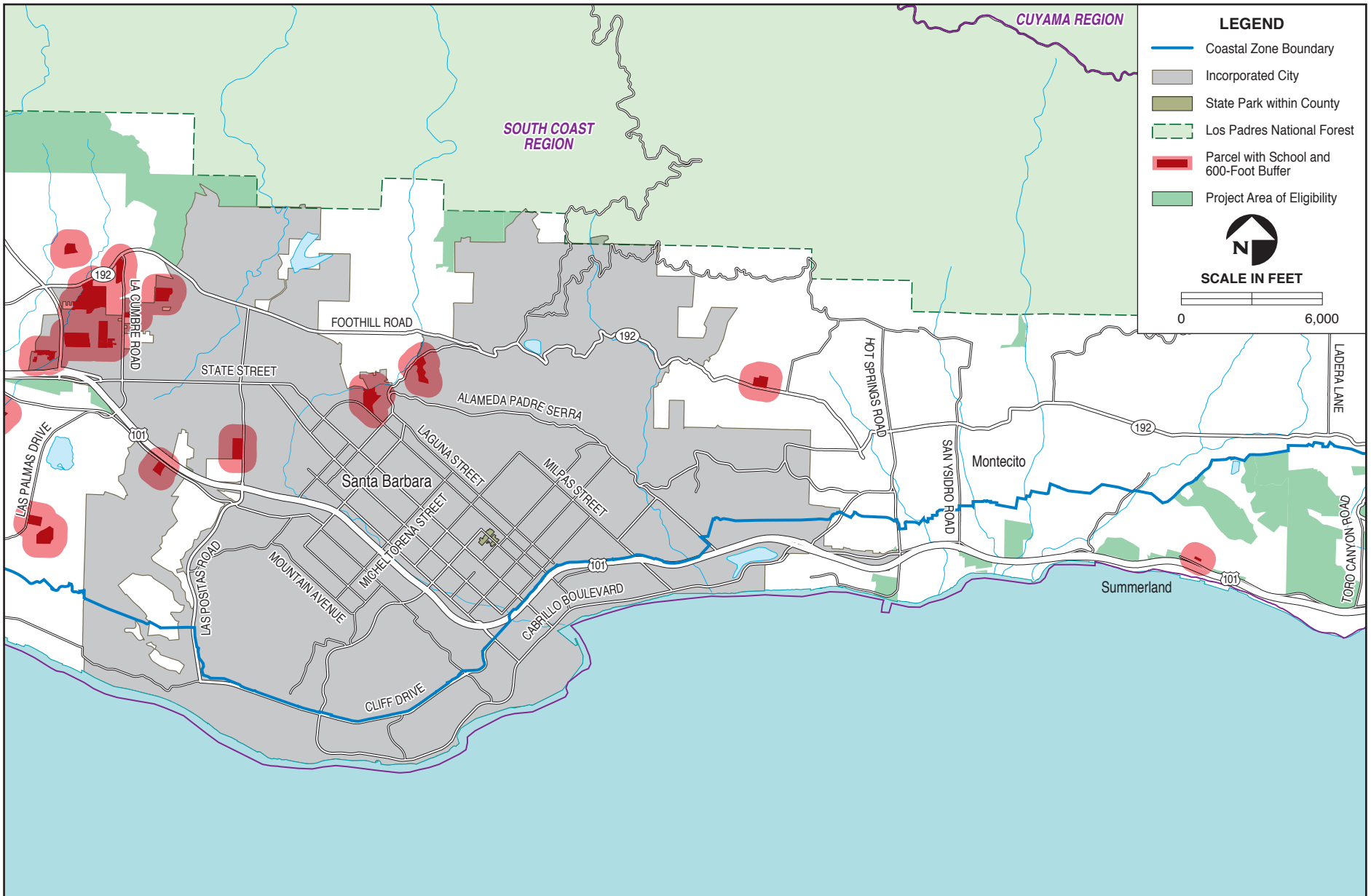
**FIGURE**  
**X-3**

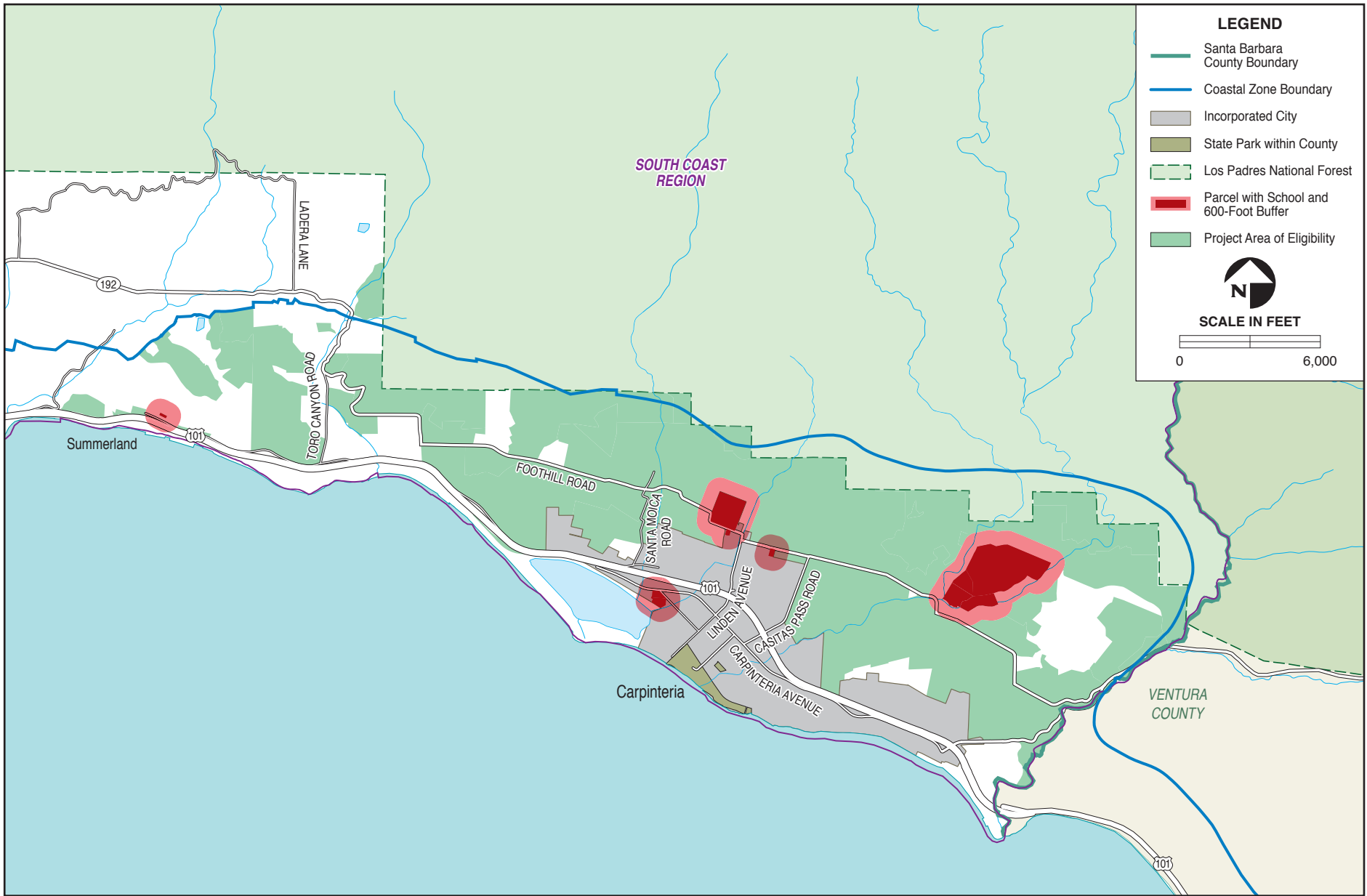


**Goleta Area  
Project Eligibility for Cannabis Activities**

**FIGURE  
X-4**







**Carpinteria Area  
Project Eligibility for Cannabis Activities**

**FIGURE  
X-6**

# Appendix - D

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## Biological Resources

CNDDDB RareFind Results,  
Santa Barbara County

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CNDDDB RareFind Results

SciName	ComName	TaxonGroup	ElmCode	TotalOccs	FedList	CallList	GRank	SRank	RPlantRank	OthrStatus	Habitats	GenHab	MicroHab	ReturnOccs		
Ambystoma	California tiger salamander	Amphibian	AAAAA011	1156	Threatened	Threatened	G2G3	S2S3			CDFW_WL-Cismontane woodland   N	Central Valley DPS	Need underground refuges,	25		
Anaxyrus	c arroyo toad	Amphibian	AAABB012	137	Endangered	None	G2G3	S2S3			CDFW_SSC	Desert wash   Riparian sc	Semi-arid regions   Rivers with sandy banks, wi	5		
Batrachoseps	Channel Islands slender salamander	Amphibian	AAAAD020	4	None	None	G4	S3S4			IUCN_LC-L	Coastal scrub   Riparian w	Found only on San Found in a variety of habita	1		
Rana	boylei foothill yellow-legged frog	Amphibian	AAABH010	989	None	Candidate Threaten	G3	S3			BLM_S-Ser	Aquatic   Chaparral   Cism	Partly-shaded, sha	Needs at least some cobble	6	
Rana	drayton California red-legged frog	Amphibian	AAABH010	1408	Threatened	None	G2G3	S2S3			CDFW_SSC	Aquatic   Artificial flowing	Lowlands and foot	Requires 11-20 weeks of pe	93	
Speotyto	western spadefoot	Amphibian	AAABF020	454	None	None	G3	S3			BLM_S-Ser	Cismontane woodland   C	Occurs primarily in	Vernal pools are essential fr	42	
Taricha	tor Coast Range newt	Amphibian	AAAAF020	71	None	None	G4	S4			CDFW_SSC	Species of Special Concer	Coastal drainages   Lives in terrestrial habitats	2		
Accipiter	cooperi Cooper's hawk	Birds	ABNKC120	112	None	None	G5	S4			CDFW_WL	Cismontane woodland   F	Woodland, chiefly	Nest sites mainly in riparian	3	
Agelaius	tricolor blackbird	Birds	ABPBXB00	951	None	Candidate Endange	G2G3	S1S2			BLM_S-Ser	Freshwater marsh   Mars	Highly colonial spe	Requires open water, prote	12	
Aimophila	southern California rufous-crowned sparr	Birds	ABPBX910	223	None	None	G5T3	S3			CDFW_WL	Chaparral   Coastal scrub	Resident in Southe	Frequents relatively steep,	2	
Athene	cur burrowing owl	Birds	ABNSB100	1941	None	None	G4	S3			BLM_S-Ser	Coastal prairie   Coastal s	Open, dry annual c	Subterranean nester, deper	2	
Buteo	regalis ferruginous hawk	Birds	ABNKC191	107	None	None	G4	S3S4			CDFW_WL	Great Basin grassland   G	Open grasslands, s	Eats mostly lagomorphs, gr	2	
Buteo	swainsoni Swainson's hawk	Birds	ABNKC190	2431	None	Threatened	G5	S3			BLM_S-Ser	Great Basin grassland   Ri	Breeds in grasslan	Requires adjacent suitable f	1	
Campylorhynchus	coastal cactus wren	Birds	ABPBG020	0	None	None	G5T3Q	S3			CDFW_SSC	Coastal scrub	Southern Californi	Wrens require tall opuntia c	0	
Cerorhinca	rhinoceros auklet	Birds	ABNNN11C	10	None	None	G5	S3			CDFW_WL	Watch List   IUCN_LC	Lea	Off-shore islands a	Nests in a burrow on undist	3
Charadrius	western snowy plover	Birds	ABNNB030	133	Threatened	None	G3T3	S2S3			CDFW_SSC	Great Basin standing wat	Sandy beaches, sal	Needs sandy, gravelly or fri	10	
Elanus	leucurus white-tailed kite	Birds	ABNKC060	164	None	None	G5	S3S4			BLM_S-Ser	Cismontane woodland   N	Rolling foothills an	Open grasslands, meadows,	1	
Empidonax	southwestern willow flycatcher	Birds	ABPAE330	70	Endangered	Endangered	G5T2	S1			NABCI_RW	Riparian woodland	Riparian woodlands in Southern California.	5		
Eremophila	californica California horned lark	Birds	ABPAT020	93	None	None	G5T4Q	S4			CDFW_WL	Marine intertidal & splash	Coastal regions, ch	Short-grass prairie, "bald" h	1	
Falco	mexicanus prairie falcon	Birds	ABNKD060	458	None	None	G5	S4			CDFW_WL	Great Basin grassland   G	Inhabits dry, open	Breeding sites located on cl	5	
Falco	peregrinus American peregrine falcon	Birds	ABNKD060	55	Delisted	Delisted	G4T4	S3S4			CDF_S	Sensitive   CDFW_FP	Fully Prc	Near wetlands, lak	Nest consists of a scrape or	5
Fratercula	arctica tufted puffin	Birds	ABNNN12C	17	None	None	G5	S1S2			CDFW_SSC	Protected deepwater coa	Open-ocean bird;	Requires sod or earth into v	1	
Gymnogyps	californicus California condor	Birds	ABNKA030	13	Endangered	Endangered	G1	S1			CDF_S	Ser	Chaparral   Valley & foot	Require vast expar	Deep canyons containing cl	3
Haliaeetus	bald eagle	Birds	ABNKC100	327	Delisted	Endangered	G5	S3			BLM_S-Ser	Lower montane coniferou	Ocean shore, lake	Nests in large, old-growth, c	1	
Laterallus	johannes California black rail	Birds	ABNME03C	298	None	Threatened	G3G4T1	S1			BLM_S-Ser	Brackish marsh   Freshwa	Inhabits freshwate	Needs water depths of abou	1	
Melospiza	channel island song sparrow	Birds	ABPBXA30	4	None	None	G5T1	S1			CDFW_SSC	Species of Special Concer	Only on San Miguel and Santa Rosa Islands. Ne	3		
Oceanodroma	leucorhoa ashy storm-petrel	Birds	ABNDC040	21	None	None	G2	S2			BLM_S-Ser	Protected deepwater coa	Colonial nester on	Nest sites on islands are in c	10	
Oceanodroma	leucorhoa black storm-petrel	Birds	ABNDC040	2	None	None	G3G4	S1			CDFW_SSC	Protected deepwater coa	Colonial nester on	Primarily a warm-water birc	2	
Passerculus	beldingii Belding's savannah sparrow	Birds	ABPBX990	36	None	Endangered	G5T3	S3				Marsh & swamp   Wetlan	Inhabits coastal sa	Nests in Salicornia on and a	2	
Pelecanus	californicus California brown pelican	Birds	ABNFC010	19	Delisted	Delisted	G4T3	S3			BLM_S	Sensitive   CDFW_FP	Fully Pri	Colonial nester on	Nests on coastal islands of s	3
Phalacrocorax	uruguayensis double-crested cormorant	Birds	ABNFD010	38	None	None	G5	S4			CDFW_WL	Riparian forest   Riparian	Colonial nester on	Nests along coast on seque	3	
Poliophtila	californica coastal California gnatcatcher	Birds	ABPBJ080	0	Threatened	None	G4G5T2Q	S2			CDFW_SSC	Coastal bluff scrub   Coas	Obligate, permane	Low, coastal sage scrub in a	0	
Rallus	obsoletus light-footed Ridgway's rail	Birds	ABNME05C	31	Endangered	Endangered	G5T1T2	S1			CDFW_FP	I	Marsh & swamp   Salt ma	Found in salt mars	Requires dense growth of e	2
Riparia	erythronotus bank swallow	Birds	ABPAU080	297	None	Threatened	G5	S2			BLM_S-Ser	Riparian scrub   Riparian	Colonial nester; ne	Requires vertical banks/cliff	3	
Setophaga	coronata yellow warbler	Birds	ABPBX030	69	None	None	G5	S3S4			CDFW_SSC	Riparian forest   Riparian	Riparian plant assc	Frequently found nesting ar	1	
Sternula	macrura California least tern	Birds	ABNNM08	69	Endangered	Endangered	G4T2T3Q	S2			CDFW_FP	I	Alkali playa   Wetland	Nests along the co	Colonial breeder on bare or	4
Synthliborissa	scudderii Scripps's murrelet	Birds	ABNNN07C	12	Candidate	Threatened	G3	S2			BLM_S	Sensitive   IUCN_VU	Vulneral	Open ocean excep	Nests in rock crevices, unde	7
Vireo	bellii least Bell's vireo	Birds	ABPBW011	479	Endangered	Endangered	G5T2	S2			IUCN_NT	N	Riparian forest   Riparian	Summer resident c	Nests placed along margins	8
Anomobryum	slender silver moss	Bryophytes	NBMUS80C	13	None	None	G5?	S2		4.2		Broadleaved upland fores	Broadleaved uplan	Moss which grows on damp	1	
Pleuridium	Mexican earthmoss	Bryophytes	NBMUS5M	1	None	None	G5	S1		2B.1		Chaparral	Chaparral.	Sandstone. 440 m.	1	
Tortula	californica California screw moss	Bryophytes	NBMUS7LC	15	None	None	G2G3	S2S3		1B.2		BLM_S-Ser	Chenopod scrub   Valley	Chenopod scrub, v	Moss growing on sandy soil	2
Branchinecta	vedleri vernal pool fairy shrimp	Crustacean	ICBRA0303	756	Threatened	None	G3	S3			IUCN_VU	V	Valley & foothill grasslan	Endemic to the gra	Inhabit small, clear-water s	8
Acanthoscypha	Abrams' oxytheca	Dicots	PDPGN0J0	7	None	None	G4?T1T2	S1S2		1B.2		USFS_S-Ser	Chaparral	Chaparral.	Shale or sandy places. 1675	4
Acemisa	californica Santa Cruz Island bird's-foot trefoil	Dicots	PDFAB2A0	24	None	Endangered	G5T3	S3		4.3		SB_RSABG	Chaparral   Coastal bluff	Chaparral, coastal	Dry rocky places and canyoi	24
Ancistrocladus	californicus Santa Ynez groundstar	Dicots	PDASTD50	2	None	None	G1	S1		1B.1		BLM_S-Ser	Chaparral   Cismontane	Chaparral, cismont	Sandy soils. 40-130 m.	2
Aphanisma	aphanisma	Dicots	PDCHE020	73	None	None	G3G4	S2		1B.2			Coastal bluff scrub   Coas	Coastal bluff scrub	On bluffs and slopes near th	7
Arctostaphylos	californica Santa Rosa Island manzanita	Dicots	PDERI040A	4	Endangered	None	G2	S2		1B.2		SB_RSABG	Broadleaved upland fores	Broadleaved uplan	On outcrops, rocky slopes a	4

CNDDDB RareFind Results

SciName	ComName	TaxonGroup	ElmCode	TotalOccs	FedList	CallList	GRank	SRank	RPlantRan	OthrStatus	Habitats	GenHab	MicroHab	ReturnOccs
Arctostaph	Eastwood's brittle-leaf manzanita	Dicots	PDERI041H	3	None	None	G4T2	S2	1B.1		Chaparral	Chaparral.	In maritime chaparral on sa	3
Arctostaph	San Gabriel manzanita	Dicots	PDERI042P	35	None	None	G5T3	S3	1B.2	BLM_S-Ser	Chaparral	Chaparral.	Rocky outcrops; can be don	5
Arctostaph	La Purisima manzanita	Dicots	PDERI041A	41	None	None	G2	S2	1B.1	SB_RSABG-	Chaparral   Coastal scrub	Chaparral, coastal	Sandstone outcrops, sandy	41
Arctostaph	Refugio manzanita	Dicots	PDERI041B	27	None	None	G3	S3	1B.2	USFS_S-Sei	Chaparral	Chaparral.	On sandstone. 60-765 m.	27
Arctostaph	sand mesa manzanita	Dicots	PDERI041E	36	None	None	G2	S2	1B.2	BLM_S-Ser	Chaparral   Coastal scrub	Chaparral, coastal	On sandy soils in Lompoc/N	24
Astragalus	Miles' milk-vetch	Dicots	PDFAB0F2)	11	None	None	G5T2	S2	1B.2		Coastal scrub	Coastal scrub.	Clay soils. 50-385 m.	2
Astragalus	Trask's milk-vetch	Dicots	PDFAB0F9)	15	None	Rare	G3	S3	1B.2		Coastal bluff scrub   Coas	Coastal bluff scrub	Sandy, windswept ocean bli	3
Atriplex co	Coulter's saltbush	Dicots	PDCHE040I	102	None	None	G3	S1S2	1B.2	SB_RSABG-	Coastal bluff scrub   Coas	Coastal bluff scrub	Ocean bluffs, ridgetops, as	32
Atriplex pa	south coast saltscale	Dicots	PDCHE041I	96	None	None	G4	S2	1B.2		Alkali playa   Coastal bluff	Coastal scrub, coa	Alkali soils. 1-400 m.	6
Atriplex sei	Davidson's saltscale	Dicots	PDCHE041I	28	None	None	G5T1	S1	1B.2		Coastal bluff scrub   Coas	Coastal bluff scrub	Alkaline soil. 0-460 m.	6
Berberis pi	island barberry	Dicots	PDBER060I	8	Endangered	Endangered	G5T1	S1	1B.2		Chaparral   Cismontane v	Closed-cone conife	Moist, shaded canyons; usu	7
Boechera f	Hoffmann's rockcress	Dicots	PDBRA060)	7	Endangered	None	G1G2	S1S2	1B.1	SB_RSABG-	Chaparral   Coastal bluff s	Coastal bluff scrub	Volcanic cliff edges. 25-500	6
California r	round-leaved filaree	Dicots	PDGER010)	204	None	None	G3?	S3?	1B.2	BLM_S-Ser	Cismontane woodland   v	Cismontane woodl	Clay soils. 15-1200 m.	4
Calycadeni	dwarf calycadenia	Dicots	PDAST1P0E	60	None	None	G3	S3	1B.1	BLM_S-Ser	Chaparral   Cismontane v	Chaparral, cismont	Open, dry meadows, hillside	1
Calystegia	Santa Barbara morning-glory	Dicots	PDCON040)	1	None	None	G5TXQ	SX	1A		Marsh & swamp   Salt ma	Marshes and swan	0-30 m.	1
Castilleja h	island white-felted paintbrush	Dicots	PDSCR0D1I	41	None	None	G3	S3	1B.2		Chaparral   Closed-cone c	Closed-cone conife	Rocky slopes. 5-365 m.	36
Castilleja r	soft-leaved paintbrush	Dicots	PDSCR0D2)	7	Endangered	None	G2	S2	1B.1	SB_SBBG-S	Coastal bluff scrub   Coas	Coastal dunes, coa	5-95 m.	7
Caulanthus	Santa Barbara jewelflower	Dicots	PDBRA0MC)	11	None	None	G4T2	S2	1B.1	USFS_S-Sei	Chaparral   Cismontane v	Closed-cone conife	Serpentine soils. 420-1220	11
Caulanthus	California jewelflower	Dicots	PDBRA310)	63	Endangered	Endangered	G1	S1	1B.1		Chenopod scrub   Pinon &	Chenopod scrub, v	Sandy soils. 65-1860 m.	8
Caulanthus	Lemmon's jewelflower	Dicots	PDBRA0MC)	86	None	None	G3	S3	1B.2	BLM_S-Ser	Pinon & juniper woodlanc	Pinyon and juniper	75-1585 m.	4
Centromac	southern tarplant	Dicots	PDAST4R0F)	87	None	None	G3T2	S2	1B.1	SB_RSABG-	Marsh & swamp   Salt ma	Marshes and swan	Often in disturbed sites nea	14
Chenopodi	coastal goosefoot	Dicots	PDCHE091)	13	None	None	G2	S2	1B.2		Coastal dunes	Coastal dunes.	10-30 m.	3
Chloropyrc	salt marsh bird's-beak	Dicots	PDSCR0J0C)	30	Endangered	Endangered	G4?T1	S1	1B.2	SB_RSABG-	Coastal dunes   Marsh &	Marshes and swan	Limited to the higher zones	2
Chorizanth	Blakley's spineflower	Dicots	PDPGN040)	12	None	None	G2	S2	1B.3	USFS_S-Sei	Chaparral   Pinon & junip	Chaparral, pinyon	605-1525 m.	11
Chorizanth	straight-awned spineflower	Dicots	PDPGN040)	38	None	None	G2	S2	1B.3	BLM_S-Ser	Chaparral   Cismontane v	Chaparral, cismont	Often on granite in chaparr:	10
Cicuta mac	Bolander's water-hemlock	Dicots	PDAPI0M0)	17	None	None	G5T4	S2	2B.1		Marsh & swamp   Salt ma	Marshes and swan	0-200 m.	1
Cirsium oc	compact cobwebby thistle	Dicots	PDAST2E1Z)	30	None	None	G3G4T2	S2	1B.2		Chaparral   Coastal dunes	Chaparral, coastal	On dunes and on clay in cha	11
Cirsium rh	surf thistle	Dicots	PDAST2E2J)	21	None	Threatened	G1	S1	1B.2	BLM_S-Ser	Coastal bluff scrub   Coas	Coastal dunes, coa	Open areas in central dune	16
Cirsium sca	La Graciosa thistle	Dicots	PDAST2E1I)	20	Endangered	Threatened	G5T1	S1	1B.1		Brackish marsh   Cismont	Coastal dunes, coa	Lake edges, riverbanks, oth	7
Constance	Nevin's woolly sunflower	Dicots	PDAST3N0)	48	None	None	G3	S3	1B.3	SB_RSABG-	Coastal bluff scrub   Coas	Coastal bluff scrub	Slopes and cliffs. 3-500 m.	5
Cordylanth	seaside bird's-beak	Dicots	PDSCR0J0P)	40	None	Endangered	G5T2	S2	1B.1	BLM_S-Ser	Chaparral   Cismontane v	Closed-cone conife	Sandy, often disturbed sites	25
Crocather	island rush-rose	Dicots	PDCIS0209)	65	Threatened	None	G3	S3	1B.2	SB_SBBG-S	Chaparral   Cismontane v	Chaparral, coastal	Rocky sites; usually in open	50
Deinandra	Gaviota tarplant	Dicots	PDAST4R0I)	49	Endangered	Endangered	G4G5T2	S2	1B.1	SB_SBBG-S	Coastal bluff scrub   Coas	Coastal scrub, vall	Known from coastal terrace	49
Delphinium	dune larkspur	Dicots	PDRAN0B1)	27	None	None	G4T2	S2	1B.2	BLM_S-Ser	Chaparral   Coastal dunes	Chaparral, coastal	On rocky areas and dunes. :	13
Delphinium	umbrella larkspur	Dicots	PDRAN0B1)	69	None	None	G3	S3	1B.3	BLM_S-Ser	Chaparral   Cismontane v	Cismontane woodl	Mesic sites. 215-2075 m.	27
Diplacus br	Santa Cruz Island monkeyflower	Dicots	PDSCR1B0I)	1	None	None	G1Q	SX	1A		Coastal scrub   Valley & fr	Valley and foothill	Rocky ridge top. 60-305 m.	1
Diplacus va	Vandenberg monkeyflower	Dicots	PDSCR1B3I)	13	Endangered	None	G1	S1	1B.1	SB_SBBG-S	Chaparral   Cismontane v	Cismontane woodl	Sandy, often disturbed area	13
Dithyrea m	beach spectaclepod	Dicots	PDBRA100)	28	None	Threatened	G1	S1	1B.1	BLM_S-Ser	Coastal dunes   Coastal sc	Coastal dunes, coa	Sea shores, on sand dunes,	9
Dudleya bl	Blochman's dudleya	Dicots	PDCRA040)	79	None	None	G3T2	S2	1B.1	SB_RSABG-	Chaparral   Coastal bluff s	Coastal scrub, coa	Open, rocky slopes; often ir	7
Dudleya bl	Santa Rosa Island dudleya	Dicots	PDCRA040)	1	None	None	G3T1	S1	1B.1		Coastal bluff scrub	Coastal bluff scrub	Coastal bluffs; on rock flat r	1
Dudleya ca	candleholder dudleya	Dicots	PDCRA040)	34	None	None	G3	S3	1B.2		Chaparral   Closed-cone c	Coastal scrub, clos	In rock walls and crevices, a	34
Dudleya gr	munchkin dudleya	Dicots	PDCRA040)	1	None	None	G1	S1	1B.1		Coastal bluff scrub	Coastal bluff scrub	Coastal bluffs on Santa Ros:	1
Dudleya ne	Santa Cruz Island dudleya	Dicots	PDCRA040)	2	Threatened	Rare	G1	S1	1B.1	SB_RSABG-	Coastal bluff scrub   Coas	Coastal bluff scrub	In flat area near edge of sea	2
Dudleya tr	Santa Barbara Island dudleya	Dicots	PDCRA040)	3	Endangered	Endangered	G1	S1	1B.2		Coastal bluff scrub   Coas	Coastal scrub, coa	In shallow soil pockets on rc	3
Eremalche	Kern mallow	Dicots	PDMAL0C0)	127	Endangered	None	G3G4T2T3)	S2S3	1B.2	SB_RSABG-	Chenopod scrub   Pinon &	Chenopod scrub, v	On dry, open sandy to clay :	2
Eriastrum f	Hoover's eriastrum	Dicots	PDPLM030)	47	Delisted	None	G3	S3	4.2	SB_RSABG-	Chenopod scrub   Pinon &	Chenopod scrub, v	On sparsely vegetated alkal	1
Erigeron bl	Blochman's leafy daisy	Dicots	PDAST3M5)	23	None	None	G2	S2	1B.2	BLM_S-Ser	Coastal dunes   Coastal sc	Coastal dunes, coa	Sand dunes and hills. 0-185	8



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Eriodictyon	Lompoc yerba santa	Dicots	PDHYD040	6	Endangered	Rare	G2	S2	1B.2	SB_RSABG- Chaparral   Closed-cone c	Closed-cone conifer	Sandy soils on terraces. 60-		6
Eriogonum	Santa Barbara Island buckwheat	Dicots	PDPGN082	4	None	Rare	G2T2	S2	1B.3	SB_RSABG- Coastal bluff scrub	Coastal bluff scrub	Seabluffs; dry rocky outcrop		4
Eriogonum	red-flowered buckwheat	Dicots	PDPGN082	31	None	None	G4T3	S3	1B.2	Chaparral   Coastal bluff s	Coastal bluff scrub	10-215 m.		30
Eriophyllum	Fort Tejon woolly sunflower	Dicots	PDAST3NO	6	None	None	G5T1	S1	1B.1	USFS_S-Sei Chaparral   Cismontane w	Chaparral, cismont	Often on slopes in loamy so		2
Erysimum	sand-loving wallflower	Dicots	PDBRA160	22	None	None	G2	S2	1B.2	BLM_S-Ser Chaparral   Coastal dunes	Chaparral (maritir	Sandy openings. 5-130 m.		5
Erysimum	island wallflower	Dicots	PDBRA160	14	None	None	G3	S3	1B.3	SB_RSABG- Chaparral   Coastal bluff s	Coastal bluff scrub	Mesas and cliffs. 15-230 m.		11
Euphorbia	cliff spurge	Dicots	PDEUP0Q1	40	None	None	G5	S2	2B.2	SB_RSABG- Coastal bluff scrub   Coas	Coastal bluff scrub	Rocky sites. 3-430 m.		1
Galium	box bedstraw	Dicots	PDRUB0N0	17	Endangered	Rare	G2G3	S2S3	1B.2	SB_SBBG-S Closed-cone coniferous fc	Coastal bluff scrub	Rocky cliffs, ocean bluffs, ta		17
Gambelia	showy island snapdragon	Dicots	PDSCR2HO	44	None	None	G3	S3	1B.2	SB_RSABG- Coastal scrub	Coastal scrub.	Rocky cliffs and canyons. 3-		1
Gilia	tenuif Hoffmann's slender-flowered gilia	Dicots	PDPLM041	3	Endangered	None	G3G4T1	S1	1B.1	SB_RSABG- Coastal dunes   Coastal sc	Coastal dunes, coa	Island dunes; sandy-loam sc		3
Heuchera	island alumroot	Dicots	PDSAX0E0	25	None	None	G3	S3	1B.2	SB_SBBG-S Chaparral   Cismontane w	Coastal bluff scrub	Moist north-facing canyon v		24
Horkelia	cu mesa horkelia	Dicots	PDR0S0W	103	None	None	G4T1	S1	1B.1	USFS_S-Sei Chaparral   Cismontane w	Chaparral, cismont	Sandy or gravelly sites. 15-1		26
Horkelia	cu Kellogg's horkelia	Dicots	PDR0S0W	58	None	None	G4T1?	S1?	1B.1	USFS_S-Sei Chaparral   Closed-cone c	Closed-cone conifer	Old dunes, coastal sandhills		9
Lasthenia	c Contra Costa goldfields	Dicots	PDAST5L04	33	Endangered	None	G1	S1	1B.1	SB_UCBBG Alkali playa   Cismontane	Valley and foothill	Vernal pools, swales, low de		1
Lasthenia	g Coulter's goldfields	Dicots	PDAST5L0A	97	None	None	G4T2	S2	1B.1	BLM_S-Ser Alkali playa   Marsh & sw	Coastal salt marsh	Usually found on alkaline sc		6
Lavatera	as island mallow	Dicots	PDMAL0N	6	None	None	G1T1	S1	1B.1	SB_SBBG-S Coastal bluff scrub   Coas	Coastal bluff scrub	Sandy flats and rocky places		3
Layia	carnc beach layia	Dicots	PDAST5N0	23	Endangered	Endangered	G2	S2	1B.1	SB_RSABG- Coastal dunes   Coastal sc	Coastal dunes, coa	On sparsely vegetated, sem		3
Layia	heter pale-yellow layia	Dicots	PDAST5N0	97	None	None	G2	S2	1B.1	BLM_S-Ser Cismontane woodland   C	Cismontane woodl	Alkaline or clay soils; open z		12
Lepidium	v Robinson's pepper-grass	Dicots	PDBRA1M1	142	None	None	G5T3	S3	4.3	Chaparral   Coastal scrub	Chaparral, coastal	Dry soils, shrubland. 4-1435		10
Lonicera	sc Santa Barbara honeysuckle	Dicots	PDCPR030	21	None	None	G5T2?	S2?	1B.2	USFS_S-Sei Chaparral   Cismontane w	Chaparral, cismont	5-825 m.		19
Lyonothamn	Santa Cruz Island ironwood	Dicots	PDR0S120	78	None	None	G3T3	S3	1B.2	Broadleaved upland fores	Broadleaved uplan	Protected pockets on north		61
Madia	radi showy golden madia	Dicots	PDAST650E	51	None	None	G2	S2	1B.1	BLM_S-Ser Cismontane woodland   v	Valley and foothill	Mostly on adobe clay in gra		1
Malacotha	Davidson's bush-mallow	Dicots	PDMAL0Q	69	None	None	G2	S2	1B.2	Chaparral   Cismontane w	Coastal scrub, ripa	Sandy washes. 150-1525 m.		1
Malacotha	Santa Cruz Island bush-mallow	Dicots	PDMAL0Q	8	Endangered	Endangered	G4T1	S1	1B.1	SB_SBBG-S Chaparral   Coastal scrub	Coastal scrub, cha	Steep slopes and outcrops.		8
Malacotha	slender bush-mallow	Dicots	PDMAL0Q	5	None	None	G1Q	S1	1B.1	Chaparral	Chaparral.	Dry, rocky slopes. 150-335 r		1
Malacothri	Philbrick's malacothrix	Dicots	PDAST660	3	None	None	G4T1	S1	1B.2	Coastal scrub	Coastal scrub.	60-155 m.		3
Malacothri	Santa Cruz Island malacothrix	Dicots	PDAST660J	7	Endangered	None	G2	S2	1B.1	Chaparral   Coastal bluff s	Coastal dunes, coa	Exposed sites on dry ridges		7
Malacothri	Carmel Valley malacothrix	Dicots	PDAST660	16	None	None	G5T2	S2	1B.2	BLM_S-Ser Chaparral   Coastal scrub	Chaparral, coastal	Rock outcrops or steep rock		1
Malacothri	Mexican malacothrix	Dicots	PDAST660I	3	None	None	G2G3	SH	2A	Coastal dunes	Coastal dunes.	0-40 m.		2
Malacothri	island malacothrix	Dicots	PDAST660h	4	Endangered	None	G1	S1	1B.1	Chaparral   Cismontane w	Chaparral, cismont	Exposed sites. 15-30 m.		2
Monardella	white-veined monardella	Dicots	PDLAM180	29	None	None	G4T3	S3	1B.3	Chaparral   Cismontane w	Chaparral, cismont	Dry slopes. 50-1280 m.		19
Monardella	southern curly-leaved monardella	Dicots	PDLAM181	36	None	None	G3T2	S2	1B.2	Chaparral   Cismontane w	Coastal dunes, coa	Sandy soils. 20-305 m.		26
Monardella	Point Arguello monardella	Dicots	PDLAM181	1	None	None	G3T1	S1	1B.1	Coastal bluff scrub   Coas	Coastal bluff scrub	Sandy substrate. 50-150 m.		1
Monardella	crisp monardella	Dicots	PDLAM180	27	None	None	G3T2	S2	1B.2	BLM_S-Ser Coastal dunes   Coastal sc	Coastal dunes, coa	Often on the borders of ope		14
Monardella	San Luis Obispo monardella	Dicots	PDLAM180	24	None	None	G2	S2	1B.2	BLM_S-Ser Coastal dunes   Coastal sc	Coastal dunes, coa	Stabilized sand of the imme		13
Monolopia	San Joaquin woollythreads	Dicots	PDASTA80	100	Endangered	None	G2	S2	1B.2	SB_UCBBG Chenopod scrub   Valley & f	Chenopod scrub, v	Alkaline or loamy plains; sai		3
Nasturtium	Gambel's water cress	Dicots	PDBRA270	12	Endangered	Threatened	G1	S1	1B.1	SB_RSABG- Brackish marsh   Freshwa	Marshes and swan	Freshwater and brackish m:		3
Nemacladus	Robbins' nemacladus	Dicots	PDCAM0FC	9	None	None	G3T2	S2	1B.2	USFS_S-Sei Chaparral   Valley & foot	Chaparral, valley a	Dry, sandy or gravelly slope		1
Orobanch	short-lobed broomrape	Dicots	PDORO040	26	None	None	G4?T4	S3	4.2	Coastal bluff scrub   Coas	Coastal bluff scrub	Sandy soil near beaches; rej		14
Phacelia	in northern Channel Islands phacelia	Dicots	PDHYD0C2	6	Endangered	None	G2T1	S1	1B.2	Coastal dunes   Valley & f	Valley and foothill	Dunes, bluffs and sandy pla		6
Platystemc	Santa Barbara Island cream cups	Dicots	PDPAP0J02	1	None	None	G5T1Q	S1	1B.2	Coastal bluff scrub	Coastal bluff scrub	Open gravelly soil on coasta		1
Quercus	di Nuttall's scrub oak	Dicots	PDFAG050	165	None	None	G3	S3	1B.1	USFS_S-Sei Chaparral   Closed-cone c	Closed-cone conifer	Generally on sandy soils ne:		13
Ribes	thact Santa Cruz Island gooseberry	Dicots	PDGRO021	12	None	None	G2	S2	1B.2	SB_USDA-L Cismontane woodland   C	Closed-cone conifer	Canyons, streambeds, and r		12
Salvia	bran Brandegee's sage	Dicots	PDLAM1S0	13	None	None	G3	S2	1B.2	Chaparral   Closed-cone c	Closed-cone conifer	Coastal bluffs and seaward		13
Scrophular	black-flowered figwort	Dicots	PDSCR1S01	62	None	None	G2?	S2?	1B.2	SB_RSABG- Chaparral   Closed-cone c	Closed-cone conifer	Sand, diatomaceous shales,		51
Senecio	ap chaparral ragwort	Dicots	PDAST8H0	47	None	None	G3	S2	2B.2	Chaparral   Cismontane w	Chaparral, cismont	Drying alkaline flats. 20-855		9
Sibara	filifc Santa Cruz Island winged-rockcress	Dicots	PDBRA2A0	7	Endangered	None	G2	S2	1B.1	SB_RSABG- Coastal scrub	Coastal scrub.	Shady slopes; rocky, volcani		2

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Sidalcea hi	Parish's checkerbloom	Dicots	PDMAL110	17	None	Rare	G3T1	S1	1B.2	BLM_S-Ser	Chaparral   Cismontane w Chaparral, cismont	Disturbed burned or clear		8
Streptanth	southern jewelflower	Dicots	PDBRA2G0	38	None	None	G3	S3	1B.3	BLM_S-Ser	Chaparral   Lower mont	Chaparral, lower n	Open, rocky areas. 900-230	1
Suaeda est	estuary seablite	Dicots	PDCHE0P0I	39	None	None	G3	S2	1B.2		Marsh & swamp   Salt ma	Marshes and swan	Coastal salt marshes in clay,	1
Thermopsi	Santa Ynez false lupine	Dicots	PDFAB3Z0E	7	None	Rare	G1	S1	1B.3	SB_SBBG-S	Chaparral	Chaparral.	In open areas such as fuel b	7
Thysanoca	Santa Cruz Island fringe	Dicots	PDBRA2Q0	15	Endangered	None	G2?	S2?	1B.2	SB_SBBG-S	Chaparral   Cismontane w	Chaparral, cismont	Stony ridges and mossy poc	15
Central Du	Central Dune Scrub	Dune	CTT21320C	24	None	None	G2	S2.2			Coastal dunes			7
Central For	Central Foredunes	Dune	CTT21220C	7	None	None	G1	S1.2			Coastal dunes			3
Southern C	Southern Dune Scrub	Dune	CTT21330C	10	None	None	G1	S1.1			Coastal dunes			1
Thelypteris	Sonoran maiden fern	Ferns	PPTHE051E	21	None	None	G5T3	S2	2B.2	USFS_S-Ser	Meadow & seep   Wetlan	Meadows and see	Along streams, seepage are	10
Eucyclogo	tidewater goby	Fish	AFCQN040	124	Endangered	None	G3	S3		AFS_EN-En	Aquatic   Klamath/North	Brackish water hat	Found in shallow lagoons ar	28
Gasteroste	unarmored threespine stickleback	Fish	AFCPA030I	16	Endangered	Endangered	G5T1	S1		AFS_EN-En	Aquatic   South coast flo	Weedy pools, back	Cool (<24 C), clear water wi	3
Gila orcutti	arroyo chub	Fish	AFCJB1312	49	None	None	G2	S2		AFS_VU-Vu	Aquatic   South coast flo	Native to streams	Slow water stream sections	1
Oncorhync	steelhead - southern California DPS	Fish	AFCHA020I	15	Endangered	None	G5T1Q	S1		AFS_EN-En	Aquatic   South coast flo	Federal listing refe	Southern steelhead likely h	5
Torrey Pin	Torrey Pine Forest	Forest	CTT83140C	3	None	None	G1	S1.1			Closed-cone coniferous forest			1
Pinus torre	Santa Rosa Island Torrey pine	Gymnospe	PGPIN0415	2	None	None	G1T1	S1	1B.2	SB_RSABG-	Closed-cone coniferous fc	Closed-cone conife	Ravines and low ridges. 75-	2
Southern V	Southern Vernal Pool	Herbaceou	CTT44300C	7	None	None	GNR	SNR			Vernal pool   Wetland			7
Valley Nee	Valley Needlegrass Grassland	Herbaceou	CTT42110C	45	None	None	G3	S3.1			Valley & foothill grassland			2
Southern C	Southern California Coastal Lagoon	Inland Wat	CALE1220C	3	None	None	GNR	SNR						1
Southern C	Southern California Steelhead Stream	Inland Wat	CARE2310C	3	None	None	GNR	SNR						1
Southern C	Southern California Threespine Stickleback	Inland Wat	CARE2320C	5	None	None	GNR	SNR						1
Ammopeln	Point Conception jerusalem cricket	Insects	IORT2502C	1	None	None	G1	S1		IUCN_VU-V	Coastal dunes	Coastal dunes at Point Conception.		1
Ashmeadie	Channel Islands leaf-cutter bee	Insects	IHYM7901	5	None	None	G2?	S2?				Endemic to Santa Cruz and Santa Rosa islands.		5
Bombus ca	obscure bumble bee	Insects	IHYM2438	181	None	None	G4?	S1S2		IUCN_VU-Vulnerable		Coastal areas from	Food plant genera include E	6
Bombus cr	Crotch bumble bee	Insects	IHYM2448	233	None	None	G3G4	S1S2				Coastal California	Food plant genera include A	9
Cicindela h	sandy beach tiger beetle	Insects	IICOL0210I	34	None	None	G5T2	S2			Coastal dunes	Inhabits areas adja	Clean, dry, light-colored sar	4
Coelus glo	globose dune beetle	Insects	IICOL4A01C	49	None	None	G1G2	S1S2		IUCN_VU-V	Coastal dunes	Inhabitant of coast	Inhabits foredunes and san	9
Danaus ple	monarch - California overwintering popula	Insects	IILEPP2012	378	None	None	G4T2T3	S2S3		USFS_S-Ser	Closed-cone coniferous fc	Winter roost sites	Roosts located in wind-prot	106
Euproserpi	Kern primrose sphinx moth	Insects	IILEX14020	11	Threatened	None	G1G2	S1		XERCES_CI-	Valley & foothill grassland	Found in the Walk	Host plant is Camissonia coi	4
Lasiogloss	Channel Island sweat bee	Insects	IHYM7601	13	None	None	G1	S1				Known only from	Lasioglossum bees nest in tl	13
Minymisch	Ventura cuckoo wasp	Insects	IHYM6901	1	None	None	GU	SU						1
Panoquina	wandering (=saltmarsh) skipper	Insects	IILEP84030	14	None	None	G4G5	S2		IUCN_NT-N	Marsh & swamp   Wetlan	Southern Californi	Requires moist saltgrass for	1
Plebejus ic	Morro Bay blue butterfly	Insects	IILEPG801E	12	None	None	G5T2	S2			Coastal dunes	Inhabits stabilized	Larval foodplant thought to	1
Trigonoscu	Santa Cruz Island shore weevil	Insects	IICOL5106C	2	None	None	G1	S1				Only known from	Found around the roots of /	2
Trimerotro	Lompoc grasshopper	Insects	IORT3631C	8	None	None	G1G2	S1S2		IUCN_EN-Endangered		Known only from Santa Barbara and San Luis C		7
Hypogymn	island tube lichen	Lichens	NLT003264	3	None	None	G1	S1	1B.3		Chaparral   Closed-cone c	Chaparral, closed-	On bark and wood of hardw	3
Texosporiu	woven-spored lichen	Lichens	NLTEST798	19	None	None	G3	S1			Chaparral	Chaparral.	Open sites; in California wit	1
Ammosper	Nelson's antelope squirrel	Mammals	AMAFB040	260	None	Threatened	G2	S2S3		BLM_S-Ser	Chenopod scrub	Western San Joaqui	Dig burrows or use k-rat bu	2
Antrozous	pallid bat	Mammals	AMACC10C	408	None	None	G5	S3		BLM_S-Ser	Chaparral   Coastal scrub	Deserts, grassland	Roosts must protect bats fr	18
Arctoceph	Guadalupe fur-seal	Mammals	AMAJC020	3	Threatened	Threatened	G1	S1		CDFW_FP-I	Marine intertidal & splash	Breeds on Isla de C	Prefers shallow, nearshore	1
Callorhinus	northern fur-seal	Mammals	AMAJC010	1	None	None	G3	S1		IUCN_VU-V	Marine intertidal & splash	Breeds on land on San Miguel Island is only bri		1
Corynorhin	Townsend's big-eared bat	Mammals	AMACC08C	626	None	None	G3G4	S2		BLM_S-Ser	Broadleaved upland fores	Throughout Califoi	Roosts in the open, hanging	34
Dipodomys	giant kangaroo rat	Mammals	AMAFD03C	136	Endangered	Endangered	G1G2	S1S2		IUCN_EN-E	Chenopod scrub   Valley	Annual grasslands	Need level terrain and sand	4
<u>Enhydra lu</u>	<u>southern sea otter</u>	<u>Mammals</u>	<u>AMAJF090</u>	<u>0</u>	<u>Threatened</u>	<u>None</u>	<u>G4T2</u>	<u>S2</u>		<u>CDFW_FP-I</u>	<u>Aquatic   Protected deep</u>	<u>Nearshore marine</u>	<u>Needs canopies of giant kel</u>	<u>0</u>
Eumops pe	western mastiff bat	Mammals	AMACD02C	294	None	None	G5T4	S3S4		BLM_S-Ser	Chaparral   Cismontane w	Many open, semi-	Roosts in crevices in cliff fac	3
Lasionyctei	silver-haired bat	Mammals	AMACC02C	138	None	None	G5	S3S4		IUCN_LC-L	Lower montane coniferou	Primarily a coastal	Roosts in hollow trees, ben	5
Lasiurus bl	western red bat	Mammals	AMACC05C	122	None	None	G5	S3		CDFW_SSC	Cismontane woodland   L	Roosts primarily in	Prefers habitat edges and n	21
Lasiurus cir	hoary bat	Mammals	AMACC05C	235	None	None	G5	S4		IUCN_LC-L	Broadleaved upland fores	Prefers open habit	Roosts in dense foliage of n	14

CNDDDB RareFind Results

SciName	ComName	TaxonGroup	ElmCode	TotalOccs	FedList	CallList	GRank	SRank	RPlantRank	OthrStatus	Habitats	GenHab	MicroHab	ReturnOccs
Myotis yun	Yuma myotis	Mammals	AMACC01C	262	None	None	G5	S4			BLM_S-Ser Lower montane coniferous	Optimal habitats a	Distribution is closely tied to	22
Neotoma l	San Diego desert woodrat	Mammals	AMAFF080	117	None	None	G5T3T4	S3S4			CDFW_SSC Coastal scrub	Coastal scrub of Sc	Moderate to dense canopies	7
Nyctinomops	big free-tailed bat	Mammals	AMACD04C	32	None	None	G5	S3			CDFW_SSC-Species of Special Concern	Low-lying arid areas	Need high cliffs or rocky outcrops	1
Reithrodontomys	Santa Cruz harvest mouse	Mammals	AMAFF020	1	None	None	G5T1Q	S1			Chaparral   Coastal scrub	Known only from Santa Cruz	Heavy reliance on mesic habitats	1
Spilogale g	Channel Islands spotted skunk	Mammals	AMAJF050	8	None	None	G5T3	S3			CDFW_SSC-Species of Special Concern	Only on Santa Cruz	Tolerant of xeric environments	8
Taxidea m	American badger	Mammals	AMAJF040	540	None	None	G5	S3			CDFW_SSC Alkali marsh   Alkali playa	Most abundant in	Needs sufficient food, friable soil	42
Urocyon l	San Miguel Island fox	Mammals	AMAJA040	1	Delisted	Threatened	G1T1	S1			IUCN_CR-C Chaparral   Cismontane woodlands	Found only on San Miguel	Mixed chaparral, coastal scrub	1
Urocyon l	Santa Cruz Island fox	Mammals	AMAJA040	1	Delisted	Threatened	G1T1	S1			IUCN_CR-C Chaparral   Cismontane woodlands	Found only on Santa Cruz	Mixed chaparral, coastal scrub	1
Urocyon l	Santa Rosa Island fox	Mammals	AMAJA040	1	Delisted	Threatened	G1T1	S1			IUCN_CR-C Chaparral   Cismontane woodlands	Found only on Santa Rosa	Mixed chaparral, coastal scrub	1
Vulpes m	San Joaquin kit fox	Mammals	AMAJA030	982	Endangered	Threatened	G4T2	S2			Chenopod scrub   Valley grasslands	Annual grasslands	Need loose-textured sandy soil	13
Coastal and Northern	Coastal and Valley Freshwater Marsh	Marsh	CTT52410C	60	None	None	G3	S2.1			Marsh & swamp   Wetland			1
Northern Coastal	Northern Coastal Salt Marsh	Marsh	CTT52110C	53	None	None	G3	S3.2			Marsh & swamp   Wetland			1
Southern Coastal	Southern Coastal Salt Marsh	Marsh	CTT52120C	24	None	None	G2	S2.1			Marsh & swamp   Wetland			2
Binneya n	Santa Barbara shelled slug	Mollusks	IMGAS580	2	None	None	G1	S1			IUCN_DD-I Coastal scrub	Restricted to northern	Juveniles attach to undersides of rocks	2
Haliotis c	black abalone	Mollusks	IMGASV20	13	Endangered	None	G3	S1S2			IUCN_CR-C Marine intertidal & splash zone	Mid to low rocky intertidal areas.		12
Haplotremis	ribbed lancetooth	Mollusks	IMGAS360	5	None	None	G1G2	S1S2			Coastal scrub	Restricted to Santa Cruz	Occupies diverse habitats: l	5
Helminthoglyphis	Ayer's snail	Mollusks	IMGASC20	9	None	None	G1G2T1T2	S1S2			Coastal scrub   Valley & foothill	Restricted to Santa Cruz	Found in rock slides, beneath logs	8
Micrarionta	Santa Barbara island snail	Mollusks	IMGASC50	7	None	None	G1G2	S1S2			IUCN_VU-V Coastal scrub	Known only from Santa Cruz	Found on north-facing slopes	7
Pristiloma	Shepard's snail	Mollusks	IMGAS801	2	None	None	G1	S1			Coastal scrub	Known only from Santa Cruz	Usually found in moist leaf litter	1
Sterkia c	San Clemente Island blunt-top snail	Mollusks	IMGAS190	5	None	None	G1	S1S2			IUCN_NT-N Coastal scrub	Known only from Santa Cruz	Inhabits the undersides of rocks	2
Tryonia m	mimic tryonia (=California brackishwater snail)	Mollusks	IMGASJ704	39	None	None	G2	S2			IUCN_DD-I Aquatic   Brackish marsh	Inhabits coastal lagoons	Found only in permanently flooded areas	1
Agrostis h	Hoover's bent grass	Monocots	PMPOA04C	31	None	None	G2	S2	1B.2		BLM_S-Ser Chaparral   Cismontane woodlands	Chaparral, cismontane	Sandy sites. 60-765 m.	12
Allium h	Mt. Pinos onion	Monocots	PMLIL0216	25	None	None	G4T2	S2	1B.3		SB_SBBG-S Great Basin scrub   Meadows	Great Basin scrub, 1385-1800 m.		2
Calochortus	late-flowered mariposa-lily	Monocots	PMLILOD1J	89	None	None	G3	S3	1B.3		BLM_S-Ser Chaparral   Cismontane woodlands	Chaparral, cismontane	Dry, open coastal woodlands	49
Calochortus	Palmer's mariposa-lily	Monocots	PMLILOD12	93	None	None	G3T2	S2	1B.2		BLM_S-Ser Chaparral   Lower montane	Meadows and seeps	Vernally moist places in yellow pine forest	5
Calochortus	La Panza mariposa-lily	Monocots	PMLILOD17	77	None	None	G2	S2	1B.3		BLM_S-Ser Chaparral   Cismontane woodlands	Valley and foothill	Decomposed granite. 50-100 m	4
Cladium c	California saw-grass	Monocots	PMCYP040	13	None	None	G4	S2	2B.2		USFS_S-Ser Alkali marsh   Freshwater	Meadows and seeps	Freshwater or alkaline moist soil	2
Fritillaria a	stinkbells	Monocots	PMLILOV01	32	None	None	G3	S3	4.2		Chaparral   Cismontane woodlands	Cismontane woodlands	Sometimes on serpentine; riparian	6
Fritillaria o	Ojai fritillary	Monocots	PMLILOV0N	38	None	None	G2?	S2?	1B.2		BLM_S-Ser Broadleaved upland forest	Broadleaved upland forest	Usually loamy soil. Sometimes on serpentine	15
Juncus l	Santa Lucia dwarf rush	Monocots	PMJUN013	26	None	None	G3	S3	1B.2		USFS_S-Ser Chaparral   Great Basin scrub	Vernal pools, meadows	Vernal pools, ephemeral dry	2
Anniella p	northern California legless lizard	Reptiles	ARACC010	103	None	None	G3	S3			CDFW_SSC Chaparral   Coastal dunes	Sandy or loose loam	Soil moisture is essential. Thrives in open areas	6
Arizona e	California glossy snake	Reptiles	ARADB010	260	None	None	G5T2	S2			CDFW_SSC-Species of Special Concern	Patchily distributed	Generalist reported from a wide range of habitats	17
Emys m	western pond turtle	Reptiles	ARAAD020	1241	None	None	G3G4	S3			BLM_S-Ser Aquatic   Artificial flowing water	A thoroughly aquatic	Needs basking sites and suitable habitat	47
Gambelia s	blunt-nosed leopard lizard	Reptiles	ARACF070	317	Endangered	Endangered	G1	S1			CDFW_FP-I Chenopod scrub	Resident of sparse	Seeks cover in mammal burrows	9
Phrynosoma	coast horned lizard	Reptiles	ARACF121C	758	None	None	G3G4	S3S4			BLM_S-Ser Chaparral   Cismontane woodlands	Frequents a wide range of habitats	Open areas for sunning, burrows	17
Salvadora l	coast patch-nosed snake	Reptiles	ARADB300	27	None	None	G5T4	S2S3			CDFW_SSC Coastal scrub	Brushy or shrubby	Require small mammal burrows	1
Thamnophis	two-striped gartersnake	Reptiles	ARADB361	161	None	None	G4	S3S4			BLM_S-Ser Marsh & swamp   Riparian	Coastal California	Highly aquatic, found in or near water	17
Xantusia r	island night lizard	Reptiles	ARACK010	4	Delisted	None	G3	S3			IUCN_LC-L Chaparral   Cismontane woodlands	Found in a wide variety of habitats	Main habitat requirement is	2
Central Coastal	Central Coast Arroyo Willow Riparian Forest	Riparian	CTT61230C	1	None	None	G3	S3.2			Riparian forest			1
Southern Coastal	Southern Coast Live Oak Riparian Forest	Riparian	CTT61310C	246	None	None	G4	S4			Riparian forest			2
Southern Coastal	Southern Cottonwood Willow Riparian Forest	Riparian	CTT61330C	111	None	None	G3	S3.2			Riparian forest			15
Southern Valley	Southern Willow Scrub	Riparian	CTT63320C	45	None	None	G3	S2.1			Riparian scrub			13
Central Maritime	Chaparral	Scrub	CTT37C20C	19	None	None	G2	S2.2			Chaparral			6



# Appendix - E

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## Agricultural Resources

### GIS Data Analysis Sheets

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### HMA Summary

HMA	Total Acreage
Cuyama	747,290.42
Lompoc	296,397.15
Santa Maria	178,145.80
Santa Ynez	259,195.75
South Coast	156,806.82
<b>Total:</b>	<b>1,637,835.94</b>

### Zoning

Row Labels	Sum of GIS_Acres
<b>Cuyama</b>	<b>142,905</b>
AG-I-10	359
AG-I-20	150
AG-I-40	4,341
AG-II-100	137,518
AG-II-40	482
C-2	21
C-3	1
M-1	6
M-RP	25
<b>Lompoc</b>	<b>151,858</b>
AG-I-10	28
AG-I-20	1,440
AG-I-40	82
AG-I-5	11
AG-II-100	105,616
AG-II-320	42,589
AG-II-40	1,958
C-2	36
CM-LA	3
M-2	53
PI	12
SC	28
<b>Santa Maria</b>	<b>149,298</b>
AG-I-10	953
AG-I-20	833
AG-I-40	5,102
AG-II-100	109,273
AG-II-320	6,544
AG-II-40	24,374
C-1	5
C-2	137
C-3	9
C-5	63
M-1	62
M-2	1,640
OT-R-14/GC	41
OT-R-14/LC	8
PI	211
SC	43
<b>Santa Ynez</b>	<b>186,196</b>
AG-I-10	3,674
AG-I-20	9,273
AG-I-40	1,775
AG-I-5	4,377
AG-II-100	158,633
AG-II-320	3,554
AG-II-40	4,653
C-1	2
C-2	109
C-3	34
CM-LA	31
M-1	35
M-2	40
PI	6
<b>South Coast</b>	<b>41,699</b>
AG-I-10	4,340
AG-I-20	1,227
AG-I-40	2,950
AG-I-5	451
AG-II-100	26,732
AG-II-320	3,381
AG-II-40	2,364
C-1	42
C-2	43
C-3	48
M-RP	30
PI	67
SC	24
<b>Grand Total</b>	<b>671,956</b>

### FMMP

Row Labels	Sum of GIS_Acres
<b>Cuyama</b>	<b>175,620</b>
Farmland of Local Importance	1,090
Farmland of Statewide Importance	2,116
Grazing Land	154,712
Prime Farmland	15,500
Unique Farmland	2,203
<b>Lompoc</b>	<b>202,390</b>
Farmland of Local Importance	3,384
Farmland of Statewide Importance	1,199
Grazing Land	181,858
Prime Farmland	13,169
Unique Farmland	2,781
<b>Santa Maria</b>	<b>134,661</b>
Farmland of Local Importance	1,114
Farmland of Statewide Importance	8,156
Grazing Land	80,013
Prime Farmland	27,897
Unique Farmland	17,482
<b>Santa Ynez</b>	<b>164,411</b>
Farmland of Local Importance	4,052
Farmland of Statewide Importance	929
Grazing Land	146,801
Prime Farmland	7,489
Unique Farmland	5,140
<b>South Coast</b>	<b>28,295</b>
Farmland of Local Importance	81
Farmland of Statewide Importance	597
Grazing Land	15,502
Prime Farmland	3,147
Unique Farmland	8,968
<b>Grand Total</b>	<b>705,378</b>

### Ag Preserves

Row Labels	Sum of GIS_Acres
<b>Cuyama</b>	<b>129,809</b>
AP	129,809
<b>Lompoc</b>	<b>118,779</b>
AP	118,779
<b>Santa Maria</b>	<b>95,130</b>
AP	95,130
<b>Santa Ynez</b>	<b>131,649</b>
AP	131,649
<b>South Coast</b>	<b>25,792</b>
AP	25,792
<b>Grand Total</b>	<b>501,158</b>





# Appendix - F

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## Cannabis Odor Control

### Supplemental Odor Control Technology Research Summary

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## **Supplemental Odor Control Technology Research**

### **Introduction and Overview**

Effective technologies exist to suppress cannabis malodors. Activated carbon filtration systems have been proven to be effective for indoor cannabis facilities by Denver's Department of Environmental Health. Vapor-phase systems have been proven to be effective for outdoor odor mitigation by the City of San Diego's Department of Environmental Services, Air Pollution Control District, and Solid Waste Local Enforcement Agency, as well as greenhouse cultivation by established greenhouse growers in Carpinteria. These technologies could be implemented to effectively reduce cannabis malodors in Santa Barbara County.

Additionally, counties have implemented agriculture buffer requirements which serve in part to reduce land use conflicts which arise from odors. Buffer requirements may be a useful strategy for cannabis odor mitigation within the County where neighboring land uses are far apart. Anecdotal evidence suggests that strong cannabis odors can still be detected large distances away from the source. Thus, buffers may be utilized but are likely to be more effective remote areas of the County where larger buffer distances could be implemented. In more urban areas, odor mitigation technologies would be more appropriate as they would significantly reduce odors over a shorter distance.

### **Activated Carbon Filtration**

#### Ventilation System

In this system, odor causing agents are adsorbed and filtered through activated carbon (Pennsylvania State University 2002). Odorous gas from the operation facility is collected via a ventilation system. Blowers then direct the gasses to the distribution system which uniformly delivers the gas to the filter. The filter sorbs and degrades the odors resulting in relatively odor-free exhaust.

#### *Supporting Information and Current Usage*

The City of Denver's Department of Environmental Health regulates nuisance odors under Denver Revised Municipal Code, Chapter 4 – Air Pollution Control, Section 4-10. Under this rule, an odor control plan must be submitted 1) describing any odors anticipated to originate from the premises of marijuana growing, processing, and manufacturing facilities and 2) describing control technologies that will be used to prevent odors from leaving the premises (City and County of Denver 2017). The Department of Environmental Health states the, "rule recognizes carbon filtration as the current best control technology for marijuana cultivation and marijuana infused product facilities" (Denver Department of Environmental Health 2017). However, other odor control technologies are permitted so long as it can be demonstrated that the technology can effectively mitigate odors.

The Director of the Environmental Quality Division of Denver's Department of Environmental Health (Denver Director) was contacted by phone on November 30, 2017 to discuss how effective carbon filtration is, where it has been applied, and if it had the potential to impact product quality. The Denver Director stated that approximately 60 percent of indoor grow operations in Denver had installed odor mitigation control prior to the rule, and that 98 percent of those who installed odor mitigation had utilized carbon filtration. In creating the rule, input from indoor grow operators and HVAC control technicians was included to ensure the regulations would reflect technical and economic feasibility.

City officials toured the cultivation facilities to determine the effectiveness of the carbon filtration technology. City officials determined that carbon filtration was effective in removing odors. However, the Denver Director stated that carbon filtration is only effective for processing facilities and indoor grows, which was the only type of cultivation facility in Denver at the time of the ruling. The Denver Director noted that the initial cost of investment for a carbon filtration system is \$10,000-\$15,000 for a medium-sized 10,000 square foot indoor facility with an additional \$2,000-\$3,000 per year in operation and management costs. The Denver Director also stated that the carbon filtration technology would not impact the quality of the cannabis. Finally, the Denver Director stated that the quality of cannabis would only be impacted if the HVAC system, not the carbon filtration system, malfunctioned and humidity was not properly controlled.

A grower in Carpinteria was contacted by phone on November 19, 2017. The grower utilizes vapor-phase technology (discussed below) to mitigate cannabis odors from his greenhouse in Carpinteria. He had considered carbon filtration, but stated that he did not use it because he would not have been able to control the internal environment of his greenhouse. The grower noted that carbon filtration would be appropriate for manufacturing, indoor grows, drying rooms, and packaging.

A Code Compliance Officer for the Portland Cannabis Program (Portland Officer), stated that there is no specific odor requirement for the City of Portland. If odor complaints are made, then an action plan is required to reduce odors. Portland's Zoning Code Section 33.262.070 simply states that "continuous, frequent, or repetitive odors may not be produced" (City of Portland 2017a). Portland's code guide for cannabis businesses states that "all exhaust and relief air should be filtered or scrubbed" in order to comply with the zoning code (Portland Bureau of Development Services 2017). The Portland Officer stated that retailers, wholesalers, and processors use countertop carbon systems in order to mitigate odors. Large ventilation systems with activated carbon filters are used for indoor cultivation. These systems are scaled proportionately to the size of the facility. However, Portland does not currently have any greenhouses and the Portland Officer does not know of any odor mitigation strategies for greenhouses.

### Canisters

Activated carbon ventilation systems which are supported by activated carbon gas canisters.

### *Supporting Information and Current Usage*

The Director of the Planning and Development Department of the City/County of Pueblo, Colorado (Pueblo Director), was contacted by phone on December 1, 2017. The Pueblo Director stated that Pueblo only regulates odor for cannabis in industrial zones and that agricultural zones is exempt from cannabis odor mitigation. Pueblo County Code Title 17 Chapter 17.120.190 requires that all cannabis establishments in the central business zoning district (B-4) have odor mitigation. "The building (term includes buildings, greenhouses, and hoop houses) shall be equipped with a ventilation system with carbon filters sufficient in type and capacity to eliminate marijuana odors emanating from the interior to the exterior discernable by a reasonable person..." (County of Pueblo 2017).

The Pueblo Director stated that mitigate odors in greenhouses, some growers are using canisters with activated carbon inside to filter the air. This works similarly to the ventilation activated carbon systems used in indoor grows but can be used for greenhouses. The Pueblo Director and officials from the Department of Public Health and Environment plan to use an olfactometer to test the effectiveness of this technology in greenhouses on December 21<sup>st</sup>.

## Vapor-Phase System

A manufacturer of this technology as it specifically applies to cannabis was contacted. As described, a deodorizing liquid comprised of essential oils in the citrus and pine family are placed inside a vaporizing mechanism. The vapor travels through a distribution pipe that is suspended high up in the greenhouse and runs along its entire perimeter. The vapor escapes from holes in the distribution pipe and a curtain a vapor along the perimeter is produced. The vapor interacts with and changes the chemistry of cannabis malodors. Because of this chemistry change, the olfactory receptors in the human nose no longer interprets the smell as a malodor. The result is an odor-neutralizing, not an odor-masking technology. The interviewed manufacturer had a third-party consultant perform a public health and safety assessment for their specific cannabis deodorizer. Acute inhalation studies were performed and the product was evaluated against health criteria developed by regulatory agencies such as the USEPA. This particular manufacturer's cannabis deodorizer met all applicable health criteria thresholds (CPF Associates, Inc. 2017).

In Pueblo Colorado, some growers are using this technology to mitigate the cannabis odor emitted from greenhouse fan exhaust. The Pueblo Director and officials from the Department of Public Health and Environment plan to use an olfactometer to test the effectiveness of this technology in neutralizing the odors from greenhouse fan exhaust on December 21<sup>st</sup>.

The Landfill Operations Program Manager for the City of San Diego's Department of Environmental Services (San Diego Manager), was contacted by phone on November 30, 2017. The San Diego Manager stated that the City of San Diego uses the technology produced by the interviewed manufacturer, but uses a different blend of the same essential oils that is specific to the malodors resulting from landfills. The San Diego Manger, along with the San Diego Air Pollution Control District (APCD) and the Solid Waste Local Enforcement Agency (LEA), performed a pilot study of the technology's effectiveness at the Miramar landfill. The San Diego Manger noted that he, along with the officials from APCD and LEA, could not smell the landfill within 25-30 feet of the device and that the technology was effective in reducing odor in nearby communities. These communities are the nearest sensitive receptor and are located one mile away from the landfill on the other side of a highway. The San Diego Manager stated that the odor mitigation technology is only effective when the device was downwind of the source of the malodors and between the source of the malodor and sensitive receptors. Because wind direction changes during the day, the landfill uses other odor mitigation strategies (e.g., covers) in addition to the vapor-phase technology. The San Diego Manager mentioned that the technology would be more effective in an enclosed area (e.g., greenhouse), because wind direction would not have to be considered and the vapor would be closer to the odor source, and therefore, would have a greater likelihood of interacting with and neutralizing the malodors. Like the grower in Carpinteria, the San Diego Manager stated that the vapor had a pine scent, but that this scent was only noticeable when too much vapor is being produced. He stated that reducing the amount of vapor leaving the system was effective in reducing the pine scent.

A grower in Carpinteria was contacted by phone on November 29, 2017, and stated that the scent of cannabis is no longer noticeable at a distance of 50 feet from the greenhouse when this technology is used. However, the grower stated that the liquid and resulting vapor has a pine/citrus scent, which can be noticeable if too much vapor is being produced. If this occurs, it was stated that the amount of vapor produced by the system can be reduced.

## Buffer Zones

Odors dissipate with increasing distance away from the odor source. Therefore, buffer zones are sometimes utilized as a strategy to mitigate odors. Other jurisdictions have implemented buffer zones for cannabis. The State of Washington has buffer requirements that apply to all cannabis businesses and protect sensitive receptors. Such buffer requirements could be applied to protect residential areas in the County of Santa Barbara. The State of Washington requires a 1,000-foot buffer zone between any type of cannabis business and sensitive uses such as an elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, or game arcade (Washington State Liquor and Cannabis Board 2017). However, recent legislation allows local governments, like the City of Seattle, to reduce the buffer to 100 feet, except for elementary and secondary schools and public playgrounds (Washington State Liquor and Cannabis Board 2017).

The City of Seattle has buffer requirements for both retail and non-retail cannabis businesses such as cannabis cultivators. The City of Seattle requires a buffer zone of 1,000 feet from sensitive receptors such as elementary schools, secondary schools, and playgrounds for all cannabis businesses (Seattle City Council 2016). A 500-foot buffer from child care centers, game arcades, libraries, public parks, public transit centers, or recreation centers or facilities is required for cannabis retail businesses while a 250-foot buffer is required for non-retail cannabis businesses. Additionally, a 350-foot buffer must be maintained between cannabis retail businesses. Meanwhile, the City of Portland only requires buffers for cannabis retailers and retail couriers, which does not include cannabis cultivators (City of Portland 2017b). For cannabis retailers, a 1,000-foot buffer is required from schools, retailers, and dispensaries. For cannabis retail couriers, a 1,000-foot buffer is required from schools.

Like the State of Washington, the State of California also requires buffer zones for both retail and non-retail businesses such as cannabis cultivators. California state law requires cannabis businesses, including cannabis cultivators, to not be located within a 600-foot radius of any school providing instruction for kindergarten or any grades 1-12, day care center, or youth center. However, an exception may be made if the cannabis business has a valid license or permit from a local jurisdiction, is compliant with local ordinances and regulations, and the cannabis business is not located such that people must pass through a business that sells alcohol or tobacco to access the cannabis business. Other cities within California, such as the City of Oakland, have followed the state's direction. In the City of Oakland, cannabis businesses, including cannabis cultivators, are required to have a 600-foot buffer for schools (City of Oakland 2017).

In addition to meeting state requirements, Santa Barbara County may consider proximity to sensitive areas, local climatic conditions, and local topography and barriers when establishing buffers (Pennsylvania State University 2002). Odor impact assessments used to establish robust buffer requirements for odors in general rely on complex mathematical models that involve 1) odor flow from the source 2) odor dilution in the atmosphere 3) peak concentrations that mimic odor detection by the human nose and 4) the probability that the odor exceeds an odor impact threshold at various distances from the odor source (Schauberger, G. and Piringler, M. 2012). However, such information is not available for the County of Santa Barbara.

In the absence of such detailed information, established buffer zones within the County of Santa Barbara and County of San Luis Obispo for similar land uses may serve as an example of effective buffer distances. Similarly to cannabis, agricultural crops are grown outdoors and in greenhouses and some have been noted for their disagreeable odor (e.g., garlic, cauliflower, broccoli). In the County of San Luis Obispo, buffer distance for agricultural uses depends on the type of crop and proximity to

dwellings (County of San Luis Obispo 2010). The buffer distance ranges from 100 feet to 300 feet for greenhouses, 100 feet to 400 feet for irrigated forage and field crops, 100 feet to 500 feet for wholesale nurseries outdoors, and 200 feet to 600 feet for irrigated vegetables and berries. For Santa Barbara County's 2013 Agricultural Buffer Ordinance was established to "minimize potential conflicts between agricultural and adjacent land uses that result from noise, dust, light, and odor incidental to normal agricultural operations as well as potential conflicts originating from residential and other non-agricultural uses" (County of Santa Barbara 2013). In commercial and industrial zones, the minimum buffer width is 100 feet and maximum buffer width is 300 feet. In residential not located on a small lot located within an urban area, the minimum is 200 feet and maximum 300 feet. In residential located on a small lot located within an urban area, the minimum is 100 feet and maximum 200 feet. For sensitive non-agricultural uses, the minimum is 300 feet and maximum 400 feet.

These agricultural buffers are not specific to cannabis. Anecdotal evidence suggests that strong cannabis odors can still be detected at least 600 feet away, though it has also been stated that the odor can be noticed from one to two miles away from the source. Thus, buffers may be utilized but are likely to be more effective remote areas of the County where larger buffer distances could be implemented. In more urban areas, odor mitigation technologies may be more appropriate as they would significantly reduce odors over a shorter distance (e.g., 50 feet for vapor-phase technologies).

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San Diego Air Pollution Control District  
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Portland Zoning Code Helpdesk  
County of Santa Barbara  
State of Washington Liquor and Cannabis Board  
City of Portland  
City of Seattle  
City of Oakland  
California Bureau of Cannabis Control



# Appendix - G

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## General Waste Discharge Requirements

Order WQ 2017-0023-DWQ:  
SWRCB General Waste  
Discharge Requirements  
Associated with Cannabis  
Cultivation Activities

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WAIVER OF WASTE DISCHARGE REQUIREMENTS  
FOR DISCHARGES OF WASTE ASSOCIATED WITH  
CANNABIS CULTIVATION ACTIVITIES**



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## ACRONYMS AND ABBREVIATIONS

Antidegradation Policy	State Water Board Resolution 68-16, the Statement of Policy with Respect to Maintaining High Quality of Waters in California
ARMY Corps	United States Army Corps of Engineers
AUMA	Adult Use of Marijuana Act of 2016
Basin Plan	Water Quality Control Plan
BOF	Board of Forestry
BPTC	Best Practicable Treatment or Control
CAL FIRE	California Department of Forestry and Fire Protection
C DFA	California Department of Food and Agriculture
Cannabis Policy	Cannabis Cultivation Policy, Principles and Guidelines for Cannabis Cultivation
CDFW	California Department of Fish and Wildlife
CIWQS	California Integrated Water Quality System
CUA	Compassionate Use Act of 1996
CEQA	California Environmental Quality Act
CDFW	California Department of Fish and Wildlife
DPR	Department of Pesticides Regulation
e.g.	Latin <i>exempli gratia</i> (for example)
FPR	Forest Practice Rules
ILRP	Irrigated Lands Regulatory Program
MCRSA	Medical Cannabis Regulation and Safety Act
MMRSA	Medical Marijuana Regulation and Safety Act
NOA	Notice of Applicability
NOT	Notice of Termination
NPDES	National Pollutant Discharge Elimination System
NPS	Nonpoint Source Pollution Control Program
NTU	Nephelometric Turbidity Units
OWTS	Onsite Wastewater Treatment System
Regional Water Board	Regional Water Quality Control Board
Road Handbook	Handbook for Forest, Ranch, and Rural Roads
RWD	Report of Waste Discharge
State Water Board	State Water Resources Control Board
SB	Senate Bill
SIC	Standard Industrial Code
SW-CGP	Storm Water Construction General Permit
SW-IGP	Storm Water Industrial General Permit
THP	Timber Harvest Plan
TMDL	Total Maximum Daily Load
U.S. EPA	United States Environmental Protection Agency
Water Boards	State Water Board and Regional Water Boards
WDRs	Waste Discharge Requirements



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**FINDINGS**

The State Water Resources Control Board (State Water Board) finds that:

**BACKGROUND**

1. Cannabis cultivation in California has grown exponentially in recent years and is often located in sensitive environmental areas where the activities create significant impacts to water quality. Waste discharges from cultivation sites include sediment, irrigation runoff, fertilizers, pesticides/herbicides, petroleum, agricultural related chemicals, cultivation related waste, refuse, and human waste. Construction of access roads has resulted in significant erosion and sediment discharges to water bodies.
2. Water Code section 13149 required the State Water Board to adopt principles and guidelines for diversion and use of water for cannabis cultivation in areas where cannabis cultivation may have the potential to substantially affect instream flows. The principles and guidelines may include, but are not limited to, instream flow objectives, limits on diversions, and requirements for screening of diversions and elimination of barriers to fish passage. The principles and guidelines may also include requirements that apply to groundwater extractions where the board determines those requirements are reasonably necessary. The principles and guidelines were developed as part of state policy for water quality control adopted pursuant to Article 3 (commencing with Section 13140) of Chapter 3 of Division 7 and include measures to protect springs, wetlands, and aquatic habitats from negative impacts of cannabis cultivation. The principles and guidelines are included in the Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation (Cannabis Policy). The Cannabis Policy describes the overarching water diversion and waste discharge requirements (WDRs) associated with cannabis cultivation activities. The State Water Board does not, in any way authorize, endorse, sanction, permit or approve the cultivation, use, sale or other activities associated with cannabis. Individuals engaging in cannabis cultivation and other activities risk prosecution under federal law.
3. Section 19332 (d) of the Business and Professions Code directs the State Water Board, in consultation with the California Department of Fish and Wildlife (CDFW) and the California Department of Food and Agriculture (CDFA), to ensure, pursuant to Section 13149 of the Water Code, that individual and cumulative effects of water diversions and discharges associated with cannabis cultivation do not affect the instream flows needed for fish spawning, migration, rearing, and the flows needed to maintain natural flow variability.
4. This General Order implements the Cannabis Policy requirements, specifically those requirements that address waste discharges associated with cannabis cultivation activities. Dischargers covered under this General Order are subject to the requirements of the Cannabis Policy in its entirety.
  - a. The Cannabis Policy describes the water quality control policy structure, requirements for cannabis cultivation activities to protect water quality and instream flows, implementation, means of compliance, and enforcement.
  - b. Attachment A of the Cannabis Policy, which is attached hereto as Attachment A of the General Order and is made part of this Order by reference, contains non-flow related requirements (Section 1 and Section 2) and flow requirements (Section 3,

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Section 4). Section 5 contains planning and reporting requirements. Section 6 contains guidance documents referenced in Attachment A.

- c. The Cannabis Policy and staff report contains rationale for the requirements contained in the Cannabis Policy.

Administrative requirements, such as how to apply for coverage, terminate coverage, applicable fees, and monitoring and reporting requirements are contained within this General Order.

- 5. Two Regional Water Quality Control Boards (Regional Water Boards) have adopted orders related to cannabis cultivation.
  - a. On August 13, 2015, the North Coast Regional Water Quality Control Board adopted a Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region (Order No. R1-2015-0023).
  - b. On October 2, 2015, the Central Valley Regional Water Quality Control Board adopted a General Waste Discharge Requirements Order for Discharges of Waste Associated with Medical Cannabis Cultivation Activities (Order No. R5-2015-0113).

**APPLICABILITY, TIER DESIGNATION, AND THREAT TO WATER QUALITY**

- 6. It is the intent of the State Water Board that Regional Water Boards enroll all eligible dischargers developing land for, or engaging in, cannabis cultivation activities under this General Order consistent with the exemptions and conditional exemptions described herein. If a Regional Water Board determines that due to site-specific conditions, coverage under this General Order will not be protective of water quality, the Regional Water Board may issue site-specific WDRs for discharges from a cannabis cultivation site.
  - a. For dredge and fill activities covered by this General Order, a Regional Water Board may issue a site-specific Clean Water Act section 401 water quality certification or enroll the Discharger in a general section 401 water quality certification if the Regional Water Board determines that the general water quality certification in this General Order is not protective of water quality due to site-specific or region-specific conditions.
  - b. The Regional Water Boards may also regulate discharges from cannabis cultivation activities using individual or general Irrigated Lands Regulatory Program (ILRP) WDRs if the Regional Water Board Executive Officer determines that the ILRP WDRs or ILRP conditional waiver of WDRs adequately describe discharges from the cannabis cultivation activity, are protective of water quality, the Discharger possesses valid water rights after consulting with State Water Board Division of Water Rights, the Discharger complies with the water diversion reporting requirements contained in Water Code sections 1840 and 1841, and the ILRP WDRs or ILRP conditional waiver of WDRs require compliance with the State Water Board's Cannabis Policy.
- 7. The Cannabis Policy provides a statewide tiered approach for permitting discharges and threatened discharges of waste from cannabis cultivation and associated activities, establishes a personal use exemption standard, and provides conditional exemption criteria for low threat to water quality activities. Tiers are defined by the amount of disturbed area. The criteria consist of:

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- a. Personal use exempt Dischargers are very small non-commercial cultivators that are exempt from this General Order. (See the Exemptions for Certain Cultivation Activities section of this General Order for more information.)
  - b. Indoor commercial cultivation activities are conditionally exempt under this General Order. (See the Exemptions for Certain Cultivation Activities section of this General Order for more information.)
  - c. Outdoor commercial cultivation activities that disturb less than 2,000 square feet may be conditionally exempt under this General Order. (See the Exemptions for Certain Cultivation Activities section of this General Order for more information.)
  - d. Tier 1 Dischargers cultivate cannabis commercially outdoors, and have a disturbed area equal to or greater than 2,000 square feet and less than 1 acre (43,560 square feet).
  - e. Tier 2 Dischargers cultivate cannabis commercially outdoors, and have a disturbed area equal to or greater than 1 acre.
8. The Cannabis Policy provides criteria to evaluate the threat to water quality based on site conditions. The threat is risk-based as described below:
- a. Disturbed area: The disturbed area indicates the threat to water quality because level of threat is proportional to the area of disturbed soil, the amount of irrigation water used, the potential for storm water runoff, and the potential impacts to groundwater (e.g., the use of fertilizers or soil amendments, the possible number of employees on site, etc.).
  - b. Slope of disturbed area: Increased slopes may be associated with decreased soil stability, especially when associated with vegetation removal. Storm water and excess irrigation water are more likely to runoff and discharge off-site from sloped surfaces.
  - c. Proximity to a surface water body: The Cannabis Policy provides setbacks from surface water bodies to reduce water quality impacts. Disturbed areas within the setbacks are more likely to discharge waste constituents to surface water and/or result in removal of riparian vegetation.
9. Dischargers must characterize their cultivation activities as described below and implement all applicable best practicable treatment or control (BPTC) measures described in Attachment A.
- a. Dischargers that cultivate in multiple areas within a parcel or contiguous parcels shall add all the disturbed areas together to calculate the total disturbed area. (For example, a Discharger that operates two cultivation areas that each disturbs 1,100 square feet must report a disturbance of 2,200 square feet and does not qualify for a conditional exemption under this General Order.)
  - b. Risk determination based on the site conditions shall be based on the greatest threat to water quality. (For example, if one of the 1,100 square feet cultivation areas is located on a slope greater than 30 percent, all the cultivation areas will be classified as moderate risk – see Table 1).
  - c. Dischargers that cultivate cannabis on non-contiguous parcels must evaluate each parcel for regulatory coverage separately.

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This General Order does not limit the State Water Board or Regional Water Board authority to inspect and/or evaluate the regulatory status, water quality impacts, or water right regulatory requirements of cannabis cultivation activities.

10. Personal use exempt dischargers meeting the criteria described in this General Order (see Exemptions for Certain Cultivation Activities) do not need to apply for coverage under the General Order. Dischargers that qualify for conditional exemption (either indoor or outdoor activities) will be covered under the Waiver of WDRs (Waiver) contained in this General Order. Tier 1 or Tier 2 dischargers must enroll under the General Order (see Finding 7 for tier designation). Outdoor conditionally exempt and Tier 1 and Tier 2 enrollees shall characterize the risk designation based on the slope of disturbed areas and the proximity to a water body. Characterization shall be based on the risk designation summarized in Table 1 below.

**Table 1: Summary of Risk Designation**

Low Risk	Moderate Risk	High Risk
<ul style="list-style-type: none"> <li>• No portion of the disturbed area is located on a slope greater than 30 percent, and</li> <li>• All of the disturbed area complies with the setback requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Any portion of the disturbed area is located on a slope greater than 30 percent, and</li> <li>• All of the disturbed area complies with the setback requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Any portion of the disturbed area is located within the setback requirements.</li> </ul>

11. Site development and/or access road building and maintenance activities associated with cannabis cultivation are subject to this General Order. The *Handbook for Forest, Ranch & Rural Roads* (Road Handbook) provides a guide for planning, designing, constructing, reconstructing, upgrading, maintaining, and closing wildland roads. Development of the Road Handbook was funded in part by State Water Board, United States Environmental Protection Agency (U.S. EPA), and California Department of Forestry and Fire Protection (CAL FIRE). The Road Handbook is available at:  
 <<http://www.pacificwatershed.com/sites/default/files/RoadsEnglishBOOKapril2015b.pdf>>. Construction of new access roads, and development of cultivation sites may be subject to the Regional Water Board’s forestry program permitting requirements, statewide construction storm water program permitting requirements the Lahontan Regional Water Board’s construction storm water program permitting requirements for the Lake Tahoe Hydrologic Unit, CAL FIRE permitting requirements, Clean Water Act section 404 permitting requirements issued by the US Army Corps of Engineers (Army Corps), and Clean Water Act section 401 water quality certification issued by a Regional Water Board. In some cases, the Army Corps may not issue a section 404 permit because the activity is associated with cannabis cultivation; in those situations, the Regional Water Board will not issue a section 401 water quality certification but will regulate that activity under this General Order or issue individual WDRs consistent with the Water Code.

**EXEMPTIONS FOR CERTAIN CULTIVATION ACTIVITIES**

12. Cultivation activities that qualify for the personal use exemption disturb less than 1,000 square feet (in aggregate) and present the lowest threat to water quality; therefore, discharges from the operations are exempt from enrolling in the General Order if they comply with the conditions specified in this order. Personal use cultivation activities are exempt from requirements to obtain a CDFA cultivation license because they are not a commercial activity.

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Activities that are consistent with Health and Safety Code sections 11362.77 (medical marijuana) or 11362.2 (non-medical marijuana) and subsequent revisions of the statutes, disturb an area (in aggregate) less than 1,000 square feet, and comply with the additional conditions below, are not required to submit any application information to obtain coverage under this General Order. The 1,000 square feet personal use exemption criteria provides sufficient area for outdoor cultivation of six mature plants for non-medical use, or 500 square feet of cannabis plant canopy as allowed for medical cultivation purposes.

The exemptions apply per parcel or contiguous parcels; no coalitions, cooperatives, or other combination of cultivation activities can claim the personal use exemption for activities on the same parcel. The personal use exemption shall not apply if the Cannabis Cultivator fails to comply with all applicable conditions, including the non-commercial activity requirement.

If the personal use exemption does not apply, the Discharger shall contact the Regional Water Board to determine if the activity qualifies for coverage as conditionally exempt, or Tier 1 or Tier 2 enrollment. To qualify for the personal use exemption, a Discharger must comply with all of the following conditions:

- a. The cultivation area shall be contiguous (all located in one area).
- b. The disturbed area complies with the setback requirements contained in this General Order (see Attachment A) and occupies less than 1,000 square feet.
- c. No part of the disturbed area is located on land with a slope greater than 20-percent.
- d. The Discharger implements all applicable BPTC measures listed in Attachment A.

The personal use exemption does not alter any other legal requirement (e.g., limitations on sales, distribution, or donations of cannabis). Noncommercial cultivation activities require a valid basis of right for the diversion and use of water and therefore may need to apply for a water right. The personal use exemption does not affect the requirement to obtain authorization for water diversion.

13. Outdoor cannabis cultivation activities that disturb an area (in aggregate) less than 2,000 square feet on any one parcel or on contiguous parcels managed as a single operation and that comply with all of the additional cultivation area criteria listed below are conditionally exempt and are required to obtain coverage under the Waiver. The 2,000 square feet conditional exemption criterion provides sufficient area for outdoor cultivation for small commercial activities. Facilities with larger disturbed areas are inherently a higher threat to water quality and are subject to additional regulatory oversight. The conditional exemption applies per parcel or contiguous parcels; no coalitions, cooperatives, or other combination of cultivation activities can claim the conditional exemption for activities on the same parcel. To be conditionally exempt, a Discharger must comply with all of the following:

- a. The cultivation area shall be contiguous (all located in one area).
- b. The disturbed area complies with the setback requirements contained in this General Order (see Attachment A) and occupies less than 2,000 square feet.
- c. No part of the disturbed area is located on land with a slope greater than 20-percent.
- d. The Discharger implements all applicable BPTC measures listed in Attachment A.

14. The Conditional exemption does not alter any other legal requirement (e.g., limitations on sales, distribution, or donations of cannabis). Refer to the Application/Termination Process and Fees section for information on application requirements. Cultivation activities that are conditionally exempt under this General Order still require a valid basis of right for the diversion and use of water and therefore may still need to apply for a water right. Indoor commercial cannabis cultivation may be performed using hydroponic growing systems, soil, or other growth media. To maintain suitable growing conditions, wastewater is discharged from hydroponic systems when the irrigation water contains excessive salinity or nutrients. Irrigation tail water is generated when excess water drains from the growth media. Irrigation tail water or hydroponic wastewater may contain nutrients (e.g., phosphate or nitrate), salinity constituents (e.g., sodium, chloride, potassium, calcium, sulfate, magnesium), and other constituents (e.g., iron, manganese, zinc, molybdenum, boron, and silver).<sup>1</sup> Other sanitation based wastewaters may also be generated at indoor commercial cannabis cultivation sites. These miscellaneous industrial wastewaters may contain biocides, bleach mixtures, or other chemical waste streams.
- a. Commercial cannabis cultivation activities that occur within a structure with a permanent roof, a permanent relatively impermeable floor (e.g., concrete or asphalt paved), and that discharge all industrial wastewaters generated to a community sewer system consistent with the sewer system requirements, are classified as conditionally exempt. To obtain documentation of the conditionally exempt status to obtain a CDFA cultivation license, conditionally exempt Dischargers are required to obtain coverage under the Waiver included in this General Order. Refer to the Application/Termination Process and Fees section for information on application requirements.
  - b. Discharges of irrigation tailwater, hydroponic wastewater, or other miscellaneous industrial wastewaters to an on-site wastewater treatment system (such as septic tank and leach field), to land, or to surface water must obtain separate regulatory authorization (e.g., WDRs, conditional waiver of WDRs, or other permit mechanism) to discharge the wastewater. Such Dischargers are classified as conditionally exempt. To obtain documentation of the conditionally exempt status to obtain a CDFA cultivation license, conditionally exempt Dischargers are required to obtain coverage under the Waiver included in this General Order. Refer to the Application/Termination Process and Fees section for information on application requirements.
  - c. Indoor commercial cultivation activities that are conditionally exempt under this General Order still require a valid basis of right for the diversion and use of water and therefore may still need to apply for a water right. The exemption for enrolling under the General Order does not affect the requirement to obtain authorization for water diversion.

### **WATER CODE CONSIDERATIONS**

15. Water Code section 13260(a) requires that any person, citizen, or domiciliary discharging waste or proposing to discharge waste within any region, other than to a community sewer system, that could affect the quality of the waters of the state, file a report of waste discharge

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<sup>1</sup>City of Littleton – City of Englewood Pretreatment Pipeline. Third Quarter 2011. “Medical Marijuana – an Exploding New Industry.” <<http://www.lewwtp.org/home/showdocument?id=5674>>. Accessed 17 January 2017.

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(RWD) to obtain coverage under WDRs or a waiver of WDRs. Waste, person, citizen, and domiciliary are defined in Water Code section 13050.

16. Water Code section 13146 requires that WDRs must implement the Regional Water Board's Water Quality Control Plan (Basin Plan) for the basin in which the discharge occurs. This General Order requires Dischargers to comply with all applicable Basin Plan requirements, including prohibitions and/or water quality objectives governing the discharge. In the event of a conflict between the requirements of this General Order and the Basin Plan, the more protective requirement prevails.
17. The State Water Board's authority to regulate discharges associated with cannabis cultivation and associated activities are subject to the following regulatory measures:
  - a. Water Code section 13263(i) states the State Water Board or a Regional Water Board may prescribe general WDRs for a category of discharges if the State Water Board or a Regional Water Board finds or determines that all of the following criteria apply to the discharges in that category:
    - i. The discharges are produced by the same or similar operations.
    - ii. The discharges involve the same or similar type of waste.
    - iii. The discharges require the same or similar treatment standards.
    - iv. The discharges are more appropriately regulated under general WDRs than individual WDRs.

Discharges associated with cannabis cultivation and associated activities that will be regulated under this General Order are consistent with the criteria listed above and therefore a general order is appropriate. All discharges regulated under this order will be from similar operations and/or activities related to cannabis cultivation, which pose similar types of threat to water quality. The discharges will use similar treatment methods (e.g., filtration, settling, setbacks, application to land, etc.). Individual WDRs are not necessary because the discharges are similar and discharge requirements would be similar if individual WDRs were issued.

- b. Water Code section 13269 states that the State Water Board or the Regional Water Board may conditionally waive the requirements to file an RWD under Water Code section 13260(a)(1) and/or the requirement to prescribe WDRs under Water Code section 13263(a) for a specific discharge or specific type of discharge where such a waiver is consistent with the applicable Regional Water Board Basin Plans, in the public interest, and the following conditions are met:
      - i. The waiver is conditional.
      - ii. The discharge complies with the waiver conditions.
      - iii. A public hearing is held.

Discharges that meet the criteria for conditional exemption under this General Order are considered to be a limited threat to water quality provided the Discharger complies with the conditions contained in this General Order; therefore, coverage under a conditional waiver is appropriate. A Discharger covered under the conditional waiver that no longer complies with the conditions is required to consult with the Regional Water Board to determine if a compliance schedule is appropriate, if enrollment in Tier 1 or Tier 2 is possible, or if the Discharger must cease the

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discharge. Violators are guilty of misdemeanor and may be liable civilly pursuant to Water Code section 13265.

18. Pursuant to Water Code section 13263(g), no discharge of waste into waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights.
19. In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order promotes that policy by requiring discharges to comply with requirements established to protect municipal and domestic water supplies.

### **REGULATORY CONSIDERATIONS**

20. The Cannabis Policy includes instream flow objectives, limits on diversions, requirements for screening of diversions and elimination of barriers to fish passage, and includes requirements that apply to groundwater extraction. Cannabis cultivation activities statewide are required to comply with the requirements of the Cannabis Policy.
21. Health and Safety Code Section 11362.2 states that local municipalities (e.g., city, county, or city and county) have land use authority related to cannabis cultivation and associated activities. Coverage under this General Order does not supersede any requirements, ordinances, or regulations of other regulatory agencies or local municipalities.
22. Those requirements, ordinances, or regulations may change over time. Authorization to discharge waste from cannabis cultivation activities under this General Order may be revoked based on those conditions.
23. The Regional Water Board Executive Officer may terminate permit coverage under the General Order for cause when such termination is needed to protect water quality.
24. Industrial hemp, as defined in Health and Safety Code section 9.1, is exempt from regulation under this General Order. Industrial hemp is regulated by the CDFA, commencing with section 81000 of the Food and Agricultural Code. Cultivation of industrial hemp shall be performed consistent with the Regional Water Board's ILRP.
25. The California Forest Practice Rules designate watercourse (stream) and lake protection zones, protective measures based on the beneficial use, and whether the watercourse is natural or manmade. Activities performed in areas subject to the Forest Practice Rules shall be implemented consistent with the permitting, licensing, and performance standards of the Forest Practice Rules, and the requirements of the Cannabis Policy and this General Order, whichever is more protective.
26. Diversion of water or any other alteration of a lake or streambed (including alterations that result from construction or modification of culverts, etc.) requires CDFW notification and permitting. CDFW manages California's fish and wildlife resources and habitats for their ecological value and enjoyment by the public. CDFW may issue Lake or Streambed Alteration Agreements (also known as "1600 Agreements") that may limit water diversions to ensure that public resources are protected or impose additional conditions.



### **TITLE 27 EXEMPTION**

27. Discharges from cannabis cultivation activities eligible for coverage under this General Order are exempt from the requirements of Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste in California Code of Regulations, title 27, division 2, subdivision 1, section 20005, et seq. The activities are exempt from the requirements of title 27 so long as the activity meets and continues to meet all preconditions listed below. (Cal. Code Regs., tit. 27, §20090).
- a. Wastewater – Discharges of wastewater to land, including but not limited to evaporation ponds, percolation ponds, or subsurface leach fields if all of the following conditions are met:
    - i. The applicable Regional Water Board has issued WDRs, reclamation requirements, or waived such issuance.
    - ii. The discharge complies with the applicable water quality control plan.
    - iii. The wastewater does not need to be managed according to California Code of Regulations, title 22, division 4.5, chapter 11, as a hazardous waste. (Cal. Code Regs., tit.27, §20090(b).)
  - b. Soil Amendments – Use of nonhazardous decomposable waste as a soil amendment pursuant to applicable BPTC measures, provided that Regional Water Boards may issue waste discharge or reclamation requirements for such use. (Cal. Code Regs., tit.27, §20090(f).)

### **MONITORING AND REPORTING**

28. Water Code section 13267 states, in relevant part:

- (b)(1) In conducting an investigation ..., the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or, discharging, or who proposes to discharge waste within its region . . . shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

Tier 1 and Tier 2 enrollees are required to submit technical and monitoring reports. The reports include certifying completion of winterization measures, certification of the facility tier status, and for higher risk tiers, nitrogen management status. The technical reports and monitoring reports are necessary to assure compliance with this General Order. The burden and cost of preparing the reports is reasonable and consistent with the interest of the state in maintaining water quality.

### **BASIN PLANS AND BENEFICIAL USES**

29. Beneficial uses of groundwater are determined by each Regional Water Board and are listed in their respective Basin Plans.
- a. Beneficial uses of groundwater include municipal and domestic supply, industrial service supply, industrial process supply, fresh water replenishment, aquaculture, wildlife habitat, water contact recreation, agricultural supply, and groundwater

recharge. Some beneficial uses only apply to certain geographical areas within regions.

- b. Beneficial uses of surface waters include agricultural supply; cold freshwater habitat; estuarine habitat; flood peak attenuation or flood water storage; freshwater replenishment; groundwater recharge; inland saline water habitat; municipal and domestic supply; warm freshwater habitat; water quality enhancement; wetland habitat; wildlife habitat; aquaculture; commercial and sport fishing; industrial process supply; industrial service supply; migration of aquatic organisms; Native American culture; navigation; non-contact water recreation; rare, threatened, or endangered species; spawning, reproduction, and/or early development; subsistence fishing; and water contact recreation.

### **NORTH COAST REGIONAL WATER BOARD BASIN PLAN, POLICIES, AND TMDLS**

30. The North Coast Regional Water Board adopted the Support of Restoration in the North Coast Region Resolution No. R1-2015-0001 (Restoration Policy) to support the implementation of restoration projects for the purpose of eliminating, reducing, or ameliorating a variety of conditions that can negatively impact aquatic ecosystems, including but not limited to: water pollution, eutrophication, desiccation, habitat simplification, species displacement, migration barriers, erosion from diverted streams, riparian zone disturbance, effects of climate change, or other impairments to the beneficial uses of waters of the state. In many watersheds, the impact of past land use activities or so-called “legacy” problems may require decades to recover to their historic, natural, or functioning conditions. Some aquatic ecosystems have been so significantly altered that it is no longer reasonable or feasible to achieve historic conditions; but rather, restoration efforts must focus on establishing best achievable structure, function, and biodiversity.
31. The North Coast Regional Water Board Basin Plan includes the policy for the Implementation of the Water Quality Objectives for Temperature (Temperature Implementation Policy), which specifies that activities resulting in water temperature increases shall be addressed on a case-by-case basis to reduce impairments and prevent further impairment. The Temperature Implementation Policy directs staff to examine and address temperature when developing permits. At a minimum, any program or permit should implement temperature shade load allocations in areas subject to existing temperature total maximum daily loads (TMDLs), including EPA-established temperature TMDLs. To attain and maintain the water quality objectives for temperature, the Regional Water Board and its staff will implement programs and collaborate with others in such a manner as to prevent, minimize, and mitigate temperature alterations associated with sediment discharges and controllable water quality factors. Controllable water quality factors affecting water temperature include any anthropogenic activity which results in the removal of riparian vegetation, sediment discharges, impoundments and other channel alterations, reduction of instream summer flows, and the reduction of cold water sources. The Temperature Policy requires program implementation through adoption of WDRs.
32. The North Coast Region is home to numerous threatened and endangered species that are sensitive to excessive sediment, temperature fluctuations, and reduction of suitable habitat. The migration, spawning, reproduction, and early development of cold water fish such as salmon and trout species are impacted in the North Coast Region due to water quality impairments and other conditions. The National Marine Fisheries Service has listed southern Oregon/northern California coast Coho salmon, California coastal Chinook salmon, and

northern California steelhead as threatened under the federal Endangered Species Act. The CDFW listed coho salmon as threatened in 2005.

33. Approximately 61-percent of the North Coast Region drains to sediment impaired rivers and streams (2006 Clean Water Act Section 303(d) list). Sediment TMDLs have been established by the U.S. EPA for the Albion River, Big River, Middle Fork Eel River, North Fork Eel River, South Fork Eel River, Garcia River, Gualala River, Mattole River, Navarro River, Noyo River, Redwood Creek, Ten Mile River, Trinity River, South Fork Trinity River, and Van Duzen River. The establishment of TMDLs by the U.S. EPA was conducted under the authority of the Clean Water Act and is equivalent to adoption of a TMDL as described in California Code of Regulations, title 14, section 916.9(a)(I).
34. The North Coast Regional Board adopted the TMDL Implementation Policy Statement for Sediment Impaired Receiving Waters in the North Coast Region, (Sediment TMDL Implementation Policy) on November 29, 2004. The Sediment TMDL Implementation Policy directs the Executive Officer to use all available authority in pursuing sediment related compliance.
35. This General Order is consistent with the Basin Plan for the North Coast Region, the Temperature Implementation Policy and the Sediment TMDL Implementation Policy by requiring all Dischargers that are landowners of the cultivation site in the North Coast Region to develop *Site Management Plans* identifying compliance with BPTC measures property-wide, including discharges from legacy activities (e.g., former timber harvest, road building, mining, etc.) at the site.

### **LAHONTAN REGIONAL WATER BOARD BASIN PLAN**

36. The Lahontan Regional Water Board Basin Plan contains control measures for construction activities. To minimize the risk of erosion and storm water threatening sensitive watersheds, the Basin Plan requires the following:
  - a. Disturbed areas located at elevations above 6,000 feet must be stabilized from October 15th through May 1st of each year, and all work performed during this period must be conducted so that the site can be winterized within 48 hrs.
  - b. "Winterized" for the Lahontan region means implementing erosion and/or sediment controls that will prevent the discharge of earthen materials from the site and the controls will remain effective throughout the rainy/snow season without requiring maintenance. The winter season may be shortened in desert areas of the region.
37. The Lahontan Regional Water Board adopted the General Waste Discharge Requirements and National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction Activity in the Lake Tahoe Hydrologic Unit, Counties of Alpine, El Dorado, and Placer (Order No. R6T-2016-0010) which includes a specific anticipated precipitation event criteria. An anticipated precipitation event is defined as a 30 percent or greater chance producing 0.1 inch of precipitation as rainfall in the project area, or if the chance of thunderstorms becomes 30 percent or greater, or when visual observations indicate imminent precipitation.
38. The Lahontan Regional Water Board adopted Resolution No. R6T-2008-0019, *Approval of Amendments to the Water Quality Control Plan for the Lahontan Region to Incorporate a Total Maximum Daily Load (TMDL) and TMDL Implementation Plan for Sediment in the Middle Truckee River Watershed, Placer, Nevada, and Sierra Counties, and Certification of a*

*Substitute Environmental Document* (Middle Truckee River TMDL) on May 14, 2008. The Middle Truckee River TMDL was approved by the State Water Board on March 17, 2009; and the U.S. EPA on September 16, 2009. The implementation of the Middle Truckee River TMDL includes identification of legacy sites and restoration, or implementation of storm water best management practices to prevent erosion and sedimentation of surface waters. The BPTC measures included in this General Order includes requirements to control sediment discharges from construction and maintenance activities related to cannabis cultivation.

### **SAN DIEGO REGIONAL WATER BOARD TMDL**

39. The San Diego Regional Water Board adopted Resolution No. R9-2005-0036, *A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to incorporate Revised Total Maximum Daily Loads for Total Nitrogen and Total Phosphorus in Rainbow Creek Watershed, San Diego County* (Rainbow Creek TMDL) on February 9, 2005. The Rainbow Creek TMDL was approved by the State Water Board on November 16, 2005; the Office of Administrative Law (OAL) on February 1, 2006; and the U.S. EPA on March 22, 2006. The Rainbow Creek TMDL became effective on February 1, 2006.
- a. Nitrate and phosphorus concentrations in the Rainbow Creek Watershed exceed the water quality objective for some municipal supply beneficial uses and threaten several additional beneficial uses. Runoff from agriculture, nursery, and residential land uses contribute to increased nitrate and phosphorus in Rainbow Creek as a result of storm water runoff, irrigation return flows, and groundwater contributions to the creek.
  - b. The objectives of the Rainbow Creek TMDL Implementation Plan requires the use of effective management practices and best management practices to reduce the loading of nitrogen and phosphorus to attain numeric targets for total nitrogen (1.0 mg/L) and total phosphorus of (0.1 mg/L). The BPTC measures included in this General Order represent effective management practices limiting nitrogen and phosphorus discharges.
40. The San Diego Regional Water Board adopted Resolution No. R9-2010-0001, *A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) to incorporate Revised Total Maximum Daily Loads for Indicator Bacteria, Project I – Twenty Beaches and Creeks in the San Diego Region (including Tecolote Creek)* (Bacteria TMDL) on February 10, 2010. The Bacteria TMDL was approved by the State Water Board on December 14, 2010; OAL on April 4, 2011; and U.S. EPA on June 22, 2011. The Bacteria TMDL became effective on April 4, 2011.
- a. Bacteria in the waters of the beaches and creeks addressed by this TMDL have exceeded numeric water quality objective for total, fecal, and/or enterococci bacteria (collectively referred to as indicator bacteria). Beaches have been posted with health advisories and/or closed threatening and impairing beneficial uses.
  - b. Watersheds with agricultural operations (Lower San Juan hydrologic sub area, San Luis Rey hydrologic unit, San Marcos hydrologic area, and San Dieguito hydrologic unit) are required to reduce their wet weather and dry weather bacteria loading. The objectives of the Bacteria TMDL Implementation Plan requires the use of effective management practices and best management practices to reduce the loading of bacteria containing discharges to achieve the load allocations and waste loads specified in the Bacteria TMDL. The BPTC measures included in this General Order represent effective management practices limiting bacteria containing discharges.

## NON-POINT SOURCE POLICY

41. In May 2004, the State Water Board adopted the Policy for Implementation and Enforcement of the Nonpoint Source Pollution Control Program (NPS Policy). The purpose of the NPS Policy is to improve the state's ability to effectively manage nonpoint source pollution, conform to the requirements of the Clean Water Act, and comply with the Federal Coastal Zone Act Reauthorization Amendments of 1990. Polluted runoff from nonpoint sources accounts for more than 76 percent of the water bodies where TMDLs are required.
- a. The NPS Policy requires the Water Boards to regulate all nonpoint sources of pollution, using the administrative permitting authorities provided by the Porter-Cologne Water Quality Control Act. This General Order implements the NPS Policy by requiring BPTC measures for site development, cannabis cultivation, associated activities (e.g., site grading, road building, surface water diversion, etc.) that can contribute to nonpoint source pollution.
  - b. NPS pollution control implementation programs are a mechanism to achieve compliance with Basin Plan requirements. Pollution control implementation programs may be imposed upon a subbasin by the State or Regional Water Board, an individual Discharger, or a coalition of Dischargers. Alternatively, a pollution control implementation program may be developed by an individual Discharger, group of Dischargers, or landowners to address a water quality issue.
  - c. Implementation of the applicable BPTC measures contained in Attachment A will be protective of water quality for most cannabis cultivation activities. However, adherence to the BPTC measures does not assure compliance. The ultimate compliance evaluation is comparison of the effectiveness of BPTC measure implementation to the appropriate Basin Plan requirements. In some cases, the Discharger will have to implement multiple BPTC measures, or increase the density of BPTC measures to achieve water quality protection. In some cases, the activity cannot be performed without unacceptable water quality degradation. In those cases, the Regional Water Board may revoke the authorization under the General Order, require authorization under a site-specific order, or prohibit the activity from occurring.

## APPLICATION/TERMINATION PROCESS AND FEES

42. The North Coast Regional Water Board and the Central Valley Regional Water Board have authorized discharges related to cannabis cultivation under Orders R1-2015-0023 and R5-2015-0113. The State Water Board intends that regulatory coverage under an existing Regional Water Board general order will be terminated by the applicable Regional Water Board by **July 1, 2019**. All existing Dischargers must apply for coverage under this General Order. (Some existing Dischargers may qualify for conditional exemption from the General Order; some previously exempted activities may need to obtain coverage under the Waiver or enroll under this General Order.) All cannabis cultivation activity that requires discharge authorization as described herein, shall be authorized by this General Order, an appropriate ILRP WDR, a waiver of ILRP WDRs, or by a site-specific order if deemed necessary by the Regional Water Board Executive Officer. All Dischargers enrolled under Orders R1-2015-0023 or R5-2015-0113 as of October 17, 2017 (the adoption date of this General Order) may continue to operate their facility with their existing order's setbacks (grandfathered status) unless the Regional Water Board's Executive Officer determines that the reduced setbacks applicable under those orders are not protective of water quality. Such Dischargers are not required to modify their facilities to comply with this General Order's setback limits. New

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disturbed areas or expansions to the existing facilities shall comply with the setbacks provided in this General Order.

43. Applicants must comply with the setback and slope limits. A cultivation site is classified as moderate risk if any part of the disturbed area is located on a slope greater than 30 percent. Such Dischargers shall enroll as moderate risk and submit a *Site Erosion and Sediment Control Plan*. (See the plan description in the Provisions section of this General Order.) A cultivation site is classified as high risk if any part of the disturbed area exists within the setback limits. Such Dischargers shall enroll as high risk, submit a *Disturbed Area Stabilization Plan*, and shall address the setback compliance issue as described below. (See the plan description in the Provisions section of this General Order.) Because such Dischargers pose a higher risk to water quality and will require a higher level of Regional Water Board oversight, they are subject to a higher application and annual fee. When the site is reconfigured to comply with the setbacks, the Discharger can request the Regional Water Board to reclassify the site to a lower risk level and allow a lower annual fee to be assessed.
44. Applicants seeking coverage under the Waiver or that are required to enroll are required to pay an application fee as described below. Water Code sections 13260(d)(1)(A) and 13269(a)(4)(A) requires persons subject to waste discharge requirements or a waiver of waste discharge requirements to pay an annual fee according to a fee schedule established by the State Water Board. The application and annual fee schedule is presented in California Code of Regulations, title 23, section 2200 et seq.
  - a. Cannabis cultivation activities that comply with the conditions for personal use exemption described in the Exemptions for Certain Cultivation Activities section of this General Order are not required to apply for coverage from the State Water Board or Regional Water Board. Dischargers that qualify for personal use exemption under this General Order are not required to pay an application fee or a subsequent annual fee. Some personal use exempt dischargers that divert water may be subject to water rights registration requirements. Those dischargers shall use the online application and will receive a Notice of Exemption from this General Order.
  - b. Commercial indoor cannabis cultivation activities that occur within a structure with a permanent roof, a permanent relatively impermeable floor (e.g., concrete or asphalt paved), and that discharge all industrial wastewater generated to a community sewer system consistent with the sewer system requirements, are required to apply for coverage under the Waiver on-line and pay an application fee.
  - c. Indoor cannabis cultivation activities that occur within a structure with a permanent roof, a permanent relatively impermeable floor (e.g., concrete or asphalt paved), but discharge irrigation tailwater or hydroponic wastewater, to an on-site wastewater treatment system (such as septic tank and leach field or to land) must obtain regulatory authorization for the wastewater discharge (e.g., WDRs, conditional waiver of WDRs, or other permit mechanism). Indoor cannabis cultivation with an onsite treatment system are required to apply for coverage under the Waiver on-line and pay an application fee.
  - d. Outdoor cannabis cultivation activities that comply with the conditionally exempt conditions described in the Exemptions for Certain Cultivation Activities section of this General Order are required to apply for coverage under the Waiver on-line and pay an application fee. Existing Dischargers (under Orders R1-2015-0023, R5-2015-0113) are required to transition coverage (enroll) under the General Order.

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Transitioning Dischargers are required to apply on-line. They do not pay an application fee; they continue to pay their annual fee as appropriate from the general order fee schedule (the fee may change based on site conditions). Some Dischargers may qualify for, or be required to obtain coverage under an ILRP WDR, ILRP conditional waiver of WDRs, or a site-specific WDRs order, and pay fees associated with those permits. Enrollees directed to those orders shall contact the appropriate Regional Water Board for instructions on application procedures. Such Dischargers shall also comply with the applicable water rights registration process described herein as applicable.

- e. New facilities that are classified as either Tier 1 or Tier 2 are required to enroll under the General Order. New facilities are required to apply on-line and pay an application fee. The application fee serves as the first year's annual fee; Dischargers will be billed on an annual basis. Some existing Dischargers (under Orders R1-2015-0023, R5-2015-0113) may be classified as a Tier 1 or Tier 2 facility.
  - f. Tier 1 and 2 sites shall be characterized for risk based on site conditions. Risk is defined in Table 1 as low, moderate, or high. Because moderate and high risk sites will require greater level of regulatory oversight, the fees for those risk levels are higher, reflecting the additional cost to achieve water quality protection. A site can be located on a slope greater than 30 percent and not comply with the setback requirement. In that case, the Discharger shall pay the highest applicable fee.
    - i. Low Risk – Comply with the slope requirements and setbacks. Low risk sites are deemed to be a lower threat to water quality.
    - ii. Moderate Risk – Comply with the setback requirements but exist on slopes greater than 30 percent and less than 50 percent. The higher slopes will require implementation of more BPTC measures, more monitoring of their effectiveness, and more maintenance activities to ensure the BPTC measures are effective.
    - iii. High Risk – Are facilities that have any portion of their disturbed area located within the setback requirements, with the exception of activities authorized under a Clean Water Act section 404 permit, a CDFW LSA Agreement, coverage under the Cannabis General Order water quality certification, or site-specific WDRs issued by the Regional Water Board, are classified as high risk and will be assessed the high-risk fee until the activities comply with the setback requirements. It is the Discharger's responsibility to notify the Regional Water Board of compliance with the setback requirements to reassess the annual fee.
45. To apply for coverage under this General Order, the Discharger shall submit an application through the Internet as described in the Application Procedure section of this General Order.
- a. The application requires the Discharger to self-certify that all applicable BPTC measures are being implemented, or will be implemented by **the onset of the winter period, following the enrollment date**. Upon submittal of the application, the Discharger will obtain a notice of receipt. Applicants that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the Regional Water Board Executive Officer a *Site Management Plan* that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in

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Attachment A. Refer to the definition of winter period in Attachment A for specific dates. The notice of receipt will expire within **30 days** of issuance if the Discharger fails to complete the application by submitting the application fee to the State Water Board. (Dischargers that are currently enrolled in the North Coast Regional Water Board or the Central Valley Regional Water Board orders do not pay an additional fee as described in the Application/Termination Process and Fees section of this General Order.)

- b. Technical reports shall be submitted to the appropriate Regional Water Board via e-mail as described in the notice of receipt and Attachment B monitoring and reporting program (MRP). The MRP is attached hereto and is made part of this General Order by reference. Enrollees may be directed to upload reports via the Internet in the future. See the Provisions section of this General Order for guidance on the report(s) contents.
  - c. Upon receipt of an application, fee, and required documentation (e.g., a tribal authorization letter is required for some applicants). Dischargers will receive documentation for use in obtaining a CDFG cultivation license.
    - i. Conditionally exempt Dischargers will receive a Conditional Waiver of WDRs.
    - ii. Tier 1 or Tier 2 Dischargers will obtain a notice of applicability.
    - iii. Enrollees transitioning from an existing Regional Water Board order will receive either a Conditional Waiver of WDRs or a Notice of Applicability depending upon the site characteristics
46. Dischargers that want to terminate coverage under this General Order shall submit a Notice of Termination (NOT), provided in Attachment C, which is attached hereto and is made part of this General Order by reference. The NOT shall include a *Site Closure Report* (see the plan description in the Provisions section of this General Order) and a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving an NOT.

### CEQA CONSIDERATIONS

47. This General Order imposes regulatory requirements on existing cannabis cultivation sites and regulates the water related impacts associated with the development of new cannabis cultivation sites.
- a. The adoption of this General Order for existing cannabis cultivation sites is categorically exempt from CEQA pursuant to California Code of Regulations, title 14, section 15301 (ongoing or existing projects).
  - b. Water Code section 13149 required the State Water Board to adopt principles and guidelines addressing water diversion and water quality issues associated with cannabis cultivation. The principles and guidelines contain substantive criteria for enrollment, water quality protection, and protective measures addressing biological and cultural resources. Water Code section 13149 (b)(1) provides that these actions of the State Water Board are deemed to be within California Code of Regulations, title 14, section 15308 (regulatory actions for environmental protection) if stream flow standards are not relaxed. The principles and guidelines described in the Cannabis Policy and as implemented in this General Order do not relax stream flow standards and are therefore exempt from further CEQA evaluation. Adoption of this General



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Order is a ministerial action under CEQA because it is a requirement of the Cannabis Policy. The General Order contains no substantive requirements that are not already required by the Policy, so there is no possibility that the General Order itself will have any significant effects on the environment.

- c. Activities performed in aquatic environments require Lake or Streambed Alteration Agreements from the CDFW. Potential impacts to aquatic biological resources are addressed by the CDFW permitting process.
- d. Activities related to site development in timberland require permits from CAL FIRE. Potential impacts to biological resources and cultural resources are addressed in the CAL FIRE permitting process.

### **OTHER REGULATORY CONCERNS**

- 48. This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a take will result from any action authorized under this General Order, the Discharger shall obtain authorization for an incidental take prior to construction or operation of the project. The Discharger shall be responsible for meeting all applicable requirements of the Endangered Species Act.
- 49. The State Water Board has notified interested agencies and persons of its intent to adopt this General Order for discharges of waste from cannabis cultivation activities within the state and has provided them with an opportunity for a public hearing and an opportunity to submit comments.
- 50. The State Water Board in a public meeting, heard and considered all comments pertaining to this General Order.

**IT IS HEREBY ORDERED** that, (1) this General Order shall not take effect unless and until the Cannabis Policy is approved by the Office of Administrative Law (Effective Date), (2) pursuant to Water Code section 13269, the State Water Board waives the requirement to submit a report of waste discharge and obtain waste discharge requirements for indoor commercial cannabis cultivators and outdoor cannabis cultivators that meet all requirements for conditional exemptions described in this General Order. This Waiver shall expire five years after the Effective Date of this General Order, unless terminated or renewed by the State Water Board, and (3) pursuant to Water Code sections 13263 and 13267, the Discharger, its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the Water Code and regulations adopted hereunder, shall comply with the requirements of this General Order:

#### **A. CANNABIS POLICY REQUIREMENTS**

- 1. The Discharger shall comply with, and implement, all requirements described in Attachment A of the Cannabis Policy, which is included as Attachment A of this General Order.

#### **B. APPLICATION PROCEDURE**

- 1. All Dischargers, except those that qualify for the personal use exemption and that do not need a water rights registration, shall provide the information requested on-line as described below.

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2. To obtain coverage under the Waiver or enroll under this General Order, the Discharger shall:

- a. Provide the information required in the on-line application process located at <<https://www.waterboards.ca.gov/cannabis>>.
- b. Submit the application fee within **30 days** of submitting the on-line application. Failure to submit the application fee within 30 days will result in the application being voided and authorization terminated. Payments shall be identified using the Fee Payment Application Number (found on the Notice of Receipt). All checks or money orders shall be made payable to: "State Water Resources Control Board," and shall be delivered to:

By U.S. Mail	In person or by courier delivery
Accounting Office Attn: Water Quality Fees – Cannabis General Order P.O. Box 1888 Sacramento, CA 95812-1888	Accounting Office Attn: Water Quality Fees – Cannabis General Order 1001 I Street Sacramento, CA 95814

- c. Provide the technical reports listed in Table 2 below. *Site Management Plan* is due **90 calendar days** after the application is submitted and the Notice of Receipt is issued; the *Site Closure Report* is due **90 days** prior to ending cannabis cultivation activities. When required, the *Site Erosion Sediment Control Plan*, and the *Disturbed Area Stabilization Plan* must be submitted and approved by the Regional Water Board Executive Officer before the Dischargers can initiate activities at the site. See the Provisions section of this General Order for descriptions of the technical report contents.

**Table 2: Technical Report Requirements by Tier**

Tier	Risk Level	Technical Reports <sup>1</sup>
Conditionally Exempt <sup>2</sup>	N/A	Site Closure Report <sup>3</sup>
Tier 1	All	Site Management Plan
Tier 1	Moderate	Site Erosion Sediment Control Plan <sup>4</sup>
Tier 1	High	Disturbed Area Stabilization Plan <sup>5</sup>
Tier 1	All	Site Closure Report <sup>3</sup>
Tier 2	All	Site Management Plan
Tier 2	Moderate	Site Erosion Sediment Control Plan <sup>4</sup>
Tier 2	High	Disturbed Area Stabilization Plan <sup>5</sup>
Tier 2	All	Nitrogen Management Plan <sup>6</sup>
Tier 2	All	Site Closure Report <sup>3</sup>

<sup>1</sup> See the Provisions section of this General Order for the report content requirements.

<sup>2</sup> Some conditionally exempt facilities (including personal use exemption) may have to enroll as a Tier 1 or Tier 2 site if it no longer meets the exemption criteria. If so, the (formerly) conditionally exempt facilities shall submit the technical reports and monitoring reports associated with their tier status.

<sup>3</sup> A Site Closure Report is required prior to ending cannabis cultivation at a site. Also see the Notice of Termination (Attachment C.)

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- <sup>4</sup> A Site Erosion Sediment Control Plan is required when any portion of the disturbed area is located on a slope greater than 30 percent.
  - <sup>5</sup> A Disturbed Area Stabilization Plan is required when any portion of the disturbed area, including areas disturbed upon initial site development, are located within the Disturbed Area Setbacks presented in Attachment A. Access roads and water crossings designed, constructed, and maintained consistent with the Road Handbook and Attachment A, are not considered disturbed areas.
  - <sup>6</sup> A Nitrogen Management Plan is required when the cultivation area, or aggregate of cultivation areas, exceeds one acre.
3. The primary authority for issuing NOAs is the Regional Water Board Executive Officer. However, NOAs may also be issued by the State Water Board Division of Water Quality Deputy Director or the State Water Board Chief Deputy Director.
4. Dischargers that want to terminate coverage under this General Order shall submit a Notice of Termination (NOT), provided in Attachment C. The NOT shall include a *Site Closure Report* (see the plan description in the Provisions section of this General Order) and a final monitoring report. The Regional Water Board may inspect the site before approving an NOT.

### C. PROVISIONS

1. Technical Report Preparation Requirements. All technical reports shall be submitted to the appropriate Regional Water Board by transmitting the report in portable document format (PDF) to the e-mail address provided in the notice of receipt. Refer to the General Order attachments for guidance on the contents of the reports.
  - a. **Within 90 days** of the issuance of a notice of receipt, all Tier 1 and Tier 2 Dischargers shall submit and implement a *Site Management Plan* that describes how the Discharger is complying with the BPTC measures listed in Attachment A. The description shall describe how the BPTC measure is implemented (e.g., for petroleum fuel storage, specify the specific product or means of compliance). Dischargers that are landowners of the cultivation site in North Coast Regional Water Board jurisdiction are required to submit and implement *Site Management Plans* that describes how the BPTC measures are implemented property-wide, including BPTC measures implemented to address discharges from legacy activities. The *Site Management Plan* may include a schedule to achieve compliance, but all work must be completed by **the onset of winter period each year**. (The due date does not relieve a Discharger from implementing the interim soil stabilization BPTC measures described in Attachment A. Interim measures are those that are implemented immediately upon site development.) Attachment D, which is attached hereto and is made part of this General Order by reference, provides guidance on the contents of the *Site Management Plan*.
  - b. Tier 1 or Tier 2 Dischargers classified as moderate risk (any portion of the disturbed area is located on a slope greater than 30 percent, or conditionally exempt Dischargers that do not comply with the conditions that must enroll as Tier 1 or 2, and have any portion of the disturbed area on a slope greater than 30 percent) shall submit a *Site Erosion and Sediment Control Plan* that describes how the Discharger will implement the BPTC measures listed in Attachment A. (See Attachment A, Section 5 Planning and Reporting for a listing of professional registrations or certifications that are qualified to prepare the plan.) Because moderate risk sites are located on steeper slopes, additional BPTC measures, or a higher density of BPTC measures may be appropriate to achieve the goal of

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minimizing the discharge of sediment off-site. The report shall include an analysis of slope stability. Attachment D of the General Order provides guidance on the contents of the *Site Erosion and Sediment Control Plan*. The Report shall be approved by the Regional Water Board Executive Officer prior to implementation.

- c. Tier 1 or Tier 2 Dischargers classified as high risk (any portion of the disturbed area exists within the setbacks specified in this General Order except as authorized by a CDFW Lake or Streambed Alteration permit, shall submit a *Disturbed Area Stabilization Plan* that shall describe how compliance with the setbacks will be achieved. (See Attachment A, Section 5 Planning and Reporting for a listing of professional registrations or certifications that are qualified to prepare the Plan.) If the Discharger will not be able to achieve compliance by the onset of the next winter period (stabilization work will continue into the winter period or will continue the following year), the Discharger must include a time schedule and scope of work for approval by the Regional Water Board Executive Officer and use in preparing an enforcement order. Attachment D of the General Order provides guidance on the contents of the *Disturbed Area Stabilization Plan*. The Report shall be approved by the Regional Water Board Executive Officer prior to implementation.
- d. **Within 90 days** of the issuance of a notice of receipt, all Tier 2 Dischargers with a cannabis cultivation area, or aggregate of cultivation areas, greater than one acre shall submit a *Nitrogen Management Plan* (NMP) for the facility. The NMP shall calculate all the nitrogen applied to the cannabis cultivation area (dissolved in irrigation water, originating in soil amendments, and applied fertilizers) and describe procedures to limit excessive fertilizer application. Attachment D of the General Order provides guidance on the contents of a *Nitrogen Management Plan*.
- e. At least **90 days prior to ending cannabis cultivation** at a site, a conditionally exempt, Tier 1, or Tier 2 Discharger shall submit a *Site Closure Report* that describes how the site will be decommissioned to prevent waste constituents, sediment, and/or turbidity discharges that degrade water quality. If construction activities are proposed in the *Site Closure Report*, a project implementation schedule shall be included in the report. The *Site Closure Report* shall also include a final MRP report. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

## 2. Standard Provisions for All Dischargers

- a. The requirements prescribed herein do not authorize the commission of any act causing damage to the property of another, or protect the Discharger from liabilities under federal, state, or local laws. This General Order does not convey any property rights or exclusive privileges and does not create a vested right to continue cannabis cultivation or discharge of wastewater.
- b. This General Order does not relieve the Discharger from responsibility to obtain other necessary local, state, or federal permits, nor does the General Order prevent imposition of additional standards, requirements, or conditions by any other agency.
- c. The requirements of this General Order are severable. If any provision of this General Order is held invalid, the remainder of this General Order shall not be affected.

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- d. The Discharger shall ensure that all site operating personnel are familiar with the contents of the General Order. A copy of this General Order and technical reports required by this General Order shall be kept at the cultivation site. Maintenance of electronic copies of the documents, that can immediately be viewed, is acceptable.
- e. Consistent with the Business and Professions Code, the Forest Practice Act, and other state laws, certain technical report preparation, design calculations, and report preparation must be prepared under the supervision of a California licensed civil engineer, professional forester, or professional geologist. This General Order also contains requirements related to storm water documents. (See Planning and Reporting section of Attachment A for a listing of professional registrations or certifications that are qualified to prepare the plan.) In addition, contractors employed to implement the BPTC measures must comply with the specific requirements contained in the Forest Practice Act and the general requirements requiring licensing by the California Contractors' State License Board.
- f. The Discharger shall comply with all of the terms and conditions of this General Order. Any noncompliance with this General Order constitutes a violation of the Porter-Cologne Water Quality Control Act and/or applicable Regional Water Board's Basin Plan and may be grounds for an enforcement action.
- g. The State Water Board will review this General Order periodically and will revise requirements when necessary.
- h. The Regional Water Board Executive Officer or State Water Board Division of Water Quality Deputy Director or the State Water Board Chief Deputy Director may terminate a Discharger's coverage under this General Order for cause including, but not limited to, any of the following:
  - i. Violation of any of the terms or conditions contained in this General Order.
  - ii. Obtaining this General Order by misrepresentation, or failure to disclose fully all relevant facts.
  - iii. A change in any condition that results in either a temporary or permanent need to reduce or eliminate the authorized discharge activities.
  - iv. A material change in the activity, character, location, or volume of discharge.
  - v. Adoption of a TMDL amendment, new TMDL, or TMDL alternative.
- i. Before making a material change in the activity, character, location, or volume of discharge, the Discharger shall notify the Regional Water Board Executive Officer. A material change includes, but is not limited to, any of the following:
  - i. An increase in cultivation area (indoor or outdoor) beyond that specified in the application.
  - ii. A significant change in the operational activities that have the potential to increase or create a discharge to waters of the state (e.g., new green houses, change in wastewater disposal method, or new activity such as cannabis manufacturing).

The Regional Water Board Executive Officer may require resubmittal of application information, technical reports, or certifications. If the authorization was issued by the State Water Board Division of Water Quality Deputy Director or the State Water Board Chief Deputy Director, those individuals may also require that actions described in this standard provision.

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- j. Except for material determined to be confidential in accordance with California law, all reports prepared in accordance with terms of this General Order shall be available for public inspection at the offices of the Regional Water Board. Data on waste discharges, water quality, geology, and hydrogeology are not confidential.
- k. The Discharger shall take all reasonable steps to minimize any adverse impact to waters of the state resulting from noncompliance with this General Order. Such steps may include accelerated or additional monitoring as necessary to determine the nature and impact of the noncompliance.
- l. The Discharger shall maintain in good working order and operate as efficiently as possible any facility, control system, water storage, or monitoring device installed to achieve compliance with this General Order.
- m. The Discharger shall permit representatives of the Regional Water Board and/or the State Water Board, upon presentation of credentials, to:
  - i. Enter premises where cannabis is cultivated or processed, wastes are treated, stored, or disposed of, and facilities in which any records are kept.
  - ii. Copy any records required under terms and conditions of this General Order.
  - iii. Inspect at reasonable hours, monitoring equipment required by this General Order.
  - iv. Sample, photograph, and/or video record any cultivation activity, discharge, waste material, waste treatment system, or monitoring device.
- n. For any electrically operated equipment at the site, the failure of which would cause loss of control or containment of waste materials or violation of this General Order, the Discharger shall employ safeguards to prevent loss of control over wastes. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means.
- o. The fact that it would have been necessary to halt or reduce the permitted discharge activity to maintain compliance with this General Order shall not be a defense for the Discharger's violations of the General Order.
- p. Any of the following changes must immediately be reported to the Regional Water Board Executive Officer:
  - i. A change in ownership of the parcel where the cultivation activities take place. The Discharger or owner must notify the succeeding owner of the existence of this General Order by letter, a copy of which shall immediately be forwarded to the Regional Water Board's Executive Officer.
  - ii. A change of the permitted facility operator. The Discharger must notify the succeeding operator of the existence of this General Order by letter, a copy of which shall immediately be forwarded to the Regional Water Board's Executive Officer.
  - iii. A change in a third party representative. The Discharger shall notify the owner of the change by letter, a copy of which shall immediately be forwarded to the Regional Water Board's Executive Officer.
- q. Dischargers that are covered by the Waiver or enrolled under this General Order shall pay an application fee and an annual fee to the State Water Board in accordance with the fee schedule for each fiscal year. (Cal. Code Regs. tit. 23, § 2200.) Fees are based on tier and risk designations and are subject to revision by the State Water

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Board. Annual invoices are issued by the State Water Board for the state fiscal year (July 1 to June 30).

3. General Reporting Requirements

- a. If the Discharger cannot comply with the General Order, or will be unable to implement an applicable BPTC measure contained in Attachment A by **the onset of winter period each year**, the Discharger shall notify the Regional Water Board staff by telephone so that a site-specific compliance schedule can be developed. Current phone numbers for Regional Water Board offices may be found on the Internet at:

<[http://www.waterboards.ca.gov/about\\_us/contact\\_us/rwqcb\\_directory.shtml](http://www.waterboards.ca.gov/about_us/contact_us/rwqcb_directory.shtml)>

Notification shall occur as soon as the Discharger or its agents have knowledge of such noncompliance or potential for noncompliance. The written notification shall state the date, time, nature, cause of noncompliance, immediate response action, and a schedule for corrective actions.

- b. All reports submitted in response to this General Order, including monitoring reports, shall be signed by a person identified below:
- i. For individuals at a private residence: by the property owner of the residence.
  - ii. For a corporation: by a principal executive officer of at least the level of senior vice-president.
  - iii. For a partnership or sole proprietorship: by a general partner or the proprietor.
  - iv. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected or appointed official.
  - v. A duly authorized representative of a person described above if all of the following are completed:
    - a) The authorization is made in writing by a person described above.
    - b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of site manager, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
    - c) The written authorization is submitted to the Regional Water Board.

Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

- c. The Discharger shall mail a copy of each monitoring report and any other reports required by this General Order to the appropriate Regional Water Board or provide electronic submittals of reports or data as specified by the Regional Water Board. Contact and mail address information is available at:

<[http://www.waterboards.ca.gov/about\\_us/contact\\_us/rwqcb\\_directory.shtml](http://www.waterboards.ca.gov/about_us/contact_us/rwqcb_directory.shtml)>

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- d. When the Discharger becomes aware that it failed to submit any relevant facts in an application or technical report to the Regional Water Board, it shall promptly submit such facts or information.

4. Monitoring Requirements

- a. Dischargers enrolled under Tier 1 or Tier 2 classifications shall comply with the attached MRP and any future revisions as specified by the appropriate Regional Water Board Executive Officer or State Water Board's Executive Director. An Executive Officer, State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director may modify or replace the MRP for site specific conditions when deemed necessary.
- b. Unless otherwise approved by the Regional Water Board Executive Officer, all analyses shall be conducted at a laboratory certified for the analyses by the State Water Board's Division of Drinking Water Environmental Laboratory Accreditation Program. Field tests, such as tests for color, odor, turbidity, pH, temperature, dissolved oxygen, conductivity, and disinfectant residual are not subject to this requirement and will be accepted provided an acceptable Quality Assurance/ Quality Control Program is instituted by the laboratory. A manual containing the steps followed in the program must be available in the laboratory and shall be available for inspection by Regional Water Board or State Water Board staff. The Quality Assurance/ Quality Control Program must conform to U.S. EPA guidelines or to procedures approved by the Regional Water Board or State Water Board.
- c. The results of any monitoring done more frequently than required in the MRP shall be reported in the next regularly scheduled monitoring report. Values obtained through additional monitoring shall be used in calculations as appropriate.
- d. The Discharger shall furnish within a reasonable time any information the Regional Water Board or State Water Board staff may request to determine whether cause exists for modifying, revoking, reissuing, or terminating the Discharger's coverage under this General Order. The Discharger shall also furnish copies of records required to be kept by this General Order upon request. Providing electronic copies of the documents is acceptable.
- e. The Discharger shall retain records of all monitoring information, including copies of all reports required by this General Order and records of all data used to complete the application for this General Order. Records shall be maintained for a minimum of **three years** from the date of the report or application. Records may be maintained electronically. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Water Board Executive Officer.
- f. All monitoring and analysis instruments and devices used by the Discharger to fulfill the prescribed MRP shall be properly maintained and calibrated as recommended by the manufacturer to ensure their continued accuracy.
- g. Monitoring and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

5. Notice of Termination (NOT)

- a. If a Discharger wishes to terminate coverage, the Discharger shall submit a Notice of Termination (NOT) form (Attachment C) to the appropriate Regional Water Board. A



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new landowner and/or Discharger must obtain authorization under this General Order or the activity is subject to enforcement activity.

- b. The General Order coverage is not terminated until the NOT is approved by the Regional Water Board. Until the NOT is approved, the Discharger is responsible for any permit fees associated with General Order enrollment. Regional Water Boards may elect to conduct an inspection of the facilities prior to terminating coverage.
- c. Dischargers and/or landowners remain responsible for any water quality degradation that results from cultivation related activities whether coverage under this General Order has been terminated or not.

**CERTIFICATION**


I, Jeanine Townsend, Clerk to the Board, do hereby certify that this General Order with all attachments is a full, true, and correct copy of a General Order adopted by the State Water Board, on October 17, 2017.

AYE: Chair Felicia Marcus  
Vice Chair Steven Moore  
Board Member Tam M. Doduc  
Board Member Dorene D'Adamo  
Board Member Joaquin Esquivel

NAY: None

ABSENT: None

ABSTAIN: None

  
\_\_\_\_\_  
Jeanine Townsend  
Clerk to the Board

Attachments:

- Attachment A. Cannabis Policy Attachment A: Requirements for Cannabis Cultivation
- Attachment B. Monitoring and Reporting Program
- Attachment C. Notice of Termination
- Attachment D. Technical Report Guidance

ATTACHMENT A: CANNABIS POLICY ATTACHMENT A  
REQUIREMENTS FOR CANNABIS CULTIVATION  
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The Cannabis Policy Attachment A Requirements for Cannabis Cultivation contains surface water diversion and waste discharge requirements for cannabis cultivation related activities. The Discharger shall comply with all requirements in the Cannabis Policy and applicable federal, state, and local laws, regulations, and permitting requirements. If requirements conflict, the most protective requirements shall apply. There are five main categories of cannabis cultivation requirements to protect water quality and instream flows, which are located in the following sections:

- Section 1. General Requirements and Prohibitions
- Section 2. Requirements Related to Diversion of Water and Discharge of Waste for Cannabis Cultivation
- Section 3. Numeric and Narrative Flow Requirements (including Gaging)
- Section 4. Watershed Compliance Gage Assignments
- Section 5. Planning and Reporting

As referenced in this Order, best practicable treatment or control (BPTC) measures associated with diversion of water and discharge of waste are contained within Attachment A.

State Water Resources Control Board

## **Cannabis Cultivation Policy**

# **ATTACHMENT A**

## **Definitions and Requirements for Cannabis Cultivation**

**October 17, 2017**

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## OVERVIEW

This Attachment A contains diversion and discharge Requirements for cannabis cultivation activities. The cannabis cultivator shall comply with all Requirements in this Policy, and applicable federal, state, and local laws, regulations, and permitting requirements. In the event of duplicate or conflicting requirements, the most stringent requirements shall apply. There are five main categories of cannabis cultivation Requirements to protect water quality and instream flows, which are organized into the following sections:

- Section 1. General Requirements and Prohibitions, and General Water Quality Certification for Cannabis Cultivation Activities
- Section 2. Requirements Related to Water Diversions and Waste Discharge for Cannabis Cultivation
- Section 3. Numeric and Narrative Instream Flow Requirements (including Gaging)
- Section 4. Watershed Compliance Gage Assignments
- Section 5. Planning and Reporting

### Definitions

The following are definitions of terms used in the Policy, Attachment A, Staff Report, and General Order.

No.	DEFINITION
1.	<b>Access Road</b> – A road, other than a completely paved road regularly maintained by a governmental entity, that provides access to one or more cannabis cultivation areas.
2.	<b>Agronomic Rate</b> – The rate of application of irrigation water and nutrients to plants necessary to satisfy the plants’ evapotranspiration requirements and growth needs and minimize the movement of nutrients below the plants root zone. The agronomic rate considers allowances for supplemental water (e.g., effective precipitation), irrigation distribution uniformity, nutrients present in irrigation water, leaching requirement, and plant available nitrogen.
3.	<b>Anadromy (adj. form: anadromous)</b> — Migration of fish, as adults or subadults, from salt water to fresh.
4.	<b>Aquatic Base Flow</b> — The set of chemical, physical, and biological instream flow conditions that represent limiting conditions for aquatic life in stream environments. The aquatic base flow is determined using defined scientific methodology that equates the aquatic ecosystem health with the flow in the stream, calculated by applying the New England Aquatic Base Flow Standard.
5.	<b>Aquatic benthic macroinvertebrate</b> — Aquatic animals without backbones that can be seen by the unaided eye and typically dwell on rocks, logs, sediment or plants. Examples include, but are not limited to, insects, mollusks, amphipods, and aquatic worms. Common aquatic insects include, but are not limited to, mayflies, stoneflies, caddisflies, true flies, water beetles, dragonflies, and damselflies.

No.	DEFINITION
6.	<b>Aquatic non-fish vertebrate</b> — Include, but are not limited to: aquatic mammals, such as beavers, river otters, and muskrats; amphibians, such as frogs and salamanders; and aquatic reptiles, such as snakes and turtles.
7.	<b>Average, also called mean</b> — The sum of measured values divided by the number of samples.
8.	<b>California Native American tribe</b> – As defined in section 21073 of the Public Resources Code: a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.
9.	<b>Cannabis Cultivation</b> – Any activity involving or necessary for the planting, growing, pruning, harvesting, drying, curing, or trimming of cannabis. This term includes, but is not limited to: (1) water diversions for cannabis cultivation, and (2) activities that prepare or develop a cannabis cultivation site or otherwise support cannabis cultivation and which discharge or threaten to discharge waste to waters of the state.
10.	<b>Cannabis Cultivation Area</b> – is defined by the following: <ul style="list-style-type: none"> <li>a. For in-ground plants, the cultivation area is defined by the perimeter of the area planted, including any immediately adjacent surrounding access pathways.</li> <li>b. For plants grown outdoors in containers (e.g., pots, grow bags, etc.) the cultivation area is defined by the perimeter of the area that contains the containers, including any immediately adjacent surrounding access pathways. The area is not limited to the sum of the area of each individual container.</li> <li>c. For plants grown indoors, that do not qualify for the conditional exemption under the Cannabis General Order, the cultivation area is defined by the entire area contained in the structure where cultivation occurs, excluding any area used solely for activities that are not cultivation activities (e.g., office space). Areas used for storage of materials, equipment, or items related to cannabis cultivation shall be included in the cultivation area calculation.</li> </ul>
11.	<b>Cannabis Cultivation Site</b> – A location where cannabis is planted, grown, pruned, harvested, dried, cured, graded, or trimmed, or where any combination of these activities occurs.
12.	<b>Cannabis Cultivator</b> – Any person or entity engaged in cultivating cannabis who diverts water (i.e., diverter) or discharges or threatens to discharge waste (i.e., discharger). This term includes business entities; employees; contractors; landowners; cultivators; lessees; and tenants of private land where cannabis is cultivated and of lands that are modified or maintained to facilitate cannabis cultivation.
13.	<b>Waterbody Canopy Area</b> — The overhead branches and leaves of streamside woody vegetation.

No.	DEFINITION
14.	<b>Cannabis Canopy Area (Canopy Area)</b> – The anticipated canopy acreage at plant maturity.
15.	<b>Cesspool</b> — An excavation in the ground receiving domestic wastewater, designed to retain organic matter and solids, while allowing the liquids to seep into the soil. Cesspools do not have a septic tank providing primary treatment of wastewater prior to discharge. A cesspool is distinguished from an outhouse, pit-privy, or pit-toilet because liquid wastewater (e.g., from toilet flushing, shower, or kitchen sources) is discharged to a cesspool.
16.	<b>Channel maintenance flows</b> — Peak streamflows needed for maintaining stream channel geometry, gravel and woody debris movement, and the natural flow variability needed for protection of various habitat needs of anadromous salmonids.
17.	<b>Channel thalweg</b> — The line connecting the lowest or deepest points along a stream channel.
18.	<b>Coarse sediment</b> — Particle sizes of ¼ inch or larger, including particles derived from debris flows, that either contribute directly to spawning gravel, or that reduce to a smaller usable size, or influence stream channel morphology by forming a <b>substrate</b> framework.
19.	<b>Construction Storm Water Program</b> – Refers to implementation of Water Quality Order 2009-0009-DWQ and National Pollutant Discharge Elimination System No. CAS000002, as amended by Order No. 2010-0014-DWQ, Order No. 2012-0006-DWQ, and amendments thereto. Activities located in the Lake Tahoe Hydrologic Unit shall comply with the National Pollutant Discharge Elimination System No. CAG616002, Order No. R6T-2016-0010 and amendments thereto. Cannabis cultivators whose activities disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres may need to obtain coverage under the Construction Storm Water Program. Contact the appropriate Regional Water Board Storm Water Program for a determination of the need for storm water permitting.
20.	<b>Day</b> – is the mean solar day of 24 hours beginning at midnight (12:00 am). All references to day in this Policy and the General Order are calendar days.
21.	<b>Deep percolation</b> — Infiltration of water through soil when storm water or excess irrigation water is applied and percolates below the plant root zone.
22.	<b>Discharger</b> – any person or entity engaged in developing land for cannabis cultivation, providing access to adjacent properties for cultivation activities, or engaged in the legal cultivation of cannabis that discharges or threatens to discharge waste.
23.	<b>Disturbed Area</b> – see Land Disturbance
24.	<b>Disturbed Land</b> – see Land Disturbance
25.	<b>Diversion</b> — Taking water, by gravity or pumping, from a surface stream or groundwater, into a canal, pipeline, or other conduit, including impoundment of water in a reservoir.



No.	DEFINITION
26.	<b>Diverter</b> – Any person or entity that diverts water from waters of the state, including surface waterbodies and groundwater.
27.	<b>Dredged material</b> — Any material that is excavated or dredged from a waterbody. This includes but is not limited to “dredged material” as defined at title 33, section 323.2, subdivision (c) of the Code of Federal Regulations.
28.	<b>Ecological functions and values (of riparian habitat)</b> — Functions are onsite and offsite natural riparian habitat processes. Values are the importance of the riparian habitat to society in terms of health and safety; historical or cultural significance; ecological characteristics, education, research, or scientific significance; aesthetic significance; economic significance; or other reasons.
29.	<b>Ephemeral watercourse</b> — See <i>Watercourse</i> definitions.
30.	<b>Exceedance probability</b> — The probability that a specified streamflow magnitude will be exceeded. The exceedance probability is equal to one divided by the recurrence interval.
31.	<b>Face value</b> —The maximum amount of water that is authorized to be diverted under a water right permit, license, registration, or livestock stockpond certificate, and the maximum amount of water claimed under a statement of water diversion and use.
32.	<b>Face value demand</b> — The sum of the face values of all water rights above an identified location in a stream channel.
33.	<b>Fill material</b> — Material placed into a waterbody that has the effect of either replacing any portion of the water with dry land or changing the bottom elevation of the waterbody. This includes but is not limited to “fill material” as defined at title 33, section 323.2, subdivision (e) of the Code of Federal Regulations.
34.	<b>Fish</b> – Wild fish, mollusks, crustaceans, invertebrates, or amphibians, including any part, spawn, or ova thereof (California Fish and Code section 45). For the purposes of stream classification, fish are defined as finfish.
35.	<b>Flow frequency analysis</b> — A statistical technique used by hydrologists for estimating the average rate at which floods, droughts, storms, stores, rainfall events, etc., of a specified magnitude recur.
36.	<b>Flow path</b> — The direction water flows along its stream course from the point of diversion to the Pacific Ocean. If a project will have a <i>de minimis</i> effect on flows in a flow-regulated mainstem river, then the flow path may terminate at the flow-regulated mainstem river.
37.	<b>Flow-regulated mainstem river</b> — A river or stream in which scheduled releases from storage are made to meet minimum instream flow requirements established by a State Water Board Order or Decision.
38.	<b>Forbearance Period</b> —The calendar days or otherwise defined conditions during which no water may be diverted. See also <i>Surface Water Diversion Period</i> .

No.	DEFINITION
39.	<b>Habitat suitability criteria</b> — Structural and hydraulic characteristics of a stream that are indicators of habitat suitability for different fish species and life stages.
40.	<b>Hazardous material</b> — Any item or agent (biological, chemical, radiological, and/or physical), which has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors.
41.	<b>Heavy equipment</b> — Large pieces of machinery or vehicles, especially those used in the building and construction industry (e.g., bulldozers, excavators, backhoes, bobcats, or tractors).
42.	<b>Hydraulic conductivity</b> — The capacity of a porous medium to transmit water. The rate at which fluid can move through a permeable medium depends on the properties of the fluid (viscosity and specific weight) and properties of the medium (intrinsic permeability). Hydraulic conductivity is generally measured in units of feet/day or centimeters/second.
43.	<b>Hydrograph</b> — A graph showing the rate of flow versus time past a specific point in a river, or other channel or conduit carrying flow; generally measured in units of cubic meters or cubic feet/second.
44.	<b>Hyporheic</b> — Denoting an area or ecosystem beneath the bed of a river or stream that is saturated with water and that supports invertebrate fauna which play a role in the larger ecosystem.
45.	<b>Impervious surface</b> — A permanent improvement affixed to the earth which does not allow water or liquid to pass through it or permeate into the earth. Impervious surface includes a house or primary structure, driveway, parking lot, walkways, sidewalks, patios, decks, green houses, accessory structure(s), and other hardscape.
46.	<b>Instream cover</b> — Areas of shelter in a stream channel that provide aquatic organisms protection from predators or competitors and/or a place in which to rest and conserve energy due to a reduction in the force of the current.
47.	<b>Integrated Pest Management (IPM)</b> — An ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.
48.	<b>Intermittent watercourse</b> — see <i>Watercourse</i> definitions.
49.	<b>Invasive Species</b> — Organisms (plants, animals, or microbes) that are not native to an environment and that, once introduced, establish, quickly reproduce and spread, and cause harm to the environment, economy, or human health. For guidance on decontamination methods and species of concern, see CDFW's invasive species webpage: <a href="https://www.wildlife.ca.gov/Conservation/Invasives">https://www.wildlife.ca.gov/Conservation/Invasives</a> .

No.	DEFINITION
50.	<p><b>Lake and Streambed Alteration Agreement</b> — Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:</p> <ul style="list-style-type: none"> <li>• Substantially divert or obstruct the natural flow of any river, stream or lake;</li> <li>• Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or</li> <li>• Deposit debris, waste or other materials that could pass into any river, stream or lake.</li> </ul> <p>“Any river, stream or lake” includes those that are episodic (they are dry for periods of time) as well as those that are perennial (they flow year round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.</p>
51.	<p><b>Land Disturbance</b> – Land areas where natural conditions have been modified in a way that may result in an increase in turbidity in water discharged from the site. Disturbed land includes areas where natural plant growth has been removed whether by physical, animal, or chemical means, or natural grade has been modified for any purpose. Land disturbance includes all activities whatsoever associated with developing or modifying land for cannabis cultivation related activities or access. Land disturbance activities include, but are not limited to, construction of roads, buildings, water storage areas; excavation, grading, and site clearing. Disturbed land includes cultivation areas, storage areas where soil or soil amendments (e.g., potting soil, compost, or biosolids) are located.</p> <p>Access roads that are designed, constructed, and maintained, or are reconstructed consistent with the Handbook for Forest, Ranch, and Rural Roads (Road Handbook), and that implement the interim and long term erosion prevention and soil stabilization measures contained in Attachment A, are not considered disturbed areas for the purpose of tier determination under the Cannabis General Order.</p>
52.	<p><b>Landowner</b> – Any person or entity who owns, in whole or in part, the parcel of land on which cannabis cultivation is occurring or will occur. A landowner need not be a cannabis cultivator.</p>
53.	<p><b>Laterals (in the context of irrigation water lines)</b> — Pipes between the control valve and the sprinkler heads.</p>
54.	<p><b>Legacy conditions</b> – are sites of historical activity, which may not be related to cannabis cultivation activities that may discharge sediment or other waste constituents to waters of the state. Legacy conditions are caused or affected by human activity. Implementation of corrective actions can reduce or eliminate the waste discharge.</p>
55.	<p><b>Licensed Contractor</b> - In California, anyone who contracts to perform work that is valued at \$500 or more in combined labor and material costs must hold a current, valid license from the California Contractors’ State License Board. Licensed contractors are classified as general engineering, general building, or specialty contractors.</p> <ul style="list-style-type: none"> <li>• General engineering ("A" contractors) principally work with fixed works that require specialized engineering knowledge and skill. A general engineering contractor may perform the work or hire specialty contractors for specific tasks.</li> </ul>

No.	DEFINITION
	<ul style="list-style-type: none"> <li>• General building ("B" contractors) work on existing or new structures that require at least two unrelated types of work. In some cases a general building contractor can perform the work, but often must hire subcontractors with specialty licenses.</li> <li>• Specialty contractors ("C" contractors) are those who specialize in a particular skill or trade. Specialty or subcontractors usually are hired to perform a single task.</li> </ul> <p>Because there is significant overlap between specialty contractor skills, more than one specialty contractor may be licensed to contract for a project.</p>
56.	<b>Licensed Timber Operators (LTOs)</b> — Persons who have been licensed under the Forest Practice Act law and are authorized to conduct forest tree cutting and removal operations.
57.	<b>Local Environmental Health Department</b> — To identify ones local environmental health department, enter your address information into the following website directory: <a href="http://cersapps.calepa.ca.gov/public/directory">http://cersapps.calepa.ca.gov/public/directory</a> .
58.	<b>Mainlines (in the context of irrigation water lines)</b> — Pipes that run from the water source to the control valves.
59.	<b>Maximum cumulative diversion rate</b> — The sum of the rates of diversion of all diversions upstream of a specific location in the watershed.
60.	<b>Mean, also called average</b> — The sum of measured values divided by the number of samples.
61.	<b>Minimum bypass flow</b> — In the context of a diversion Requirement, it is the minimum instantaneous flow rate of water that must be moving past the point of diversion before water may be diverted.
62.	<b>Natural monthly streamflows</b> — Modeled monthly streamflows that are unaffected by land use or water management.
63.	<b>Offset well</b> — A well drilled at an offset distance from a river or stream that is considered pumping from the underflow of the river or stream.
64.	<b>Perennial watercourse</b> — See <i>Watercourse</i> definitions.
65.	<b>Period of record</b> — The time period for which flow measurements have been recorded. The period of record may be continuous or interrupted by intervals during which no data were collected.
66.	<b>Permeability</b> —The property of a porous rock or soil for transmitting a fluid. It measures the relative ease of flow under unequal pressure. See <i>hydraulic conductivity</i> .
67.	<p><b>Pesticide</b> — Pesticide is defined as follows:</p> <p>- Per California Code of Regulations Title 3. Division 6. Section 6000:</p> <p>(a) Any substance or mixture of substances that is a pesticide as defined in the Food</p>

No.	DEFINITION
	<p>and Agricultural Code and includes mixtures and dilutions of pesticides;</p> <p>(b) As the term is used in Section 12995 of the California Food and Agricultural Code, includes any substance or product that the user intends to be used for the pesticidal poison purposes specified in Sections 12753 and 12758 of the Food and Agricultural Code.</p> <p>- Per California Food and Agricultural Code section 12753(b), the term “Pesticide” includes any of the following: Any substance, or mixture of substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, as defined in Section 12754.5, which may infest or be detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environment whatsoever.</p> <p>- In laymen’s terms: “pesticide” includes: rodenticides, herbicides, insecticides, fungicides, and disinfectants.</p>
68.	<b>Point of Diversion</b> — A location at which water is withdrawn from a surface waterbody.
69.	<b>Pool</b> — A deeper area of water in a stream channel; usually quiet and often with no visible flow.
70.	<b>Professional Archeologist</b> — An Archeologist that is qualified by the Secretary of Interior, Register of Professional Archaeologists, or Society for California Archaeology.
71.	<b>Qualified Biologist</b> – an individual who possesses, at a minimum, a bachelor’s or advanced degree, from an accredited university, with a major in biology, zoology, wildlife biology, natural resources science, or a closely related scientific discipline, at least two years of field experience in the biology and natural history of local plant, fish, and wildlife resources present at the cannabis cultivation site, and knowledge of state and federal laws regarding the protection of sensitive and endangered species.
72.	<p><b>Qualified Professional</b> – Qualified Professional means:</p> <ol style="list-style-type: none"> <li>1. individuals licensed in California under the Professional Engineer Act (e.g., Professional Engineer), Geologist and Geophysicist Act (e.g., Professional Geologist, Certified Engineering Geologist, or Certified Hydrogeologist), and Professional Land Surveyors’ Act (e.g., Professional Land Surveyor)<sup>1</sup>,</li> <li>2. a California Registered Professional Forester (RPF), and</li> <li>3. a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD). Qualified QSDs are California licensed civil engineers; professional geologists; landscape architects; professional hydrologists; certified professionals in erosion and sediment control; certified inspectors of sediment and erosion control; and certified erosion, sediment, and storm water inspectors.</li> </ol> <p>A Qualified Professional shall only perform work he/she is qualified to complete, consistent with applicable licensing and registration restrictions, and shall certify any work completed. Cannabis cultivation land development in timberland may be designed by a qualified</p>

<sup>1</sup> See Business and Professions Code sections 6700-6799, 7800-7887, and 8700-8805, respectively.

No.	DEFINITION
	California RPF.
73.	<b>Range of anadromy</b> — Length of stream reach between the Pacific Ocean and the upper limit of anadromy (see definition of <i>Anadromy</i> ), where migration, spawning and rearing of salmonids occur.
74.	<b>Recurrence interval</b> — The average time between occurrences of streamflows of a given or greater magnitude, sometimes referred to as the return period. The recurrence interval is equal to one divided by the exceedance probability.
75.	<b>Redd</b> — Spawning areas or nests made by a salmon or trout
76.	<b>Requirements</b> - Principles and guidelines established in accordance with Water Code section 13149 for the diversion and use of water for cannabis cultivation. Principles and guidelines include: (i) measures to protect springs, wetlands, and aquatic habitats from negative impacts of cannabis cultivation; and (ii) requirements that apply to groundwater diversions where the State Water Board determines those requirements are reasonably necessary.
77.	<b>Residual pool depth</b> — The difference between the depth of a pool at its deepest point and at its outlet.
78.	<b>Restricted materials</b> — Restricted materials are defined in California Code of Regulations, title 3, section 6400. Restricted materials include all “restricted use pesticides,” as defined in the Federal Insecticide, Fungicide, and Rodenticide Act section 3(d)(1)(C). Information on restricted materials is available at: <a href="http://www.cdpr.ca.gov/docs/enforce/compend/vol_3/chap2.pdf">http://www.cdpr.ca.gov/docs/enforce/compend/vol_3/chap2.pdf</a> .
79.	<b>Riffle</b> — A shallow area in which water flows rapidly over a rocky or gravelly streambed.
80.	<b>Riffle crest</b> — The highest point along the channel thalweg at a riffle.
81.	<b>Riparian habitat</b> — Vegetation growing close to a stream, lake, swamp, or spring that is generally critical for wildlife cover, fish food organisms, stream nutrients and large organic debris, and for streambank stability.
82.	<b>Riparian Setback</b> – setbacks from a watercourse or waterbody established to protect water quality and/or aquatic life. For the purposes of this document, riparian setbacks also apply to wetlands and surface water bodies such as lakes or reservoirs. Please refer to the Minimum Riparian Setback table (Section 1, Requirement 37)
83.	<b>Road Handbook</b> - The Handbook for Forest, Ranch, and Rural Roads, available at: < <a href="http://www.pacificwatershed.com/PWA-publications-library">http://www.pacificwatershed.com/PWA-publications-library</a> >.
84.	<b>Salmonid</b> — Of, belonging to, or characteristic of the family Salmonidae, which includes salmon, trout, and whitefish.
85.	<b>Sheet flow length</b> — The length that shallow, low velocity flow travels across a site.

No.	DEFINITION
86.	<b>Site Mitigation</b> – Efforts to mitigate the impacts of Legacy conditions or cannabis cultivation activities on the cannabis cultivation site or its surroundings.
87.	<b>Site Remediation</b> – Efforts to restore the cannabis cultivation site and its surroundings to its pre-legacy conditions or condition before cannabis cultivation activities began, or to restore the cannabis cultivation site and its surroundings to its natural condition.
88.	<p><b>Slope</b> – shall be determined across the natural topography (preconstruction) of the land to be disturbed. Measure the highest and lowest elevations of the land to be disturbed, then measure the horizontal distance separating the highest and lowest elevations. Determine the slope using the formula below. (Multiple the ratio by 100 to find the percent value.) There may be more than one slope value if the low elevation has higher elevations in different directions. The highest slope value calculated (highest percentage numerically) is the value to be reported.</p> $\text{Slope} = \frac{\text{elevation difference}}{\text{horizontal distance}} \times 100$ <p>Slope – Value of slope expressed as a percentage.  Elevation difference – Report in feet to an accuracy of one inch or one tenth of a foot.  Horizontal distance – Report in feet to an accuracy of one inch or one tenth of a foot.</p>
89.	<b>Soil Materials</b> – Include soil, aggregate (rock, sand, or soil), potting soil, compost, manure, or biosolids.
90.	<b>Spring</b> — See <i>Watercourse</i> definitions.
91.	<b>Stabilized Areas</b> – Consist of areas previously disturbed that have been successfully reclaimed to minimize the increase in sediment or turbidity in water discharged from the site. Areas where vehicles may travel or be parked may not be considered stabilized.
92.	<b>Substrate</b> —The material (e.g., sand, gravel, cobbles, boulders, bedrock, and combinations thereof) that forms the bed of a stream.
93.	<b>Surface Water Diversion Period</b> — The calendar period during which water may be diverted. See also <i>Forbearance Period</i> .
94.	<b>Thalweg</b> — See <i>channel thalweg</i> .
95.	<b>Timberland</b> – Pursuant to Public Resources Code section 4526, means land, other than land owned by the federal government and land designated by the Board of Forestry as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species, on a district basis, are defined in California Code of Regulations, title 14, section 895.1.
96.	<b>Tribal lands</b> – lands recognized as “Indian country” within the meaning of title 18, United States Code, section 1151.

No.	DEFINITION
97.	<b>Turbidity</b> – a measure of water clarity: how much the material suspended in water decreases the passage of light through the water. Suspended materials include soil particles (clay, silt, and sand), algae, plankton, and other substances. The turbidity test is reported in Nephelometric Turbidity Units (NTUs).
98.	<b>Upper limit of anadromy</b> — The upstream end of the range of anadromous fish that currently are or have been historically present year-round or seasonally, whichever extends the furthest upstream.
99.	<b>Waterbody</b> – any significant accumulation of water above the ground surface, such as: lakes, ponds, rivers, streams, creeks, springs, artesian wells, wetlands, and canals.
100.	<p><b>Watercourse</b> – a natural or artificial channel through which water flows.</p> <ul style="list-style-type: none"> <li>• Perennial watercourse (Class I*): <ol style="list-style-type: none"> <li>1. In the absence of diversions, water is flowing for more than nine months during a typical year,</li> <li>2. Fish always or seasonally present onsite or includes habitat to sustain fish migration and spawning, and/or</li> <li>3. Spring: an area where there is concentrated discharge of ground water that flows at the ground surface. A spring may flow any part of the year. For the purpose of this Policy, a spring does not have a defined bed and banks.</li> </ol> </li> <li>• Intermittent watercourse (Class II*): <ol style="list-style-type: none"> <li>1. In the absence of diversions, water is flowing for three to nine months during a typical year,</li> <li>2. Provides aquatic habitat for non-fish aquatic species,</li> <li>3. Fish always or seasonally present within 1,000 feet downstream, and/or</li> <li>4. Water is flowing less than three months during a typical year and the stream supports riparian vegetation.</li> </ol> </li> <li>• Ephemeral watercourse (Class III*): In the absence of diversion, water is flowing less than three months during a typical year and the stream does not support riparian vegetation or aquatic life. Ephemeral watercourses typically have water flowing for a short duration after precipitation events or snowmelt and show evidence of being capable of sediment transport.</li> <li>• Other watercourses (Class IV*): Class IV watercourses do not support native aquatic species and are man-made, provide established domestic, agricultural, hydroelectric supply, or other beneficial use.</li> </ul> <p>*Except where more restrictive, stream class designations are equivalent to the Forest Practice Rules Water Course and Lake Protection Zone definitions (California Code of Regulations, title 14, Chapter 4. Forest Practice Rules, Subchapters 4, 5, and 6 Forest District Rules, Article 6 Water Course and Lake Protection).</p>
101.	<b>Watershed</b> — The land area that drains into a stream. An area of land that contributes runoff to one specific delivery point; large watersheds may be composed of several smaller "subsheds", each of which contributes runoff to different locations that ultimately combine at a common delivery point. Often considered synonymous with a drainage basin or catchment.



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	Watershed (drainage basin) boundaries follow topographic highs. The term watershed is also defined as the divide separating one drainage basin from another.
102.	<b>Watershed drainage area</b> — The land area that comprises a watershed.
103.	<b>Water hauler</b> — Any person who hauls water in bulk by any means of transportation.
104.	<b>Waters of the State</b> – any surface water or groundwater, including saline waters, within the boundaries of the state (Water Code section 13050(e)). Includes all waters within the state’s boundaries, whether private or public, including waters in both natural and artificial channels. Waters of the state includes waters of the United States.
105.	<b>Weed-free mulch</b> — A certified weed-free protective covering (e.g. bark chips, straw, etc.) placed on the ground around plants to suppress weed growth, retain soil moisture, or prevent freezing of roots.
106.	<p><b>Wetland</b> – an area is a wetland if, under normal circumstances:</p> <ol style="list-style-type: none"> <li>1. the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both;</li> <li>2. the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and</li> <li>3. the area’s vegetation is dominated by hydrophytes or the area lacks vegetation.</li> </ol>
107.	<p><b>Winter Period</b> – calendar dates from November 15 to April 1, except as noted under special County Rules in California Code of Regulations, title 14, sections 925.1, 926.18, 927.1, and 965.5. A Regional Water Board Executive Officer may impose a more restrictive winter period to protect water quality based on special county rules or as specified in a Basin Plan. The following special rules or basin plan requirements apply:</p> <ol style="list-style-type: none"> <li>i. Santa Clara County, Santa Cruz County, and Monterey County: October 15 to April 15;</li> <li>ii. Marin County: October 1 to April 15; and</li> <li>iii. Lahontan Regional Water Board: October 15 to May 1 (for elevations above 6,000 feet).</li> </ol>

# SECTION 1 – GENERAL REQUIREMENTS AND PROHIBITIONS

The following general requirements and prohibitions apply to any cannabis cultivator.

## General Requirements and Prohibitions

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1.	<p>Prior to commencing any cannabis cultivation activities, including cannabis cultivation land development or alteration, the cannabis cultivator shall comply with all applicable federal, state, and local laws, regulations, and permitting requirements, as applicable, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• The Clean Water Act (CWA) as implemented through permits, enforcement orders, and self-implementing requirements. When needed per the requirements of the CWA, the cannabis cultivator shall obtain a CWA section 404 (33 U.S.C. § 1344) permit from the United States Army Corps of Engineers (Army Corps) and a CWA section 401 (33 U.S.C. § 1341) water quality certification from the State Water Board or the Regional Water Board with jurisdiction. If the CWA permit cannot be obtained, the cannabis cultivator shall contact the appropriate Regional Water Board or State Water Board prior to commencing any cultivation activities. The Regional Water Board or State Water Board will determine if the cannabis cultivation activity and discharge is covered by the Requirements in the Policy and Cannabis General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order).</li> <li>• The California Water Code as implemented through applicable water quality control plans (often referred to as Basin Plans), waste discharge requirements (WDRs) or waivers of WDRs, enforcement orders, and self-implementing requirements issued by the State Water Resources Control Board (State Water Board) or Regional Water Quality Control Boards (Regional Water Boards).</li> <li>• All applicable state, city, county, or local regulations, ordinances, or license requirements including, but not limited to those for cannabis cultivation, grading, construction, and building.</li> <li>• All applicable requirements of the California Department of Fish and Wildlife (CDFW).</li> <li>• All applicable requirements of the California Department of Forestry and Fire Protection (CAL FIRE), including the Board of Forestry.</li> <li>• California Environmental Quality Act and the National Environmental Policy Act.</li> </ul>
2.	<p>If applicable, cannabis cultivators shall obtain coverage under all of the following:</p> <ol style="list-style-type: none"> <li>a. The State Water Board’s Construction Storm Water Program and any successors, amendments, or revisions thereto when applicable.</li> <li>b. Activities performed in areas subject to California Code of Regulations title 14,</li> </ol>

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	Chapter 4. Forest Practices (Forest Practice Rules) shall be implemented consistent with the permitting, licensing, and performance standards of the Forest Practice Rules, and the Requirements of this Policy, whichever is more stringent.
3.	<p>The cannabis cultivator shall apply for a Lake and Streambed Alteration Agreement (LSA Agreement) or consult with CDFW to determine if a LSA Agreement is needed prior to commencing any activity that may substantially:</p> <ul style="list-style-type: none"> <li>• divert or obstruct the natural flow of any river, stream, or lake;</li> <li>• change or use any material from the bed, channel, or bank of any river, stream, or lake; or</li> <li>• deposit debris, waste, or other materials that could pass into any river stream or lake.</li> </ul> <p>“Any river, stream or lake,” as defined by CDFW, includes those that are episodic (they are dry for periods of time) as well as those that are perennial (they flow year round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.</p>
4.	<p>Cannabis cultivators shall not take any action which results in the taking of Special-Status Plants (state listed and California Native Plant Society 1B.1 and 1B.2), Fully Protected species (Fish and Game Code sections 3511, 4700, 5050, and 5515), or a threatened, endangered, or candidate species under either the California Endangered Species Act (ESA) (Fish &amp; Game Code §§ 2050 et seq.) or the federal ESA (16 U.S.C. § 1531 et seq.). If a “take,” as defined by the California ESA (Fish and Game Code section 86) or the federal ESA (16 U.S.C. § 1532(21)), may result from any act authorized under this Policy, the cannabis cultivator must obtain authorization from CDFW, National Marine Fisheries Service, and United States Fish and Wildlife Service, as applicable, to incidentally take such species prior to land disturbance or operation associated with the cannabis cultivation activities. The cannabis cultivator is responsible for meeting all requirements under the California ESA and the federal ESA.</p>
5.	<p>A Regional Water Board may adopt site-specific WDRs or an enforcement order for a cannabis cultivation facility that does not include requirements consistent with the following if the site-specific WDRs or enforcement order contains sufficient requirements to be protective of water quality:</p> <ul style="list-style-type: none"> <li>• The maximum slope limit of 50 percent in disturbed areas.</li> <li>• The minimum riparian setbacks described herein.</li> <li>• The prohibition against land disturbance activities during the winter period.</li> </ul>
6.	<p>To avoid water quality degradation from erosion and sedimentation, land disturbance activities shall not occur during the winter period unless authorized by a Regional Water Board Executive Officer. Cannabis cultivators shall ensure land disturbing activities are completed and site stabilization measures are in place prior to the onset of the winter period.</p>

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	All land disturbing activities during the winter period shall be supervised by a Qualified Professional. <sup>2</sup>
7.	A California Licensed Timber Operator (LTO) <sup>3</sup> shall be used if any commercial tree species are to be removed from the cannabis cultivation site. All timberland conversions shall be permitted and compliant with the Forest Practice Rules and CAL FIRE permitting requirements.
8.	Site improvements and limited repairs may be performed by the cannabis cultivator or contractors as allowed by the Business and Professions Code (Bus. & Prof. Code, section 7044 and/or section 7048). All contracts to perform work that is valued at \$500 or more in combined labor and material costs shall be performed by an appropriately qualified and licensed contractor as required by the California Contractors' State License Board.
9.	<p>During land disturbance activities the cannabis cultivator shall review and evaluate the applicable daily weather forecast and any applicable 24 hour forecast<sup>4</sup> at least once per 24 hour period and maintain records of the weather forecast for each day land disturbance activities are conducted. The cannabis cultivator shall cease land disturbance activities and shall implement erosion control Requirements described in this Policy during any 24 hour period in which the applicable daily weather forecast or any 24 hour forecast reports a 50 percent or greater chance of precipitation greater than 0.5 inch per 24 hours.</p> <p>Consistent with Lahontan Regional Water Board Order No R6T-2016-0010, an anticipated precipitation event within the Lake Tahoe Hydrologic Unit (Department of Water Resources Hydrologic Unit No.634.00) is any weather pattern that is forecast to have a 30 percent or greater chance of producing 0.1 inch of precipitation as rainfall in the project area. Cannabis cultivators located in the Lake Tahoe Hydrologic Unit shall cease land disturbance activities and shall implement erosion control Requirements described in this Policy during any 24 hour period in which the applicable daily weather forecast or any 24 hour forecast reports a 30 percent or greater chance of precipitation greater than 0.1 inch per 24 hours. This requirement may be updated based on amendments to the Lahontan Regional Water Board construction storm water general order.</p>
10.	Prior to commencing any cannabis land development or site expansion activities the cannabis cultivator shall retain a qualified biologist to identify sensitive plant, wildlife species, or communities at the proposed development site. If sensitive plant, wildlife species, or communities are identified, the cannabis cultivator and Qualified Biologist shall consult with

<sup>2</sup> Although emergency mitigation measures may not require obtaining coverage under the Construction Storm Water Program, the elevated threat to water quality caused by emergency mitigation or remediation work performed during the winter period requires planning and supervision by an appropriately qualified professional to protect water quality, such as an appropriately certified or registered Storm Water Pollution Prevention Plan Developer.

<sup>3</sup> Licensed Timber Operators or "LTOs" are persons who have been licensed under the Forest Practice Act law and are authorized to conduct forest tree cutting and removal operations.

<sup>4</sup> If available, the cannabis cultivator shall refer to the weather forecast developed by the National Oceanic and Atmospheric Administration (NOAA) for the local National Weather Service Office (<http://www.weather.gov>). If the NOAA forecast is not available, a forecast by a local television news or radio broadcast shall be used.

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	CDFW and CAL FIRE to designate a no-disturbance buffer to protect identified sensitive plant, wildlife species, and communities. A copy of the report shall be submitted to the appropriate Regional Water Board.
11.	To prevent transfer of invasive species, <sup>5</sup> all equipment used at the cannabis cultivation site, including excavators, graders, etc., shall be cleaned before arriving and before leaving the site.
12.	The cannabis cultivator shall comply with all applicable requirements of the State Water Board and Regional Water Boards' (collectively Water Boards) water quality control plans and policies.
13.	The cannabis cultivator shall immediately report any significant hazardous material release or spill that causes a film or sheen on the water's surface, leaves a sludge or emulsion beneath the water's surface, or a release or threatened release of a hazardous material that may potentially discharge to waters of the state, to the California Office of Emergency Services at <b>(800) 852-7550</b> and the local Unified Program Agency. <sup>6</sup> The cannabis cultivator shall also immediately notify the appropriate Regional Water Board and CDFW of the release.
14.	The cannabis cultivator shall comply with all water quality objectives/standards, policies, and implementation plans adopted or approved pursuant to the Porter-Cologne Water Quality Control Act (California Water Code section 13000, et seq.) or CWA section 303 (33 U.S.C. § 1313).
15.	<p>During reasonable hours, the cannabis cultivator shall allow the Water Boards, CDFW, CAL FIRE, and any other authorized representatives of the Water Boards, CDFW, or CAL FIRE upon presentation of a badge, employee identification card, or similar credentials, to:</p> <ol style="list-style-type: none"> <li>1. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed of; or in which any records are kept;</li> <li>2. access and copy, any records required to be kept under the terms and conditions of this Policy;</li> <li>3. inspect, photograph, and record audio and video, any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by this Policy; and</li> <li>4. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for</li> </ol>

<sup>5</sup> CDFW defines invasive species as organisms (plants, animals, or microbes) that are not native to an environment, and once introduced, they establish, quickly reproduce and spread, and cause harm to the environment, economy, or human health. Cannabis cultivators may refer to CDFW Internet webpage for guidance on decontamination methods and species of concern. See CDFW's invasive species webpage at: <https://www.wildlife.ca.gov/Conservation/Invasives>.

<sup>6</sup> Visit the Unified Program Agency website at <http://cersapps.calepa.ca.gov/public/directory> for local contact information. If internet service is not available call 911 to report the hazardous material release.

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	the purposes of assuring compliance with this Policy.
16.	The State Water Board may modify this Policy to implement new or revised water quality standards, policies, or water quality control plans; total maximum daily loads (TMDLs), TMDL implementation plans, or revisions to the California Water Code or CWA.
17.	The State Water Board may modify this Policy and the terms and conditions of water right registrations if monitoring results indicate that cannabis cultivation activities could violate instream flow requirements, water quality objectives, or impair the beneficial uses of a waterbody or its tributaries.
18.	Cannabis cultivators shall not commit trespass. Nothing in this Policy or any program implementing this Policy shall be construed to authorize cannabis cultivation: (a) on land not owned by the cannabis cultivator without the express written permission of the landowner; or (b) inconsistent with a conservation easement, open space easement, or greenway easement. This includes but is not limited to land owned by the United States or any department thereof, the State of California or any department thereof, any local agency, or any other person who is not the cannabis cultivator. This includes but is not limited to any land owned by a California Native American tribe, as defined in section 21073 of the Public Resources Code, whether or not the land meets the definition of tribal lands and includes lands owned for the purposes of preserving or protecting Native American cultural resources of the kinds listed in Public Resources Code section 5097.9 and 5097.993. This includes but is not limited to conservation easements held by a qualifying California Native American tribe pursuant to Civil Code section 815.3 and greenway easements held by a qualifying California Native American tribe pursuant to Civil Code section 816.56.
19.	The cannabis cultivator shall not cultivate cannabis on tribal lands or within 600 feet of tribal lands without the express written permission of the governing body of the affected tribe or from a person deputized by the governing body of the affected tribe to authorize cannabis cultivation on tribal lands. <sup>7</sup>
20.	No cannabis cultivation activities shall occur within 600 feet of an identified tribal cultural resource site. The cannabis cultivator is solely responsible for identifying any tribal cultural resource sites <sup>8</sup> within the cannabis cultivation area.
21.	Prior to land disturbance activities for new or expanded cannabis cultivation activities, the cannabis cultivator shall perform a records search of potential Native American archeological or cultural resources at a California Historical Resources Information System (CHRIS) information center. Any person who meets qualification requirements for access to the CHRIS may perform the initial CHRIS records search and document the results. The requirement to perform a CHRIS records search may be satisfied by using the results of a previous CHRIS records search completed within the previous 10 years for the specific parcel or parcels where new or expanded cannabis cultivation activities are proposed to

<sup>7</sup> Tribal lands means lands recognized as “Indian country” within the meaning of title 18, United States Code, section 1151.

<sup>8</sup> Identified tribal cultural resource site means a tribal cultural resource that meets the requirements of section 21074, subdivision (a)(1) of the Public Resources Code.

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	<p>occur.</p> <p>Prior to land disturbance activities for new or expanded cannabis cultivation activities, the cannabis cultivator shall also request a search of the Sacred Lands Inventory that is maintained by the Native American Heritage Commission pursuant to Public Resources Code sections 5097.94, subdivision (a), and 5097.96 (Sacred Lands Inventory). If the Sacred Lands Inventory search reveals the presence or potential presence of Native American places of special or social significance to Native Americans, Native American known graves or cemeteries, or Native American sacred places, the cannabis cultivator shall consult with the tribe or tribes that are culturally affiliated with the area in which these Native American cultural resources exist or potentially exist prior to any ground disturbing activities. The information provided by tribes through consultation with the cannabis cultivator shall be maintained as confidential by the cannabis cultivator and its agents. A new Sacred Lands Inventory search is always required prior to ground disturbing activities for new or expanded cannabis cultivation.</p> <p>The cannabis cultivator shall notify the Appropriate Person within seven days of receiving a CHRIS positive result or Sacred Lands Inventory positive result. The Appropriate Person is the Deputy Director for Water Rights (Deputy Director) if the cannabis cultivator is operating under the Cannabis Small Irrigation Use Registration (SIUR), the Executive Officer of the applicable Regional Water Board (Executive Officer) if the cannabis cultivator is operating under the Cannabis General Order or Cannabis General Water Quality Certification, or both if the cannabis cultivator is operating under both programs.</p> <p>In the event that prehistoric archeological materials or indicators are identified in a CHRIS positive result, the cannabis cultivator shall also notify the Native American Heritage Commission within seven days of receiving the CHRIS positive result and request a list of any California Native American tribes that are potentially culturally affiliated with the positive result. The cannabis cultivator shall notify any potentially culturally affiliated California Native American tribes of the CHRIS positive result within 48 hours of receiving a list from the Native American Heritage Commission.</p> <p>The cannabis cultivator shall promptly retain a professional archeologist<sup>9</sup> to evaluate the CHRIS positive result and recommend appropriate conservation measures. In the event of a Sacred Lands Inventory positive result, the cannabis cultivator shall develop appropriate mitigation and conservation measures in consultation with the affected California Native American tribe, and shall promptly retain a professional archeologist to assist in this task in the event of a Sacred Lands Inventory positive result related to human remains or archeological resources. The cannabis cultivator shall submit proposed mitigation and conservation measures to the appropriate person(s) (Deputy Director for the Cannabis SIUR and Executive Officer for the Cannabis General Order or Cannabis General Water Quality Certification) for written approval. The appropriate person may require all appropriate measures necessary to conserve archeological resources and tribal cultural resources, including but not limited to Native American monitoring, preservation in place, and archeological data recovery.</p> <p>In the event that prehistoric archeological materials or indicators are identified in a CHRIS</p>

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<sup>9</sup> A professional archeologist is one that is qualified by the Secretary of Interior, Register of Professional Archaeologists, or Society for California Archaeology.

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	<p>positive result, or in the event of a Sacred Lands Inventory positive result, the cannabis cultivator shall also provide a copy of the final proposed mitigation and conservation measures to any culturally affiliated California Native American tribes identified by the Native American Heritage Commission. The appropriate person will carefully consider any comments or mitigation measure recommendations submitted by culturally affiliated California Native American tribes with the goal of conserving tribal cultural resources and prehistoric archeological resources with appropriate dignity.</p> <p>Ground-disturbing activities shall not commence until all approved measures have been completed to the satisfaction of the Deputy Director and/or Executive Officer, as applicable.</p>
22.	<p>If any buried archeological materials or indicators<sup>10</sup> are uncovered or discovered during any cannabis cultivation activities, all ground-disturbing activities shall immediately cease within 100 feet of the find.</p> <p>The cannabis cultivator shall notify the Appropriate Person within 48 hours of any discovery. The Appropriate Person is the Deputy Director if the cannabis cultivator is operating under the Cannabis SIUR, the Regional Water Board Executive Officer if the cannabis cultivator is operating under the Cannabis General Order or Cannabis General Water Quality Certification, or both if the cannabis cultivator is operating under both programs.</p> <p>In the event that prehistoric archeological materials or indicators are discovered, the cannabis cultivator shall also notify the Native American Heritage Commission within 48 hours of any discovery and request a list of any California Native American tribes that are potentially culturally affiliated with the discovery. The cannabis cultivator shall notify any potentially culturally affiliated California Native American tribes of the discovery within 48 hours of receiving a list from the Native American Heritage Commission.</p> <p>The cannabis cultivator shall promptly retain a professional archeologist<sup>11</sup> to evaluate the discovery. The cannabis cultivator shall submit proposed mitigation and conservation measures to the appropriate person(s) (Deputy Director for the Cannabis SIUR and Regional Water Board Executive Officer for the Cannabis General Order or Cannabis General Water Quality Certification) for written approval. The appropriate person may require all appropriate measures necessary to conserve archeological resources and tribal cultural resources, including but not limited to Native American monitoring, preservation in place, and archeological data recovery.</p> <p>In the event of a discovery of prehistoric archeological materials or indicators are discovered, the cannabis cultivator shall also provide a copy of the final proposed mitigation and</p>

<sup>10</sup> Prehistoric archeological indicators include, but are not limited to: obsidian and chert flakes and chipped stone tools; bedrock outcrops and boulders with mortar cups; ground stone implements (grinding slabs, mortars, and pestles) and locally darkened midden soils containing some of the previously listed items plus fragments of bone, fire affected stones, shellfish, or other dietary refuse.

Historic period site indicators generally include, but are not limited to: fragments of glass, ceramic and metal objects; milled and split lumber; and structure and feature remains such as building foundations, privy pits, wells and dumps; and old trails.

<sup>11</sup> A professional archeologist is one that is qualified by the Secretary of Interior, Register of Professional Archaeologists, or Society for California Archaeology.



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	<p>conservation measures to any culturally affiliated California Native American tribes identified by the Native American Heritage Commission. The appropriate person will carefully consider any comments or mitigation measure recommendations submitted by culturally affiliated California Native American tribes with the goal of conserving prehistoric archeological resources and tribal cultural resources with appropriate dignity.</p> <p>Ground-disturbing activities shall not resume within 100 feet of the discovery until all approved measures have been completed to the satisfaction of the Deputy Director and/or Executive Officer, as applicable.</p>
23.	<p>Upon discovery of any human remains, cannabis cultivators shall immediately comply with Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98. The following actions shall be taken immediately upon the discovery of human remains:</p> <p>All ground-disturbing activities in the vicinity of the discovery shall stop immediately. The cannabis cultivator shall immediately notify the county coroner. Ground disturbing activities shall not resume until the requirements of Health and Safety Code section 7050.5 and, if applicable, Public Resources Code section 5097.98 have been met. The cannabis cultivator shall ensure that the human remains are treated with appropriate dignity.</p> <p>Per Health and Safety Code section 7050.5, the coroner has two working days to examine human remains after being notified by the person responsible for the excavation, or by their authorized representative. If the remains are Native American, the coroner has 24 hours to notify the Native American Heritage Commission.</p> <p>Per Public Resources Code section 5097.98, the Native American Heritage Commission will immediately notify the persons it believes to be the most likely descended from the deceased Native American. The most likely descendent has 48 hours to make recommendations to the landowner or representative for the treatment or disposition, with proper appropriate dignity, of the human remains and any associated grave goods. If the Native American Heritage Commission is unable to identify a descendant; the mediation provided for pursuant to subdivision (k) of Public Resources Code section 5097.94, if invoked, fails to provide measures acceptable to the landowner; or the most likely descendent does not make recommendations within 48 hours; and the most likely descendants and the landowner have not mutually agreed to extend discussions regarding treatment and disposition pursuant to subdivision (b)(2) of Public Resources Code section 5097.98, the landowner or their authorized representative shall reinter the human remains and items associated with the Native American human remains with appropriate dignity on the property in a location not subject to further and future disturbance consistent with subdivision (e) of Public Resources Code section 5097.98.. If the landowner does not accept the descendant's recommendations, the landowner or the descendants may request mediation by the Native American Heritage Commission pursuant to Public Resources Code section 5097.94, subdivision (k).</p>
24.	<p>Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of</p>

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	said water.
25.	Cannabis cultivators shall not discharge waste in a manner that creates or threatens to create a condition of pollution or nuisance, as defined by Water Code section 13050.
26.	<p>Except as allowed and authorized in this Policy, cannabis cultivators shall not discharge:</p> <ul style="list-style-type: none"> <li>• irrigation runoff, tailwater, sediment, plant waste, or chemicals to surface water or via surface runoff;</li> <li>• waste classified as hazardous (California Code of Regulations, title 23, section 2521(a)) or defined as a designated waste (Water Code section 13173); or</li> <li>• waste in violation of, or in a manner inconsistent with, the appropriate Water Quality Control Plan(s).</li> </ul>
27.	<p>Unless authorized by separate waste discharge requirements, the Cannabis General Order, or a CWA section 404 permit, the following discharges are prohibited:</p> <ul style="list-style-type: none"> <li>• any waste that could affect the quality of the waters of the state; or</li> <li>• wastewater from cannabis manufacturing activities defined in Business and Professions Code section 26100, indoor grow operations, or other industrial wastewater to an onsite wastewater treatment system (e.g., septic tank and associated disposal facilities), to surface water, or to land.</li> </ul>
28.	Unless authorized by a Regional Water Board site-specific WDR, cannabis cultivators shall not cultivate cannabis or have cannabis cultivation related land disturbance on slopes greater than 50 percent.
29.	Cannabis cultivators shall not use a cesspool for domestic or industrial wastewater disposal. Cannabis cultivators shall not install or continue use of an outhouse, pit-privy, pit-toilet, or similar device without approval from the Regional Water Board Executive Officer of the applicable Regional Water Board.
30.	In timberland areas, cannabis cultivators shall not remove commercial tree species or other vegetation within 150 feet of fish bearing water bodies or 100 feet of aquatic habitat for non-fish aquatic species (e.g., aquatic insects) prior to obtaining all applicable permits required from CAL FIRE, CDFW (i.e., LSA Agreement), and/or the Regional Water Board Executive Officer.
31.	Tier 1 or 2 cannabis cultivators located on slopes greater than 30% and less than 50% must submit a Site Erosion and Sediment Control Plan to the Regional Water Board Executive Officer for any cannabis-related land development or alteration. The Site Erosion and Sediment Control Plan shall be approved by the applicable Regional Water Board Executive Officer prior to the cannabis cultivator initiating or expanding any land disturbance. The Regional Water Board Executive Officer may deny the request to conduct new land disturbance activities for cannabis cultivation if local conditions (e.g., soil type, site instability, proximity to a waterbody, etc.) do not allow for adequate erosion and sediment control measures to ensure discharges to waters of the state will not occur.
32.	Tier 1 or 2 cannabis cultivators with any portion of the disturbed areas existing within the setbacks shall submit a Disturbed Area Stabilization Plan to the Regional Water Board

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	Executive Officer. The Disturbed Area Stabilization Plan shall be approved by the applicable Regional Water Board Executive Officer prior to the cannabis cultivator initiating any land stabilization activities. This requirement does not apply to disturbed areas resulting from activities authorized under 404/401 CWA permits, a CDFW LSA Agreement, coverage under the Cannabis General Order water quality certification, or site-specific WDRs issued by the Regional Water Board.
33.	Cannabis cultivators under any Cannabis General Order or individual WDRs implementing this Policy shall self-certify that they have complied with or will comply with all applicable Requirements in this Policy no later than the onset of the winter period of the same year as the application date and each year thereafter. If application occurs after the onset of the winter period, cannabis cultivators shall self-certify that all applicable Requirements in this Policy will be implemented by the onset of the winter period of the next calendar year, and each year thereafter. Those cannabis cultivators that cannot implement all applicable Requirements by the onset of the winter period shall, within 90 days of application submittal, submit to the Executive Officer of the applicable Regional Water Board a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule.
34.	Cannabis cultivators shall implement interim Requirements immediately following land disturbance, to minimize discharges of waste constituents. Interim Requirements are those that are implemented immediately upon site development. Cannabis cultivators shall complete all winterization Requirements prior to the onset of the winter period to prevent waste discharges that may result in water quality degradation.
35.	Cannabis cultivators shall not cause downstream exceedance of applicable water quality objectives identified in the applicable water quality control plan(s).
36.	The landowner is ultimately responsible for any water quality degradation that occurs on or emanates from its property and for water diversions that are not in compliance with this Policy. Landowners will be named as responsible parties and will be notified if a Cannabis General Order Notice of Applicability or conditional exemption has been issued for cannabis activities on their property. The cannabis cultivator and the landowner will be held responsible for correcting non-compliance.
37.	Cannabis cultivators shall comply with the minimum riparian setbacks described below for all land disturbance, cannabis cultivation activities, and facilities (e.g., material or vehicle storage, petroleum powered pump locations, water storage areas, and chemical toilet placement). The riparian setbacks shall be measured from the waterbody's bankfull stage (high flow water levels that occur every 1.5 to 2 years) or from the top edge of the waterbody bank in incised channels, whichever is more conservative. Riparian setbacks for springheads shall be measured from the springhead in all directions (circular buffer). Riparian setbacks for wetlands shall be measured from the edge of wetland as delineated by a qualified professional with experience implementing the Corps of Engineers Wetlands Delineation Manual (with regional supplements). The Regional Water Board Executive Officer may require additional riparian setbacks or additional requirements, as needed, to meet the performance requirement of protecting surface water from discharges that threaten water quality. If the cannabis cultivation site cannot be managed to protect water quality, the Executive Officer of the applicable Regional Water Board may revoke authorization for

No.	TERM																		
	<p>cannabis cultivation activities at the cannabis cultivation site.</p> <p>Minimum Riparian Setbacks<sup>1,2</sup></p> <table border="1" data-bbox="407 352 1328 1136"> <thead> <tr> <th data-bbox="407 352 935 453">Common Name</th> <th data-bbox="935 352 1141 453">Watercourse Class<sup>3</sup></th> <th data-bbox="1141 352 1328 453">Distance</th> </tr> </thead> <tbody> <tr> <td data-bbox="407 453 935 554">Perennial watercourses, waterbodies (e.g. lakes, ponds), or springs<sup>4</sup></td> <td data-bbox="935 453 1141 554">I</td> <td data-bbox="1141 453 1328 554">150 ft.</td> </tr> <tr> <td data-bbox="407 554 935 621">Intermittent watercourses or wetlands</td> <td data-bbox="935 554 1141 621">II</td> <td data-bbox="1141 554 1328 621">100 ft.</td> </tr> <tr> <td data-bbox="407 621 935 743">Ephemeral watercourses</td> <td data-bbox="935 621 1141 743">III</td> <td data-bbox="1141 621 1328 743">50 ft.</td> </tr> <tr> <td data-bbox="407 743 935 911">Man-made irrigation canals, water supply reservoirs, or hydroelectric canals that support native aquatic species</td> <td data-bbox="935 743 1141 911">IV</td> <td data-bbox="1141 743 1328 911">Established Riparian Vegetation Zone</td> </tr> <tr> <td data-bbox="407 911 935 1136">All other man-made irrigation canals, water supply reservoirs, or hydroelectric canals</td> <td data-bbox="935 911 1141 1136">IV</td> <td data-bbox="1141 911 1328 1136">N/A</td> </tr> </tbody> </table> <p><sup>1</sup> A Regional Water Board may adopt site-specific WDRs or an enforcement order for a cannabis cultivator with requirements that are inconsistent with the setbacks in this table if the Executive Officer determines that the site-specific WDRs or enforcement order contains sufficient requirements to be protective of water quality.</p> <p><sup>2</sup> Cannabis cultivators enrolled in a Regional Water Board order adopting WDRs or a waiver of WDRs for cannabis cultivation activities prior to October 17, 2017, may retain reduced setbacks applicable under that Regional Water Board order unless the Regional Water Board's Executive Officer determines that the reduced setbacks applicable under that order are not protective of water quality.</p> <p><sup>3</sup> Except where more restrictive, the stream class designations are equivalent to the Forest Practice Rules Water Course and Lake Protection Zone definitions (California Code of Regulations, title 14, Chapter 4. Forest Practice Rules, Subchapters 4, 5, and 6 Forest District Rules, Article 6 Water Course and Lake Protection).</p> <p><sup>4</sup> Spring riparian setbacks default to the applicable watercourse riparian setback 150 feet downstream and/or upstream of the spring's confluence with the watercourse or 150 feet downstream of the point where the spring forms a watercourse with defined bed and banks.</p>	Common Name	Watercourse Class <sup>3</sup>	Distance	Perennial watercourses, waterbodies (e.g. lakes, ponds), or springs <sup>4</sup>	I	150 ft.	Intermittent watercourses or wetlands	II	100 ft.	Ephemeral watercourses	III	50 ft.	Man-made irrigation canals, water supply reservoirs, or hydroelectric canals that support native aquatic species	IV	Established Riparian Vegetation Zone	All other man-made irrigation canals, water supply reservoirs, or hydroelectric canals	IV	N/A
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All other man-made irrigation canals, water supply reservoirs, or hydroelectric canals	IV	N/A																	

### Cannabis General Water Quality Certification

For the purposes of section 401 of the Clean Water Act, the State Water Board certifies that cannabis cultivation activities in compliance with the conditions of the Policy and General Order will comply with sections 301, 302, 303, 306, and 307 of the Clean Water Act, and with applicable provisions of State law, subject to the following additional terms and conditions:

No.	TERM
1.	This certification action is subject to modification or revocation upon administrative or judicial review; including review and amendment pursuant to Water Code section 13330 and California Code of Regulations, title 23, section 3867.
2.	This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to California Code of Regulations, title 23, section 3855, subdivision (b), and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3.	This certification is conditioned upon total payment of any fee required under California Code of Regulations, title 23, division 3, chapter 28.
4.	A cannabis cultivator seeking water quality certification coverage for activities in surface waters shall notify the Executive Officer of the Regional Water Board or State Water Board Executive Director at least <b>60 days prior</b> to commencement of the activity and submit information regarding the construction schedule and other relevant information. Work may not commence until the cannabis cultivator is provided authorization by the appropriate Executive Officer of the Regional Water Board or Executive Director of the State Water Board. The Executive Officer of the Regional Water Board or Executive Director of the State Water Board may include specific monitoring requirements for turbidity and other constituents that may be associated with the activity to ensure applicable state water quality standards are met.
5.	The authorization of this certification for any coverage under this Cannabis General Water Quality Certification or dredge and fill activities expires five years from the date this Policy is approved by the Office of Administrative Law.
6.	Upon completion of the discharges of dredged or fill material, the cannabis cultivator shall submit a Notice of Completion certifying that all the conditions and monitoring and reporting requirements of this General Water Quality Certification, including the Policy, Cannabis General Order (if applicable), and conditions imposed by the Regional Water Board Executive Officer or State Water Board Executive Director, have been met.
7.	All Policy and Cannabis General Order Requirements, standard conditions, general terms and provisions, and prohibitions are enforceable conditions of this General Water Quality Certification.
8.	In the event of any violation or threatened violation of the conditions of this General Water Quality Certification, the violation or threatened violation shall be subject to any remedies, penalties, processes, or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process, or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.

<b>No.</b>	<b>TERM</b>
<b>9.</b>	This General Water Quality Certification may be modified as needed by the Executive Director of the State Water Board.

## SECTION 2 – REQUIREMENTS RELATED TO WATER DIVERSIONS AND WASTE DISCHARGE FOR CANNABIS CULTIVATION

The following Requirements apply to any water diversion or waste discharge related to cannabis cultivation.

No.	TERM
<b>Land Development and Maintenance, Erosion Control, and Drainage Features</b>	
<b>Limitations on Earthmoving</b>	
1.	<p>Cannabis cultivators shall not conduct grading activities for cannabis cultivation land development or alteration on slopes exceeding 50 percent grade, or as restricted by local county or city permits, ordinances, or regulations for grading, agriculture, or cannabis cultivation; whichever is more stringent shall apply.</p> <p>The grading prohibition on slopes exceeding 50 percent does not apply to site mitigation or remediation if the cannabis cultivator is issued separate WDRs or an enforcement order for the activity by the Regional Water Board Executive Officer.</p>
2.	<p>Finished cut and fill slopes, including side slopes between terraces, shall not exceed slopes of 50 percent and should conform to the natural pre-grade slope whenever possible.</p>
3.	<p>Cannabis cultivators shall not drive or operate vehicles or equipment within the riparian setbacks or within waters of the state unless authorized under 404/401 CWA permits, a CDFW LSA Agreement, coverage under the Cannabis General Order water quality certification, or site-specific WDRs issued by the Regional Water Board. This requirement does not prohibit driving on established, maintained access roads that are in compliance with this Policy.</p>
4.	<p>Cannabis cultivation land development and access road construction shall be designed by qualified professionals. Cannabis cultivators shall conduct all construction or land development activities to minimize grading, soil disturbance, and disturbance to aquatic and terrestrial habitat.</p>
5.	<p>The cannabis cultivator shall control all dust related to cannabis cultivation activities to ensure dust does not produce sediment-laden runoff. The cannabis cultivator shall implement dust control measures, including, but not limited to, pre-watering of excavation or grading sites, use of water trucks, track-out prevention, washing down vehicles or equipment before leaving a site, and prohibiting land disturbance activities when instantaneous wind speeds (gusts) exceed 25 miles per hour. Cannabis cultivators shall grade access roads in dry weather while moisture is still present in soil to minimize dust and to achieve design soil compaction, or when needed use a water truck to control dust and soil moisture.</p>
<b>Construction Equipment Use and Limitations</b>	

6.	Cannabis cultivators shall employ spill control and containment practices to prevent the discharge of fuels, oils, solvents and other chemicals to soils and waters of the state.
7.	<p>Cannabis cultivators shall stage and store equipment, materials, fuels, lubricants, solvents, or hazardous or toxic materials in locations that minimize the potential for discharge to waters of the state. At a minimum, the following measures shall be implemented:</p> <ol style="list-style-type: none"> <li>1. Designate an area outside the riparian setback for equipment storage, short-term maintenance, and refueling. Cannabis cultivator shall not conduct any maintenance activity or refuel equipment in any location where the petroleum products or other pollutants may enter waters of the state as per Fish and Game Code section 5650 (a)(1).</li> <li>2. Frequently inspect equipment and vehicles for leaks.</li> <li>3. Immediately clean up leaks, drips, and spills. Except for emergency repairs that are necessary for safe transport of equipment or vehicles to an appropriate repair facility, equipment or vehicle repairs, maintenance, and washing onsite is prohibited.</li> <li>4. If emergency repairs generate waste fluids, ensure they are contained and properly disposed or recycled off-site.</li> <li>5. Properly dispose of all construction debris off-site.</li> <li>6. Use dry cleanup methods (e.g., absorbent materials, cat litter, and/or rags) whenever possible. Sweep up, contain, and properly dispose of spilled dry materials.</li> </ol>
<b>Erosion Control</b>	
8.	The cannabis cultivator shall use appropriate erosion control measures to minimize erosion of disturbed areas, potting soil, or bulk soil amendments to prevent discharges of waste. Fill soil shall not be placed where it may discharge into surface water. If used, weed-free straw mulch shall be applied at a rate of two tons per acre of exposed soils and, if warranted by site conditions, shall be secured to the ground.
9.	The cannabis cultivator shall not plant or seed noxious weeds. Prohibited plant species include those identified in the California Invasive Pest Plant Council's database, available at: <a href="http://www.cal-ipc.org/paf/">www.cal-ipc.org/paf/</a> . Locally native, non-invasive, and non-persistent grass species may be used for temporary erosion control benefits to stabilize disturbed land and prevent exposure of disturbed land to rainfall. Nothing in this term may be construed as a ban on cannabis cultivation that complies with the terms of this Policy.
10.	<p>Cannabis cultivators shall incorporate erosion control and sediment detention devices and materials into the design, work schedule, and implementation of the cannabis cultivation activities. The erosion prevention and sediment capture measures shall be effective in protecting water quality.</p> <ul style="list-style-type: none"> <li>• Interim erosion prevention and sediment capture measures shall be implemented within seven days of completion of grading and land disturbance activities, and</li> </ul>



	<p>shall consist of erosion prevention measures and sediment capture measures including:</p> <ul style="list-style-type: none"> <li>○ Erosion prevention measures are required for any earthwork that uses heavy equipment (e.g., bulldozer, compactor, excavator, etc.). Erosion prevention measures may include surface contouring, slope roughening, and upslope storm water diversion. Other types of erosion prevention measures may include mulching, hydroseeding, tarp placement, revegetation, and rock slope protection.</li> <li>○ Sediment capture measures include the implementation of measures such as gravel bag berms, fiber rolls, straw bale barriers, properly installed silt fences, and sediment settling basins.</li> <li>● Long-term erosion prevention and sediment capture measures shall be implemented as soon as possible and prior to the onset of fall and winter precipitation. Long-term measures may include the use of heavy equipment to reconfigure access roads or improve access road drainage, installation of properly-sized culverts, gravel placement on steeper grades, and stabilization of previously disturbed land.</li> <li>● Maintenance of all erosion protection and sediment capture measures is required year round. Early monitoring allows for identification of problem areas or underperforming erosion or sediment control measures. Verification of the effectiveness of all erosion prevention and sediment capture measures is required as part of winterization activities.</li> </ul>
<p><b>11.</b></p>	<p>Cannabis cultivators shall only use geotextiles, fiber rolls, and other erosion control measures made of loose-weave mesh (e.g., jute, coconut (coir) fiber, or from other products without welded weaves). To minimize the risk of ensnaring and strangling wildlife, cannabis cultivators shall not use synthetic (e.g., plastic or nylon) monofilament netting materials for erosion control for any cannabis cultivation activities. This prohibition includes photo- or bio-degradable plastic netting.</p>
<p><b>12.</b></p>	<p>Cultivation sites constructed on or near slopes with a slope greater than or equal to 30 percent shall be inspected for indications of instability. Indications of instability include the occurrence of slope failures at nearby similar sites, weak soil layers, geologic bedding parallel to slope surface, hillside creep (trees, fence posts, etc. leaning downslope), tension cracks in the slope surface, bulging soil at the base of the slope, and groundwater discharge from the slope. If indicators of instability are present, the cannabis cultivator shall consult with a qualified professional to design measures to stabilize the slope to prevent sediment discharge to surface waters.</p>
<p><b>13.</b></p>	<p>For areas outside of riparian setbacks or for upland areas, cannabis cultivators shall ensure that rock placed for slope protection is the minimum amount necessary and is part of a design that provides for native plant revegetation. If retaining walls or other structures are required to provide slope stability, they shall be designed by a qualified professional.</p>
<p><b>14.</b></p>	<p>Cannabis cultivators shall monitor erosion control measures during and after each storm event that produces at least 0.5 in/day or 1.0 inch/7 days of precipitation, and repair or replace, as needed, ineffective erosion control measures immediately.</p>

<b>Access Road/Land Development and Drainage</b>	
<b>15.</b>	Access roads shall be constructed consistent with the requirements of California Code of Regulations Title 14, Chapter 4. The Road Handbook describes how to implement the regulations and is available at < <a href="http://www.pacificwatershed.com/PWA-publications-library">http://www.pacificwatershed.com/PWA-publications-library</a> >. Existing access roads shall be upgraded to comply with the Road Handbook.
<b>16.</b>	Cannabis cultivators shall obtain all required permits and approvals prior to the construction of any access road constructed for cannabis cultivation activities. Permits may include section 404/401 CWA permits, Regional Water Board WDRs (when applicable), CDFW LSA Agreement, and county or local agency permits.
<b>17.</b>	Cannabis cultivators shall ensure that all access roads are hydrologically disconnected to receiving waters to the extent possible by installing disconnecting drainage features, increasing the frequency of (inside) ditch drain relief as needed, constructing out-sloped roads, constructing energy dissipating structures, avoiding concentrating flows in unstable areas, and performing inspection and maintenance as needed to optimize the access road performance.
<b>18.</b>	New access road alignments should be constructed with grades (slopes) of 3- to 8-percent, or less, wherever possible. Forest access roads should generally be kept below 12-percent except for short pitches of 500 feet or less where road slopes may go up to 20-percent. These steeper access road slopes should be paved or rock surfaced and equipped with adequate drainage. Existing access roads that do not comply with these limits shall be inspected by a qualified professional to determine if improvements are needed.
<b>19.</b>	Cannabis cultivators shall decommission or relocate existing roads away from riparian setbacks whenever possible. Roads that are proposed for decommissioning shall be abandoned and left in a condition that provides for long-term, maintenance-free function of drainage and erosion controls. Abandoned roads shall be blocked to prevent unauthorized vehicle traffic.
<b>20.</b>	If site conditions prohibit drainage structures (including rolling dips and ditch-relief culverts) at adequate intervals to avoid erosion, the cannabis cultivator shall use bioengineering techniques <sup>12</sup> as the preferred measure to minimize erosion (e.g., live fascines). If bioengineering cannot be used, then engineering fixes such as armoring (e.g., rock of adequate size and depth to remain in place under traffic and flow conditions) and velocity dissipaters (e.g., gravel-filled “pillows” in an inside ditch to trap sediment) may be used for problem sites. The maximum distance between water breaks shall not exceed those defined in the Road Handbook.
<b>21.</b>	Cannabis cultivators shall have a qualified professional design the optimal access road alignment, surfacing, drainage, maintenance requirements, and spoils handling

<sup>12</sup> A Primer on Stream and River Protection for the Regulator and Program Manager: Technical Reference Circular W.D. 02-#1, San Francisco Bay Region, California Regional Water Board (April 2003) [http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/stream\\_wetland/streamprotectio ncircular.pdf](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stream_wetland/streamprotectio ncircular.pdf).

	procedures.
<b>22.</b>	Cannabis cultivators shall ensure that access road surfacing, especially within a segment leading to a waterbody, is sufficient to minimize sediment delivery to the wetland or waterbody and maximize access road integrity. Road surfacing may include pavement, chip-seal, lignin, rock, or other material appropriate for timing and nature of use. All access roads that will be used for winter or wet weather hauling/traffic shall be surfaced. Steeper access road grades require higher quality rock (e.g., crushed angular versus river-run) to remain in place. The use of asphalt grindings is prohibited.
<b>23.</b>	Cannabis cultivators shall install erosion control measures on all access road approaches to surface water diversion sites to reduce the generation and transport of sediment to streams.
<b>24.</b>	Cannabis cultivators shall ensure that access roads are out-sloped whenever possible to promote even drainage of the access road surface, prevent the concentration of storm water flow within an inboard or inside ditch, and to minimize disruption of the natural sheet flow pattern off a hill slope to a stream.
<b>25.</b>	If unable to eliminate inboard or inside ditches, the cannabis cultivator shall ensure adequate ditch relief culverts to prevent down-cutting of the ditch and to reduce water runoff concentration, velocity, and erosion. Ditches shall be designed and maintained as recommended by a qualified professional. To avoid point-source discharges, inboard ditches and ditch relief culverts shall be discharged onto vegetated or armored slopes that are designed to dissipate and prevent runoff channelization. Inboard ditches and ditch relief culverts shall be designed to ensure discharges into natural stream channels or watercourses are prevented.
<b>26.</b>	Cannabis cultivators shall ensure that access roads are not allowed to develop or show evidence of significant surface rutting or gulying. Cannabis cultivators shall use water bars and rolling dips as designed by a qualified professional to minimize access road surface erosion and dissipate runoff.
<b>27.</b>	Cannabis cultivators shall only grade ditches when necessary to prevent erosion of the ditch, undermining of the banks, or exposure of the toe of the cut slope to erosion. Cannabis cultivators shall not remove more vegetation than necessary to keep water moving, as vegetation prevents scour and filters out sediment.
<b>28.</b>	Access road storm water drainage structures shall not discharge onto unstable slopes, earthen fills, or directly to a waterbody. Drainage structures shall discharge onto stable areas with straw bales, slash, vegetation, and/or rock riprap.
<b>29.</b>	Sediment control devices (e.g., check dams, sand/gravel bag barriers, etc.) shall be used when it is not practical to disperse storm water before discharge to a waterbody. Where potential discharge to a wetland or waterbody exists (e.g., within 200 feet of a waterbody) access road surface drainage shall be filtered through vegetation, slash, other appropriate material, or settled into a depression with an outlet with adequate drainage. Sediment basins shall be engineered and properly sized to allow sediment settling, spillway stability, and maintenance activities.

<b>Drainage Culverts (See also Watercourse Crossings)</b>	
<b>30.</b>	Cannabis cultivators shall regularly inspect ditch-relief culverts and clear them of any debris or sediment. To reduce ditch-relief culvert plugging by debris, cannabis cultivators shall use 15- to 24-inch diameter pipes, at minimum. In forested areas with a potential for woody debris, a minimum 18-inch diameter pipe shall be used to reduce clogging. Ditch relief culverts shall be designed by a qualified professional based on site-specific conditions.
<b>31.</b>	Cannabis cultivators shall ensure that all permanent watercourse crossings that are constructed or reconstructed are capable of accommodating the estimated 100-year flood flow, including debris and sediment loads. Watercourse crossings shall be designed and sized by a qualified professional.
<b>Cleanup, Restoration, and Mitigation</b>	
<b>32.</b>	Cannabis cultivators shall limit disturbance to existing grades and vegetation to the actual site of the cleanup or remediation and any necessary access routes.
<b>33.</b>	<p>Cannabis cultivators shall avoid damage to native riparian vegetation. All exposed or disturbed land and access points within the stream and riparian setback with damaged vegetation shall be restored with regional native vegetation of similar native species. Riparian trees over four inches diameter at breast height shall be replaced by similar native species at a ratio of three to one (3:1). Restored areas must be mulched, using at least 2 to 4 inches of weed-free, clean straw or similar biodegradable mulch over the seeded area. Mulching shall be completed within 30 days after land disturbance activities in the areas cease. Revegetation planting shall occur at a seasonally appropriate time until vegetation is restored to pre-cannabis or pre-Legacy condition or better.</p> <p>Cannabis cultivators shall stabilize and restore any temporary work areas with native vegetation to pre-cannabis cultivation or pre-Legacy conditions or better. Vegetation shall be planted at an adequate density and variety to control surface erosion and re-generate a diverse composition of regional native vegetation of similar native species.</p>
<b>34.</b>	Cannabis cultivators shall avoid damage to oak woodlands. Cannabis cultivator shall plant three oak trees for every one oak tree damaged or removed. Trees may be planted in groves in order to maximize wildlife benefits and shall be native to the local county.
<b>35.</b>	<p>Cannabis cultivators shall develop a revegetation plan for:</p> <ul style="list-style-type: none"> <li>• All exposed or disturbed riparian vegetation areas,</li> <li>• any oak trees that are damaged or removed, and</li> <li>• temporary work areas.</li> </ul> <p>Cannabis cultivators shall develop a monitoring plan that evaluates the revegetation plan for five years. Cannabis cultivators shall maintain annual inspections for the purpose of assessing an 85 percent survival and growth of revegetated areas within a five-year period. The presence of exposed soil shall be documented for three years following revegetation work. If the revegetation results in less than an 85 percent success rate, the unsuccessful vegetation areas shall be replanted. Cannabis cultivators shall identify the location and extent of exposed soil associated with the site; pre- and post-revegetation</p>

	work photos; diagram of all areas revegetated, the planting methods, and plants used; and an assessment of the success of the revegetation program. Cannabis cultivators shall maintain a copy of the revegetation plan and monitoring results onsite and make them available, upon request, to Water Boards staff or authorized representatives. An electronic copy of monitoring results is acceptable in Portable Document Format (PDF).
<b>36.</b>	Cannabis cultivators shall revegetate soil exposed as a result of cannabis cultivation activities with native vegetation by live planting, seed casting, or hydroseeding within seven days of exposure.
<b>37.</b>	Cannabis cultivators shall prevent the spread or introduction of exotic plant species to the maximum extent possible by cleaning equipment before delivery to the cannabis cultivation Site and before removal, restoring land disturbance with appropriate native species, and post-cannabis cultivation activities monitoring and control of exotic species. Nothing in this term may be construed as a ban on cannabis cultivation that complies with the terms of this Policy.
<b>Stream Crossing Installation and Maintenance</b>	
<b>Limitations on Work in Watercourses and Permanently Poned Areas</b>	
<b>38.</b>	Cannabis cultivators shall obtain all applicable permits and approvals prior to doing any work in or around waterbodies or within the riparian setbacks. Permits may include section 404/401 CWA permits, Regional Water Board WDRs (when applicable), and a CDFW LSA Agreement.
<b>39.</b>	Cannabis cultivators shall avoid or minimize temporary stream crossings. When necessary, temporary stream crossings shall be located in areas where erosion potential and damage to the existing habitat is low. Cannabis cultivators shall avoid areas where runoff from access roadway side slopes and natural hillsides will drain and flow into the temporary crossing. Temporary stream crossings that impede fish passage are strictly prohibited on permanent or seasonal fish-bearing streams.
<b>40.</b>	Cannabis cultivators shall avoid or minimize use of heavy equipment <sup>13</sup> in a watercourse. If use is unavoidable, heavy equipment may only travel or work in a waterbody with a rocky or cobbled channel. Wood, rubber, or clean native rock temporary work pads shall be used on the channel bottom prior to use of heavy equipment to protect channel bed and preserve channel morphology. Temporary work pads and other channel protection shall be removed as soon as possible once the use of heavy equipment is complete.
<b>41.</b>	Cannabis cultivators shall avoid or minimize work in or near a stream, creek, river, lake, pond, or other waterbody. If work in a waterbody cannot be avoided, activities and associated workspace shall be isolated from flowing water by directing the water around the work site. If water is present, then the cannabis cultivator shall develop a site-specific plan prepared by a qualified professional. The plan shall consider partial or full stream diversion and dewatering. The plan shall consider the use of coffer dams upstream and downstream of the work site and the diversion of all flow from upstream of the upstream

<sup>13</sup> Heavy equipment is defined as large pieces of machinery or vehicles, especially those used in the building and construction industry (e.g., bulldozers, excavators, backhoes, bobcats, tractors, etc.).

	dam to downstream of the downstream dam, through a suitably sized pipe with intake screens that protect and prevent impacts to fish and wildlife. Cannabis cultivation activities and associated work shall be performed outside the waterbody from the top of the bank to the maximum extent possible.
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**Temporary Watercourse Diversion and Dewatering: All Live Watercourses**

<b>42.</b>	Cannabis cultivators shall ensure that coffer dams are constructed prior to commencing work and as close as practicable upstream and downstream of the work area. Cofferdam construction using offsite materials, such as clean gravel bags or inflatable dams, is preferred. Thick plastic may be used to minimize leakage, but shall be completely removed and properly disposed of upon work completion. If the coffer dams or stream diversion fail, the cannabis cultivator shall repair them immediately.
<b>43.</b>	When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, the cannabis cultivator shall allow sufficient water at all times to pass downstream to maintain aquatic life below the dam pursuant to Fish and Game Code section 5937.
<b>44.</b>	If possible, gravity flow is the preferred method of water diversion. If a pump is used, the cannabis cultivator shall ensure that the pump is operated at the rate of flow that passes through the cannabis cultivation site. Pumping rates shall not dewater or impound water on the upstream side of the coffer dam. When diversion pipe is used it shall be protected from cannabis cultivation activities and maintained to prevent debris blockage.
<b>45.</b>	Cannabis cultivators shall only divert water such that water does not scour the channel bed or banks at the downstream end. Cannabis cultivator shall divert flow in a manner that prevents turbidity, siltation, and pollution and provides flows to downstream reaches. Cannabis cultivators shall provide flows to downstream reaches during all times that the natural flow would have supported aquatic life. Flows shall be of sufficient quality and quantity, and of appropriate temperature to support fish and other aquatic life both above and below the diversion. Block netting and intake screens shall be sized to protect and prevent impacts to fish and wildlife.
<b>46.</b>	Once water has been diverted around the work area, cannabis cultivators may dewater the site to provide an adequately dry work area. Any muddy or otherwise contaminated water shall be pumped to a settling tank, dewatering filter bag, or upland area, or to another location approved by CDFW or the appropriate Regional Water Board Executive Officer prior to re-entering the watercourse.
<b>47.</b>	Upon completion of work, cannabis cultivators shall immediately remove the flow diversion structure in a manner that allows flow to resume with a minimum of disturbance to the channel substrate and that minimizes the generation of turbidity.

**Watercourse Crossings**

<b>48.</b>	Cannabis cultivators shall ensure that watercourse crossings are designed by a qualified professional.
<b>49.</b>	Cannabis cultivators shall ensure that all access road watercourse crossing structures allow for the unrestricted passage of water and shall be designed to accommodate the

	<p>estimated 100-year flood flow and associated debris (based upon an assessment of the streams potential to generate debris during high flow events). Consult CAL FIRE 100 year Watercourse Crossings document for examples and design calculations, available at: <a href="http://calfire.ca.gov/resource_mgt/downloads/100%20yr%20revised%208-08-17%20(final-a).pdf">http://calfire.ca.gov/resource_mgt/downloads/100%20yr%20revised%208-08-17%20(final-a).pdf</a>.</p>
50.	<p>Cannabis cultivators shall ensure that watercourse crossings allow migration of aquatic life during all life stages supported or potentially supported by that stream reach. Design measures shall be incorporated to ensure water depth and velocity does not inhibit migration of aquatic life. Any access road crossing structure on watercourses that supports fish shall be constructed for the unrestricted passage of fish at all life stages, and should use the following design guidelines:</p> <ul style="list-style-type: none"> <li>• CDFW's <i>Culvert Criteria for Fish Passage</i>;</li> <li>• CDFW's <i>Salmonid Stream Habitat Restoration Manual, Volume 2, Part IX: Fish Passage Evaluation at Stream Crossings</i>; and</li> <li>• National Marine Fisheries Service, Southwest Region <i>Guidelines for Salmonid Passage at Stream Crossings</i>.</li> </ul>
51.	<p>Cannabis cultivators shall conduct regular inspection and maintenance of stream crossings to ensure crossings are not blocked by debris. Refer to California Board of Forestry Technical Rule No. 5 available at: <a href="http://www.calforests.org/wp-content/uploads/2013/10/Adopted-TRA5.pdf">http://www.calforests.org/wp-content/uploads/2013/10/Adopted-TRA5.pdf</a>.</p>
52.	<p>Cannabis cultivators shall only use rock fords for temporary seasonal crossings on small watercourses where aquatic life passage is not required during the time period of use. Rock fords shall be oriented perpendicular to the flow of the watercourse and designed to maintain the range of surface flows that occur in the watercourse. When constructed, rock shall be sized to withstand the range of flow events that occur at the crossing and rock shall be maintained at the rock ford to completely cover the channel bed and bank surfaces to minimize soil compaction, rutting, and erosion. Rock must extend on either side of the ford up to the break in slope. The use of rock fords as watercourse crossings for all-weather access road use is prohibited.</p>
53.	<p>Cannabis cultivators shall ensure that culverts used at watercourse crossings are designed to direct flow and debris toward the inlet (e.g., use of wing-walls, pipe beveling, rock armoring, etc.) to prevent erosion of road fill, debris blocking the culvert, and watercourses from eroding a new channel.</p>
54.	<p>Cannabis cultivators shall regularly inspect and maintain the condition of access roads, access road drainage features, and watercourse crossings. At a minimum, cannabis cultivators shall perform inspections prior to the onset of fall and winter precipitation and following storm events that produce at least 0.5 in/day or 1.0 inch/7 days of precipitation. Cannabis cultivators are required to perform all of the following maintenance:</p> <ul style="list-style-type: none"> <li>• Remove any wood debris that may restrict flow in a culvert.</li> <li>• Remove sediment that impacts access road or drainage feature performance. Place any removed sediment in a location outside the riparian setbacks and stabilize the sediment.</li> <li>• Maintain records of access road and drainage feature maintenance and consider</li> </ul>

	redesigning the access road to improve performance and reduce maintenance needs.
<b>55.</b>	Cannabis cultivators shall compact access road crossing approaches and fill slopes during installation and shall stabilize them with rock or other appropriate surface protection to minimize surface erosion. When possible, cannabis cultivators shall ensure that access roads over culverts are equipped with a critical dip to ensure that, if the culvert becomes blocked or plugged, water can flow over the access road surface without washing away the fill prism. Access road crossings where specific conditions do not allow for a critical dip or in areas with potential for significant debris accumulation, shall include additional measures such as emergency overflow culverts or oversized culverts that are designed by a qualified professional.
<b>56.</b>	Cannabis cultivators shall ensure that culverts used at watercourse crossings are: 1) installed parallel to the watercourse alignment to the extent possible, 2) of sufficient length to extend beyond stabilized fill/sidecast material, and 3) embedded or installed at the same level and gradient of the streambed in which they are being placed to prevent erosion.
<b>Soil Disposal and Spoils Management</b>	
<b>57.</b>	Cannabis cultivators shall store soil, construction, and waste materials outside the riparian setback except as needed for immediate construction needs. Such materials shall not be stored in locations of known slope instability or where the storage of construction or waste material could reduce slope stability.
<b>58.</b>	Cannabis cultivators shall separate large organic material (e.g., roots, woody debris, etc.) from soil materials. Cannabis cultivators shall either place the large organic material in long-term, upland storage sites, or properly dispose of these materials offsite.
<b>59.</b>	Cannabis cultivators shall store erodible soil, soil amendments, and spoil piles to prevent sediment discharges in storm water. Storage practices may include use of tarps, upslope land contouring to divert surface flow around the material, or use of sediment control devices (e.g., silt fences, straw wattles, etc.).
<b>60.</b>	Cannabis cultivators shall contour and stabilize stored spoils to mimic natural slope contours and drainage patterns (as appropriate) to reduce the potential for fill saturation and slope failure.
<b>61.</b>	For soil disposal sites cannabis cultivators shall: <ul style="list-style-type: none"> <li>• revegetate soil disposal sites with a mix of native plant species,</li> <li>• cover the seeded and planted areas with mulched straw at a rate of two tons per acre, and</li> <li>• apply non-synthetic netting or similar erosion control fabric (e.g., jute) on slopes greater than 2:1 if the site is erodible.</li> </ul>
<b>62.</b>	Cannabis cultivators shall haul away and properly dispose of excess soil and other debris as needed to prevent discharge to waters of the state.



## Riparian and Wetland Protection and Management

<b>63.</b>	Cannabis cultivators shall not disturb aquatic or riparian habitat, such as pools, spawning sites, large wood, or shading vegetation unless authorized under a CWA section 404 permit, CWA section 401 certification, Regional Water Board WDRs (when applicable), or a CDFW LSA Agreement.
<b>64.</b>	Cannabis cultivators shall maintain existing, naturally occurring, riparian vegetative cover (e.g., trees, shrubs, and grasses) in aquatic habitat areas to the maximum extent possible to maintain riparian areas for streambank stabilization, erosion control, stream shading and temperature control, sediment and chemical filtration, aquatic life support, wildlife support, and to minimize waste discharge.
<b>Water Storage and Use</b>	
<b>Water Supply, Diversion, and Storage</b>	
<b>65.</b>	Cannabis cultivators shall only install, maintain, and destroy wells in compliance with county, city, and local ordinances and with California Well Standards as stipulated in California Department of Water Resources Bulletins 74-90 and 74-81. <sup>14</sup>
<b>66.</b>	All water diversions for cannabis cultivation from a surface stream, subterranean stream flowing through a known and definite channel (e.g., groundwater well diversions from subsurface stream flows), or other surface waterbody are subject to the surface water Numeric and Narrative Instream Flow Requirements. This includes lakes, ponds, and springs (unless the spring is deemed exempt by the Deputy Director). See Section 3. Numeric and Narrative Instream Flow Requirements of this Attachment A for more information.
<b>67.</b>	Groundwater diversions may be subject to additional requirements, such as a forbearance period, if the State Water Board determines those requirements are reasonably necessary to implement the purposes of this Policy.
<b>68.</b>	Cannabis cultivators are encouraged to use appropriate rainwater catchment systems to collect from impermeable surfaces (e.g., roof tops, etc.) during the wet season and store storm water in tanks, bladders, or off-stream engineered reservoirs to reduce the need for surface water or groundwater diversions.
<b>69.</b>	Cannabis cultivators shall not divert surface water unless it is diverted in accordance with an existing water right that specifies, as appropriate, the source, location of the point of diversion, purpose of use, place of use, and quantity and season of diversion. Cannabis cultivators shall maintain documentation of the water right at the cannabis cultivation site. Documentation of the water right shall be available for review and inspection by the Water Boards, CDFW, and any other authorized representatives of the Water Boards or CDFW.

<sup>14</sup> California Well Standards are available at:

[http://www.water.ca.gov/groundwater/well\\_info\\_and\\_other/california\\_well\\_standards/well\\_standards\\_content.html](http://www.water.ca.gov/groundwater/well_info_and_other/california_well_standards/well_standards_content.html).

70.	Cannabis cultivators shall ensure that all water diversion facilities are designed, constructed, and maintained so they do not prevent, impede, or tend to prevent the passing of fish, as defined by Fish and Game Code section 45, upstream or downstream, as required by Fish and Game Code section 5901. This includes but is not limited to the supply of water at an appropriate depth, temperature, and velocity to facilitate upstream and downstream aquatic life movement and migration. Cannabis cultivators shall allow sufficient water at all times to pass past the point of diversion to keep in good condition any fish that may be planted or exist below the point of diversion as defined by Fish and Game Code section 5937. Cannabis cultivators shall not divert water in a manner contrary to or inconsistent with these Requirements.
71.	Cannabis cultivators issued a Cannabis SIUR by the State Water Board shall not divert surface water unless in compliance with all additional Cannabis SIUR conditions required by CDFW.
72.	Water diversion facilities shall include satisfactory means for bypassing water to satisfy downstream prior rights and any requirements of policies for water quality control, water quality control plans, water quality certifications, waste discharge requirements, or other local, state or federal instream flow requirements. Cannabis cultivators shall not divert in a manner that results in injury to holders of legal downstream senior rights. Cannabis cultivators may be required to curtail diversions should diversion result in injury to holders of legal downstream senior water rights or interfere with maintenance of downstream instream flow requirements.
73.	<p>Fuel powered (e.g., gas, diesel, etc.) diversion pumps shall be located in a stable and secure location outside of the riparian setbacks unless authorized under a 404/401 CWA permits, a CDFW LSA Agreement, coverage under the Cannabis General Order water quality certification, or site-specific WDRs issued by the Regional Water Board. Use of non-fuel powered diversion pumps (solar, electric, gravity, etc.) is encouraged.</p> <p>In all cases, all pumps shall:</p> <ol style="list-style-type: none"> <li>1. be properly maintained,</li> <li>2. have suitable containment to ensure any spills or leaks do not enter surface waterbodies or groundwater, and</li> <li>3. have sufficient overhead cover to prevent exposure of equipment to precipitation.</li> </ol>
74.	No water shall be diverted unless the cannabis cultivator is operating the water diversion facility with a CDFW-approved water-intake screen (e.g. fish screen). The water intake screen shall be designed and maintained in accordance with screening criteria approved by CDFW. The screen shall prevent wildlife from entering the diversion intake and becoming entrapped. The cannabis cultivator shall contact the regional CDFW Office, LSA Program for information on screening criteria for diversion(s). <sup>15</sup> The cannabis cultivator shall provide evidence that demonstrates that the water intake screen is in good condition whenever requested by the Water Boards or CDFW. Points of re-diversion from off-stream storage facilities that are open to the environment shall have a water intake screen, as required by CDFW.

<sup>15</sup> CDFW's Lake and Streambed program information is available at: <https://www.wildlife.ca.gov/Conservation/LSA> .

75.	Cannabis cultivators shall inspect, maintain, and clean water intake screens and bypass appurtenances as directed by CDFW to ensure proper operation for the protection of fish and wildlife.
76.	Cannabis cultivators shall not obstruct, alter, dam, or divert all or any portion of a natural watercourse prior to obtaining all applicable permits and approvals. Permits may include a valid water right, 404/401 CWA permits, a CDFW LSA Agreement, coverage under the Cannabis General Order water quality certification, or site-specific WDRs issued by the Regional Water Board.
77.	Cannabis cultivators shall plug, block, cap, disconnect, or remove the diversion intake associated with cannabis cultivation activities during the surface water forbearance period, unless the diversion intake is used for other beneficial uses, to ensure no water is diverted during that time.
78.	Cannabis cultivators shall not divert from a surface water or from a subterranean stream for cannabis cultivation at a rate more than a maximum instantaneous diversion rate of 10 gallons per minute, unless authorized under an existing appropriative water right.
82.	<p>Onstream storage reservoirs are prohibited unless either:</p> <ul style="list-style-type: none"> <li>• The cannabis cultivator has an existing water right with irrigation as a designated use, issued prior to October 31, 2017, that authorizes the onstream storage reservoir, or</li> <li>• The cannabis cultivator obtains an appropriative water right permit with irrigation as a designated use prior to diverting water from an onstream storage reservoir for cannabis cultivation. Cannabis cultivators with a pending application or an unpermitted onstream storage reservoir shall not divert for cannabis cultivation until the cannabis cultivator has obtain a valid water right.</li> </ul>
83.	Cannabis cultivators are encouraged to install separate storage systems for water diverted for cannabis irrigation and water diverted for any other beneficial uses, <sup>16</sup> or otherwise shall install separate measuring devices to quantify diversion to and from each storage facility, including the quantity of water diverted and the quantity, place, and purpose of use (e.g., cannabis irrigation, other crop irrigation, domestic, etc.) for the stored water.
84.	The cannabis cultivator shall install and maintain a measuring device(s) for surface water or subterranean stream diversions. The measuring device shall be, at a minimum equivalent to the requirements for direct diversions greater than 10 acre-feet per year in California Code of Regulations, Title 23, Division 3, Chapter 2.7 <sup>17</sup> . The measuring device(s) shall be located as close to the point of diversion as reasonable. Cannabis cultivators shall maintain daily diversion records for water diverted for cannabis cultivation.

<sup>16</sup> Other beneficial uses of water include: domestic, irrigation, power, municipal, mining, industrial, fish and wildlife preservation and enhancement, aquaculture, recreational, stockwatering, water quality, frost protection, and heat control. (California Code of Regulations, Title 23 sections 659-672).

<sup>17</sup> Additional information on measuring devices may be found at:  
[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/water\\_use.shtml#measurement](https://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_use.shtml#measurement)

	<p>Cannabis cultivators shall maintain separate records that document the amount of water used for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other beneficial uses of water (e.g., domestic, fire protection, etc.). Cannabis cultivators shall maintain daily diversion records at the cultivation site and shall make the records available for review or by request by the Water Boards CDFW, or any other authorized representatives of the Water Boards or CDFW. Daily diversion records shall be retained for a minimum of five years. Compliance with this term is required for any surface water diversion for cannabis cultivation, even those under 10 acre-feet per year.</p>
85.	<p>The State Water Board intends to develop and implement a basin-wide program for real-time electronic monitoring and reporting of diversions, withdrawals, releases and streamflow in a standardized format if and when resources become available. Such real-time reporting will be required upon a showing by the State Water Board that the program and the infrastructure are in place to accept real-time electronic reports. Implementation of the reporting requirements shall not necessitate amendment to this Requirement.</p>
86.	<p>Cannabis cultivators shall not use off-stream storage reservoirs and ponds to store water for cannabis cultivation unless they are sited and designed or approved by a qualified professional in compliance with Division of Safety of Dams (DSOD), county, and/or city requirements, as applicable. If the DSOD, county, and/or city do not have established requirements they shall be designed consistent with the Natural Resource Conservation Service National Engineering Manual. Reservoirs shall be designed with an adequate overflow outlet that is protected and promotes the dispersal and infiltration of flow and prevents channelization.</p> <p>All off-stream storage reservoirs and ponds shall be designed, managed, and maintained to accommodate average annual winter period precipitation and storm water inputs to reduce the potential for overflow.</p> <p>Cannabis cultivators shall plant native vegetation along the perimeter of the reservoir in locations where it does not impact the structural integrity of the reservoir berm or spillway. The cannabis cultivator shall control vegetation around the reservoir berm and spillway to allow for visual inspection of berm and spillway condition and control burrowing animals as necessary.</p>
87.	<p>Cannabis cultivators shall implement an invasive species management plan prepared by a Qualified Biologist for any existing or proposed water storage facilities that are open to the environment. The plan shall include, at a minimum, an annual survey for bullfrogs and other invasive aquatic species. If bullfrogs or other invasive aquatic species are identified, eradication measures shall be implemented under the direction of a qualified biologist, if appropriate after consultation with CDFW (pursuant to Fish and Game Code section 6400). Eradication methods can be direct or indirect. Direct methods may include hand-held dip net, hook and line, lights, spears, gigs, or fish tackle under a fishing license (pursuant to Fish and Game Code section 6855). An indirect method may involve seasonally timed complete dewatering and a drying period of the off-stream storage facility under a Permit to Destroy Harmful Species (pursuant to Fish and Game Code section 5501) issued by CDFW.</p>
88.	<p>Water storage bladders are not encouraged for long-term use. If bladders are used, the cannabis cultivator shall ensure that the bladder is designed and properly installed to store water and that the bladder is sited to minimize the potential for water to flow into a</p>

	<p>watercourse in the event of a catastrophic failure. If a storage bladder has been previously used, the cannabis cultivator shall carefully inspect the bladder to confirm its integrity and confirm the absence of any interior residual chemicals prior to resuming use. Cannabis cultivators shall periodically inspect water storage bladders and containment features to ensure integrity. Water storage bladders shall be properly disposed of or recycled and not resold when assurance of structural integrity is no longer guaranteed.</p>
<b>89.</b>	<p>Cannabis cultivators shall not use water storage bladders unless the bladder is safely contained within a secondary containment system with sufficient capacity to capture 110 percent of a bladder's maximum possible contents in the event of bladder failure (i.e., 110 percent of bladder's capacity). Secondary containment systems shall be of sufficient strength and stability to withstand the forces of released contents in the event of catastrophic bladder failure. In addition, secondary containment systems that are open to the environment shall be designed and maintained with sufficient capacity to accommodate precipitation and storm water inputs from a 25-year, 24-hour storm event.</p>
<b>90.</b>	<p>Cannabis cultivators shall not cause or allow any overflow from off-stream water storage facilities that are closed to the environment (e.g., tanks and bladders) if the off-stream facilities are served by a diversion from surface water or groundwater. Cannabis cultivators shall regularly inspect for and repair all leaks of the diversion and storage system.</p>
<b>91.</b>	<p>Water storage tanks, bladders, and other off-stream water storage facilities that are closed to the environment shall not be located in a riparian setback or next to equipment that generates heat. Cannabis cultivators shall place water storage tanks, bladders, and other off-stream water storage facilities that are closed to the environment in areas that allow for ease of installation, access, maintenance, and minimize road development.</p>
<b>92.</b>	<p>Cannabis cultivators shall install vertical and horizontal tanks according to manufacturer's specifications and shall place tanks on properly compacted soil that is free of rocks and sharp objects and capable of bearing the weight of the tank and its maximum contents with minimal settlement. Tanks shall not be located in areas of slope instability. Cannabis cultivators shall install water storage tanks capable of containing more than 8,000 gallons only on a reinforced concrete pad providing adequate support and enough space to attach a tank restraint system (anchor using the molded-in tie down lugs with moderate tension, being careful not to over-tighten) per the recommendations of a qualified professional.</p>
<b>93.</b>	<p>To prevent rupture or overflow and runoff, cannabis cultivators shall only use water storage tanks and bladders equipped with a float valve, or equivalent device, to shut off diversion when storage systems are full. Cannabis cultivators shall install any other measures necessary to prevent overflow of storage systems to prevent runoff and the diversion of more water than can be used and/or stored.</p>
<b>94.</b>	<p>Cannabis cultivators shall ensure that all vents and other openings on water storage tanks are designed to prevent the entry and/or entrapment of wildlife.</p>

95.	<p>Cannabis cultivators shall retain, for a minimum of five years, appropriate documentation for any hauled water<sup>18</sup> used for cannabis cultivation. Documentation for hauled water shall include, for each delivery, all of the following:</p> <ol style="list-style-type: none"> <li>1. A receipt that shows the date of delivery and the name, address, license plate number, and license plate issuing state for the water hauler,</li> <li>2. A copy of the Water Hauler's License (California Health and Safety Code section 111120),</li> <li>3. A copy of proof of the Water Hauler's water right, groundwater well, or other authorization to take water, and the location of the water source, and</li> <li>4. The quantity of water delivered or picked up from a water source, in gallons.</li> </ol> <p>Documentation shall be made available, upon request, to Water Boards or CDFW staff and any other authorized representatives of the Water Boards or CDFW.</p>
<b>Water Conservation and Use</b>	
96.	Cannabis cultivators shall regularly inspect their entire water delivery system for leaks and immediately repair any leaky faucets, pipes, connectors, or other leaks.
97.	Cannabis cultivators shall use weed-free mulch in cultivation areas that do not have ground cover to conserve soil moisture and minimize evaporative loss.
98.	Cannabis cultivators shall implement water conserving irrigation methods (e.g., drip or trickle irrigation, micro-spray, or hydroponics).
99.	Cannabis cultivators shall maintain daily records of all water used for irrigation of cannabis. Daily records may be calculated by the use of a measuring device or, if known, by calculating the irrigation system rates and duration of time watered (e.g., irrigating for one hour twice per day using 50 half-gallon drips equates to 50 gallons per day (1*2*50*0.5) of water used for irrigation). Cannabis cultivators shall retain, for a minimum of 5 years, irrigation records at the cannabis cultivation site and shall make all irrigation records available for review by the Water Boards, CDFW and any other authorized representatives of the Water Boards or CDFW.
<b>Irrigation Runoff</b>	
100.	Cannabis cultivators shall regularly inspect for leaks in mainlines <sup>19</sup> , laterals <sup>20</sup> , in irrigation connections, sprinkler heads, or at the ends of drip tape and feeder lines and immediately repair any leaks found upon detection.
101.	The irrigation system shall be designed to include redundancy (e.g., safety valves) in the event that leaks occur, so that waste of water and runoff is prevented and minimized.
102.	Cannabis cultivators shall regularly replace worn, outdated, or inefficient irrigation system components and equipment to ensure a properly functioning, leak-free irrigation system at

<sup>18</sup> Water hauler means any person who hauls water in bulk by any means of transportation.

<sup>19</sup> Mainlines are pipes that go from the water source to the control valves.

<sup>20</sup> Laterals are the pipes between the control valve and the sprinkler heads.

	all times.
103.	Cannabis cultivators shall minimize irrigation deep percolation <sup>21</sup> by applying irrigation water at agronomic rates.
<b>Fertilizers, Pesticides, and Petroleum Products</b>	
104.	Cannabis cultivators shall not mix, prepare, over apply, or dispose of agricultural chemicals/products (e.g., fertilizers, pesticides <sup>22</sup> , and other chemicals as defined in the applicable water quality control plan) in any location where they could enter the riparian setback or waters of the state. The use of agricultural chemicals inconsistently with product labeling, storage instructions, or DPR requirements for pesticide applications <sup>23</sup> is prohibited. Disposal of unused product and containers shall be consistent with labels.
105.	Cannabis cultivators shall keep and use absorbent materials designated for spill containment and spill cleanup equipment on-site for use in an accidental spill of fertilizers, petroleum products, hazardous materials, and other substances which may degrade waters of the state. The cannabis cultivator shall immediately notify the California Office of Emergency Services at 1-800-852-7550 and immediately initiate cleanup activities for all spills that could enter a waterbody or degrade groundwater.
106.	Cannabis cultivators shall establish and use a separate storage area for pesticides, and fertilizers, and another storage area for petroleum or other liquid chemicals (including diesel, gasoline, oils, etc.). All such storage areas shall comply with the riparian setback Requirements, be in a secured location in compliance with label instructions, outside of areas of known slope instability, and be protected from accidental ignition, weather, and wildlife. All storage areas shall have appropriate secondary containment structures, as necessary, to protect water quality and prevent spillage, mixing, discharge, or seepage.

<sup>21</sup> Deep percolation occurs when excess irrigation water is applied and percolates below the plant root zone.

<sup>22</sup> Pesticide is defined as follows:

- Per California Code of Regulations Title 3. Division 6. Section 6000:
  - (a) Any substance or mixture of substances that is a pesticide as defined in the Food and Agricultural Code and includes mixtures and dilutions of pesticides;
  - (b) As the term is used in Section 12995 of the California Food and Agricultural Code, includes any substance or product that the user intends to be used for the pesticidal purposes specified in Sections 12753 and 12758 of the Food and Agricultural Code.
- Per California Food and Agricultural Code section 12753(b), the term “Pesticide” includes any of the following: Any substance, or mixture of substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, as defined in Section 12754.5, which may infest or be detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environment whatsoever.
- In laymen’s terms: “pesticide” includes: rodenticides, herbicides, insecticides, fungicides, and disinfectants.

<sup>23</sup> More information on DPR requirements is available at:

[http://www.cdpr.ca.gov/docs/legbills/laws\\_regulations.htm](http://www.cdpr.ca.gov/docs/legbills/laws_regulations.htm),  
<http://www.cdpr.ca.gov/docs/county/cacltrs/penfltrs/penf2017/2017atch/attach0301.pdf>, and  
<http://www.cdpr.ca.gov/docs/cannabis/index.htm>

	Storage tanks and containers must be of suitable material and construction to be compatible with the substances stored and conditions of storage, such as pressure and temperature.
107.	Throughout the wet season, Cannabis Cultivators shall ensure that any temporary storage areas have a permanent cover and side-wind protection or be covered during non-working days and prior to and during rain events.
108.	Cannabis cultivators shall only use hazardous materials <sup>24</sup> in a manner consistent with the product's label.
109.	Cannabis cultivators shall only keep hazardous materials in their original containers with labels intact, and shall store hazardous materials to prevent exposure to sunlight, excessive heat, and precipitation. Cannabis cultivators shall provide secondary containment for hazardous materials to prevent possible exposure to the environment. Disposal of unused hazardous materials and containers shall be consistent with the label.
110.	Cannabis cultivators shall only mix, prepare, apply, or load hazardous materials outside of the riparian setbacks.
111.	Cannabis cultivators shall not apply agricultural chemicals within 48 hours of a predicted rainfall event of 0.25 inches or greater with a probability greater than 50-percent. In the Lake Tahoe Hydrologic Unit, cannabis cultivators shall not apply agricultural chemicals within 48 hours of any weather pattern that is forecast to have a 30 percent or greater chance of precipitation greater than 0.1 inch per 24 hours. This requirement may be updated based on amendments to the Lahontan Regional Water Board construction storm water general order.
<b>Fertilizers and Soils</b>	
112.	To minimize infiltration and water quality degradation, Cannabis cultivators shall irrigate and apply fertilizer to consistent with the crop need (i.e., agronomic rate).
113.	When used, cannabis cultivators shall apply nitrogen to cannabis cultivation areas consistent with crop need (i.e., agronomic rate). Cannabis cultivators shall not apply nitrogen at a rate that may result in a discharge to surface water or groundwater that causes or contributes to exceedance of water quality objectives, and no greater than 319 pounds/acre/year unless plant tissue analysis performed by a qualified individual demonstrates the need for additional nitrogen application. The analysis shall be performed by an agricultural laboratory certified by the State Water Board's Environmental Laboratory Accreditation Program.
114.	Cannabis cultivators shall ensure that potting soil or soil amendments, when not in use, are placed and stored with covers, when needed, to protect from rainfall and erosion, to prevent discharge to waters of the state, and to minimize leaching of waste constituents into

<sup>24</sup> A hazardous material is any item or agent (biological, chemical, radiological, and/or physical), which has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors.



	groundwater.
<b>Pesticides and Herbicides</b>	
115.	Cannabis cultivators shall not apply restricted materials, including restricted pesticides, or allow restricted materials to be stored at the cannabis cultivation site.
116.	Cannabis cultivators shall implement integrated pest management strategies where possible to reduce the need and use of pesticides and the potential for discharges to waters of the state. <sup>25</sup>
<b>Petroleum Products and Other Chemicals</b>	
117.	Cannabis cultivators shall only refuel vehicles or equipment outside of riparian setbacks. Cannabis cultivators shall inspect all equipment using oil, hydraulic fluid, or petroleum products for leaks prior to use and shall monitor equipment for leakage. Stationary equipment (e.g., motors, pumps, generators, etc.) and vehicles not in use shall be located outside of riparian setbacks. Spill and containment equipment (e.g., oil spill booms, sorbent pads, etc.) shall be stored onsite at all locations where equipment is used or staged.
118.	Cannabis cultivators shall store petroleum, petroleum products, and similar fluids in a manner that provides chemical compatibility, provides secondary containment, and protection from accidental ignition, the sun, wind, and rain.
119.	Use of an underground storage tank(s) for the storage of petroleum products is allowed if compliant with all applicable federal, state, and local laws; regulations; and permitting requirements.
<b>Cultivation-Related Waste</b>	
120.	Cannabis cultivators shall contain and regularly remove all debris and trash associated with cannabis cultivation activities from the cannabis cultivation site. Cannabis cultivators shall only dispose of debris and trash at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations. Cannabis cultivators shall not allow litter, plastic, or similar debris to enter the riparian setback or waters of the state. Cannabis plant material may be disposed of onsite in compliance with any applicable CDFA license conditions.
121.	Cannabis cultivators shall only dispose or reuse spent growth medium (e.g., soil and other organic media) in a manner that prevents discharge of soil and residual nutrients and chemicals to the riparian setback or waters of the state. Spent growth medium shall be covered with plastic sheeting or stored in water tight dumpsters prior to proper disposal or reuse. Spent growth medium should be disposed of at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations. Proper reuse of spent growth medium may include incorporation into garden beds or spreading on a stable surface and revegetating the surface with native plants. Cannabis cultivators shall use erosion control techniques, as needed, for any reused or stored spent growth medium

<sup>25</sup> <https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles>

to prevent polluted runoff.

**Refuse and Domestic Waste**

- 122. Cannabis cultivators shall ensure that debris, soil, silt, bark, slash, sawdust, rubbish, creosote-treated wood, raw cement and concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to any life stage of fish and wildlife or their habitat (includes food sources) does not contaminate soil or enter the riparian setback or waters of the state.
- 123. Cannabis cultivators shall not dispose of domestic wastewater unless it meets applicable local agency and/or Regional Water Board requirements. Cannabis cultivators shall ensure that human or animal waste is disposed of properly. Cannabis cultivators shall ensure onsite wastewater treatment systems (e.g., septic system) are permitted by the local agency or applicable Regional Water Board.
- 124. If used, chemical toilets or holding tanks shall be maintained in a manner appropriate for the frequency and conditions of usage, sited in stable locations, and comply with the riparian setback Requirements.

**Winterization**

- 125. Cannabis cultivators shall implement all applicable Erosion Control and Soil Disposal and Spoils Management Requirements in addition to the Winterization Requirements below by the onset of the winter period.
- 126. Cannabis cultivators shall block or otherwise close any temporary access roads to all motorized vehicles no later than the onset of the winter period each year.
- 127. Cannabis cultivators shall not operate heavy equipment of any kind at the cannabis cultivation site during the winter period, unless authorized for emergency repairs contained in an enforcement order issued by the State Water Board, Regional Water Board, or other agency having jurisdiction.
- 128. Cannabis cultivators shall apply linear sediment controls (e.g., silt fences, wattles, etc.) along the toe of the slope, face of the slope, and at the grade breaks of exposed slopes to comply with sheet flow length<sup>26</sup> at the frequency specified below.
 

Slope (percent)	Sheet Flow Length Not to Exceed (feet)
0 – 25	20
25 – 50	15
>50	10

<sup>26</sup> Sheet flow length is the length that shallow, low velocity flow travels across a site.

129.	Cannabis cultivators shall maintain all culverts, drop inlets, trash racks and similar devices to ensure they are not blocked by debris or sediment. The outflow of culverts shall be inspected to ensure erosion is not undermining the culvert. Culverts shall be inspected prior to the onset of fall and winter precipitation and following precipitation events that produce at least 0.5 in/day or 1.0 inch/7 days of precipitation to determine if maintenance or cleaning is required.
130.	Cannabis cultivators shall stabilize all disturbed areas and construction entrances and exits to control erosion and sediment discharges from land disturbance.
131.	Cannabis cultivators shall cover and berm all loose stockpiled construction materials (e.g., soil, spoils, aggregate, etc.) that are not actively (scheduled for use within 48 hours) being used as needed to prevent erosion by storm water. The cannabis cultivator shall have adequate cover and berm materials available onsite if the weather forecast indicates a probability of precipitation.
132.	Cannabis cultivators shall apply erosion repair and control measures to the bare ground (e.g., cultivation area, access paths, etc.) to prevent discharge of sediment to waters of the state.
133.	As part of the winterization plan approval process, the Regional Water Board may require cannabis cultivators to implement additional site-specific erosion and sediment control requirements if the implementation of the Requirements in this section do not adequately protect water quality.

## SECTION 3 – NUMERIC AND NARRATIVE INSTREAM FLOW REQUIREMENTS (INCLUDING GAGING)

This section outlines the numeric and narrative instream flow Requirements established in this Policy.

Narrative instream flow Requirements apply to all diversions of surface water and groundwater for cannabis cultivation throughout California. Numeric instream flow requirements are developed at compliance gages throughout California. The compliance gages are divided into 14 geographic regions (Section 4).

### Narrative Instream Flow Requirements

#### Instream Flow Requirements for Surface Water Diversions

1. **Applicability:** Surface water instream flow Requirements apply to anyone diverting water for cannabis cultivation from a waterbody. A waterbody is defined as any significant accumulation of water, such as: lakes, ponds, rivers, streams, creeks, springs<sup>27</sup>, artesian wells, wetlands, and canals. Surface water instream flow Requirements also apply to water diverted from a subterranean stream flowing through a known and definite channel.
2. **Retail Water Suppliers<sup>28</sup>:** The instream flow Requirements and forbearance period listed in this section shall not apply to retail water suppliers, as defined in Section 13575 of the Water Code<sup>29</sup>, whose primary beneficial use is municipal or domestic, unless any of the following circumstances are present:
  - a. the retail water supplier has 10 or fewer customers and delivers water that is used for cannabis cultivation;
  - b. the retail water supplier delivers 10 percent or more of the diverted water to one or more cannabis cultivator(s) or cannabis cultivation site(s), as established by an assessor's parcel number;
  - c. 25 percent or more of the water delivered by the retail water supplier is used for cannabis cultivation; or
  - d. a cannabis cultivator and the retail water supplier are affiliates, as defined in California Code of Regulations, title 23, section 2814.20.
3. **Exempt Springs:** Cannabis cultivators claiming, pursuant to Business and Professions Code section 26060.1(a)(2)(A)(iv) or section 26060.1(a)(2)(B)(iii), that a spring or artesian well does not flow off their property by surface or subterranean (subsurface) means in the absence of diversion, may request an exemption from the Policy's Narrative Instream Flow Requirements 4 (Surface Water Dry Season Forbearance Period) and 5 (Surface Water Wet Season Diversion Period). When requesting such an

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<sup>27</sup> A spring is an area where there is concentrated discharge of groundwater that flows at the ground surface. A spring may flow any part of the year. For the purpose of this Policy, a spring does not have a defined bed and banks. Surface water instream flow Requirements apply to both natural springs and springs that are modified to improve production such as, installing piping and spring boxes/wells.

<sup>28</sup> Business and Professions Code section 26060.1(a)(1)(B).

<sup>29</sup> Under Water Code section 13575(b)(5), "Retail water supplier" means any local entity, including a public agency, city, county, or private water company that provides retail water service.

exemption, cannabis cultivators shall provide substantial evidence demonstrating that, in the absence of diversions, the spring or artesian well does not have surface or subsurface hydrologic connectivity to a surface water at any time of year during all water year types<sup>30</sup>. The substantial evidence must be documented by a qualified professional. For purposes of this Requirement, qualified professionals include California-registered Professional Geologists or other classifications of professions approved by the Deputy Director for Water Rights (Deputy Director). A list of qualified professionals that may document the substantial evidence required per this Requirement will be maintained on the Water Rights section of the State Water Board's Cannabis Cultivation webpage<sup>31</sup>. The Deputy Director may require additional information from the cannabis cultivator to support the request. If, after reviewing the submitted evidence and analysis, the Deputy Director concurs that the cannabis cultivator has made the required showing, the cannabis cultivator may be exempted from the Policy's Narrative Instream Flow Requirements 4 and 5. Springs or artesian wells that are deemed exempt shall comply with the Policy's 50 percent visual bypass requirement (Narrative Instream Flow Requirement 6) to support aquatic and riparian habitat. In addition, springs or artesian wells that are deemed exempt shall be subject to the Requirements for Groundwater Diversions (Narrative Instream Flow Requirement 8) to address the potential cumulative impacts of groundwater diversions, to which diversions from the spring or artesian well may contribute. Notwithstanding such exemptions, all other applicable Requirements of this Policy remain in force.

4. **Surface Water Dry Season Forbearance Period:** Cannabis cultivators shall not divert surface water for cannabis cultivation activities at any time from April 1 through October 31 of each calendar year, unless the water diverted is delivered from storage in compliance with Narrative Flow Requirement 4.
  - a. The following requirements apply only to cannabis cultivators diverting under a valid water right or claim of right and without authorized storage:
    - i. The first year of the Surface Water Dry Season Forbearance Period (April 1, 2018 through October 31, 2018) is waived. Cannabis cultivators subject to Requirement 4.a. may only divert during this period in a manner consistent with their permit/license or claim of right. All other applicable requirements of the Policy shall remain in force.
    - ii. Cannabis cultivators subject to Requirement 4.a shall file for a Cannabis SIUR or submit an application for an appropriative water right permit to obtain storage sufficient to support their cannabis cultivation during the forbearance period prior to diverting water for cannabis cultivation during the 2018 forbearance period.
    - iii. As soon as possible after storage has been authorized, following the conclusion of the winter period, cannabis cultivators subject to Requirement 4.a shall begin installing and diverting to off-stream storage to prepare for a potential curtailment during the dry season of 2018 (triggered by the Aquatic Base Flow Numeric Instream Flow Requirement).

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<sup>30</sup> Including during any precipitation and runoff events.

<sup>31</sup> State Water Board's Cannabis Cultivation webpage: <http://www.waterboards.ca.gov/cannabis/>

- iv. Requirement 4 shall apply with full force to cannabis cultivators described in Requirement 4.a who fail to comply with Requirement 4.a.ii and/or 4.a.iii.

- 5. **Surface Water Wet Season Diversion Period:** The authorized surface water diversion period is November 1 through March 31. During this diversion period, cannabis cultivators may only divert surface water for cannabis cultivation when water is available for diversion under the cannabis cultivator's priority of right and the applicable Numeric Flow Requirement (Section 4) is met at the assigned compliance gage. This includes direct diversion and diversion to storage.

From November 1 through December 14 of each year, the surface water diversion period shall not begin until after seven consecutive days in which the surface waterbody's real-time daily average flow is greater than the Numeric Flow Requirement (applicable minimum monthly instream flow Requirement in Section 4). The first day of the seven consecutive days must occur on or after October 25. After the seventh consecutive day with average flow greater than the Numeric Flow Requirement, surface water diversions may occur on any subsequent days in which the real-time daily average flow is greater than the Numeric Instream Flow Requirement (applicable minimum monthly instream flow Requirement in Section 4)<sup>32</sup>.

Numeric instream flow Requirements are established throughout the State and are calculated for the majority of USGS National Hydrologic Database plus 2 stream reaches where the USGS flow modeling data are available. Cannabis cultivators that divert water from a waterbody with an assigned compliance gage in Section 4 of this Policy are required to ensure that the real-time daily average flow, as published on a designated compliance gage website identified by the Deputy Director for Water Rights, exceeds the minimum monthly instream flow Requirement at the cannabis cultivator's assigned compliance gage. Cannabis cultivators shall verify and document compliance with the applicable Numeric Flow Requirement on a daily basis for each day of surface water diversion.

- 6. **Surface Water Flow Bypass:** In addition to Narrative Flow Requirement 5, at all times cannabis cultivators shall bypass a minimum of 50 percent of the surface water flow past their point of diversion, as estimated based on visually observing surface water flow at least daily. The surface water flow bypass requirement applies to cannabis cultivators diverting under a riparian or a pre-1914 appropriative claim of right and without authorized storage even if they qualify for the 2018 Surface Water Dry Season Forbearance Period waiver (Requirement 4.a.)
- 7. **Numeric Instream Flow Requirements:** The State Water Board has developed Numeric Instream Flow Requirements (minimum instream flow requirements) for each

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<sup>32</sup> For example, if the daily average flows on each day from October 27 through November 2 of a given year are greater than the Numeric Instream Flow Requirement for November (applicable November monthly minimum flow Requirement), diversion may begin on November 3 if the daily average flow on November 3 is also greater than the November Numeric Instream Flow Requirement. From December 15 through March 31 of each surface water diversion period, surface water diversions may occur on any day in which the surface waterbody's real-time daily average flow is greater than the Numeric Instream Flow Requirement (applicable minimum monthly instream flow Requirement).

compliance gage in Section 4, Table 1 through Table 14, to ensure that individual and cumulative effects of water diversion and discharge associated with cannabis cultivation do not affect the instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability. If the individual and cumulative effects of diversions result in unanticipated impacts, however, the State Water Board may revise the narrative and/or numeric instream flow Requirements to better protect instream resources, habitat, and natural flow variability.

### Requirements for Groundwater Diversions and Springs Qualifying for an Exemption under Narrative Instream Flow Requirement 3 (Exempt Springs)

8. **Aquatic Base Flow:** This Policy establishes an Aquatic Base Flow, calculated by applying the New England Aquatic Base Flow Standard, as one mechanism to help monitor whether groundwater diverters and diverters from exempt springs are having a cumulative negative impact on surface flows. The State Water Board may develop additional requirements for groundwater diversions and diversions from exempt springs for cannabis cultivation in locations where there are a significant number of groundwater diversions and/or diversions from exempt springs or locations where significant numbers of surface water diverters are switching to groundwater diversions and those diversions have the potential to have negative localized impact on surface flows.
9. **Retail Water Suppliers<sup>33</sup>:** The instream flow Requirements listed in narrative flow Requirement 8 (Aquatic Base Flow) shall not apply to retail water suppliers, as defined in Section 13575 of the Water Code<sup>34</sup>, whose primary beneficial use is municipal or domestic, unless any of the following circumstances are present:
  - a. the retail water supplier has 10 or fewer customers and delivers water that is used for cannabis cultivation;
  - b. the retail water supplier delivers 10 percent or more of the diverted water to one or more cannabis cultivator(s) or cannabis cultivation site(s), as established by an assessor's parcel number;
  - c. 25 percent or more of the water delivered by the retail water supplier is used for cannabis cultivation; or
  - d. a cannabis cultivator and the retail water supplier are affiliates, as defined in California Code of Regulations, title 23, section 2814.20.

### Gage Installation, Maintenance, and Operation Requirements

The Deputy Director for Water Rights (Deputy Director) may assign a new compliance gage or require cannabis cultivators to install and operate a local telemetry gage in ungaged watersheds or localized watershed areas if the Deputy Director determines that use of the assigned compliance gage does not adequately protect instream flows or does not adequately represent the localized water demand.

Cannabis cultivators shall ensure that gages required by the Deputy Director are installed, maintained, and operated by a qualified professional. For purposes of this Requirement,

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<sup>33</sup> Business and Professions Code section 26060.1(a)(1)(B).

<sup>34</sup> Water Code Chapter 7.5. Water Recycling Act of 1991, Section 13575(b)(5) "Retail water supplier" means any local entity, including a public agency, city, county, or private water company that provides retail water service.

qualified professionals include California-registered Professional Civil Engineers, or other classifications of professions approved by the Deputy Director. A list of qualified professionals that may document compliance with this Requirement will be maintained in the Water Rights section of the State Water Board's Cannabis Cultivation webpage<sup>35</sup>. Gage equipment shall meet the applicable technical specifications for telemetered measuring devices in California Code of Regulations, title 23, section 933, that apply to diversions of over 10,000 acre-feet per year or more. Gages shall record data at a minimum of 15-minute intervals and report the recorded real-time data hourly, at a minimum, via a public website designated by the State Water Board's Division of Water Rights (Division of Water Rights).

Cannabis cultivators, or an entity acting on behalf of cannabis cultivators, shall submit a gage operation and maintenance (O&M) plan prepared by a qualified professional, as defined in the preceding paragraph, to the Deputy Director or the Deputy Director's designee for approval. At a minimum, the gage O&M plan shall include qualifications and names of entities responsible for gage installation, maintenance, and operation; gage specifications and accuracy; gage location; gage installation procedures that ensure accurate operation during the wet season and stability during high flow events; stream flow measurement procedures for development of rating curves that represent wet season flows; telemetry equipment; and an O&M schedule and procedures. The Deputy Director may require additional information from the cannabis cultivator to support the request. The Deputy Director may include additional requirements as part of any approval of a gage O&M plan.

Prior to October 31, during each water year of gage operation, an annual maintenance and operation summary report prepared by a qualified professional, as defined above in this Requirement, shall be submitted to the Division of Water Rights that includes, at a minimum: qualifications and names of entities responsible for maintenance and operation; maintenance activities or operational issues for the prior water year of operation; quality assured gage stage and flow data collected and analyzed for prior water year; rating curves for prior and upcoming water year of operation; data collected to establish rating curves for prior and upcoming water year of operation; and any anticipated maintenance plans or operational issues for the upcoming water year. The gage data shall be provided to the Division of Water Rights in a format retrievable and viewable using Microsoft Excel, Microsoft Access, or other software program authorized by the Deputy Director.

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<sup>35</sup> State Water Board's cannabis cultivation webpage:  
[http://www.waterboards.ca.gov/water\\_issues/programs/cannabis/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/cannabis/index.shtml)



## **SECTION 4 – WATERSHED COMPLIANCE GAGE ASSIGNMENTS**

### **Watershed Compliance Gage Assignments**

The following tables show the compliance gage numeric instream flow Requirements by Region. The State Water Board is developing an online mapping tool to assist cannabis cultivators with determining which compliance gage applies to them and whether they may divert water. It is anticipated that the online mapping tool will allow cannabis cultivators to enter their address or otherwise locate their point of diversion to identify their assigned watershed compliance gage. The compliance gage assignments may change as more information becomes available. To ensure cannabis cultivators are reporting in accordance with the appropriate gage, the cannabis cultivator is required to check the website for their compliance gage assignment at least daily and prior to diverting water to ensure water is available to divert at that gage (i.e., the real-time daily average flow is greater than the Numeric Flow Requirement at the assigned compliance gage).

**Table 1. Klamath Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Agency</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11516530	KLAMATH R BL IRON GATE DAM CA	USGS	828	828	828	828	1,013	1,287
11517000	SHASTA R NR MONTAGUE CA	USGS	114	114	114	176	194	107
11517500	SHASTA R NR YREKA CA	USGS	128	128	129	197	222	119
11519500	SCOTT R NR FORT JONES CA	USGS	293	327	467	454	379	161
11520500	KLAMATH R NR SEIAD VALLEY CA	USGS	1,364	1,364	1,364	1,433	2,354	1,687
11521500	INDIAN C NR HAPPY CAMP CA	USGS	181	368	372	365	319	35
11522500	SALMON R A SOMES BAR CA	USGS	758	1,035	1,306	1,265	1,243	202
11523000	KLAMATH R A ORLEANS	USGS	2,631	2,631	2,631	3,424	5,131	1,156
11523200	TRINITY R AB COFFEE C NR TRINITY CENTER CA	USGS	162	162	185	220	257	39
11525530	RUSH C NR LEWISTON CA	USGS	15	22	29	31	31	2
11525630	GRASS VALLEY C NR LEWISTON CA	USGS	23	32	48	51	47	3.7
11525670	INDIAN C NR DOUGLAS CITY CA	USGS	20	28	40	44	43	3
11525854	TRINITY R A DOUGLAS CITY CA	USGS	957	1,022	1,388	1,628	1,492	228
11526400	TRINITY R AB NF TRINITY R NR HELENA CA	USGS	1,122	1,237	1,702	1,951	1,782	273
11526500	NF TRINITY R A HELENA CA	USGS	146	175	246	269	253	32
11527000	TRINITY R NR BURNT RANCH CA	USGS	1,320	1,534	2,105	2,415	2,239	324
11528700	SF TRINITY R BL HYAMPOM CA	USGS	572	898	1,331	1,372	1,255	77
11530000	TRINITY R A HOOPA CA	USGS	2,349	3,440	4,712	5,165	4,772	423
11530500	KLAMATH R NR	USGS	9,785	10,162	14,400	13,657	16,450	4,789

<b>Gage Number</b>	<b>Gage Name</b>	<b>Agency</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
	KLAMATH CA							
11532500	SMITH R NR CRESCENT CITY CA	USGS	1,758	3,261	3,382	2,865	2,623	288
CLE	TRINITY LAKE	US Bureau of Reclamation	749	849	1,117	1,288	1,169	188
SPU	SHASTA R AT GRENADA PUMP PLANT	CA Dept of Water Resources, NRO	47	47	47	68	77	47

**Table 2. Upper Sacramento Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Agency</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11342000	SACRAMENTO R A DELTA CA	USGS	486	645	800	1,037	894	139
11345500	SF PIT R NR LIKELY CA	USGS	28	28	28	28	28	35
11348500	PIT R NR CANBY CA	USGS	125	132	116	116	116	122
11361000	BURNEY C A BURNEY FALLS NR BURNEY CA	USGS	84	84	94	123	132	58
HCB	HAT CK BLW HAT CK	CA Dept of Water Resources	85	85	85	85	99	83
HCN	HAT CK NR HAT CK	CA Dept of Water Resources	73	74	74	74	76	60
SHA	SHASTA DAM (USBR)	US Bureau of Reclamation	1,792	1,792	2,207	3,096	4,145	904

**Table 3. North Eastern Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
SSD	SUSAN R NR STANDISH	CA Dept of Water Resources	65	65	65	73	81	44
SSU	SUSAN RIVER AT SUSANVILLE	CA Dept of Water Resources	54	54	54	56	71	39
WCD	WILLOW CREEK NEAR STANDISH	CA Dept of Water Resources	99	99	99	106	115	76

**Table 4. North Coast Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11473900	MF EEL R NR DOS RIOS CA	USGS	621	1,138	1,592	1,450	1,279	18
11475000	EEL R A FORT SEWARD CA	USGS	1,918	3,768	5,252	4,850	3,814	73
11475560	ELDER C NR BRANSCOMB CA	USGS	11	25	31	25	22	1.3
11475610	CAHTO C NR LAYTONVILLE CA	USGS	7.9	18	23	19	15	2.4
11475800	SF EEL R A LEGGETT CA	USGS	347	783	980	851	665	25
11476500	SF EEL R NR MIRANDA CA	USGS	749	1,708	2,125	1,857	1,424	54
11476600	BULL C NR WEOTT CA	USGS	45	102	123	112	88	1.9
11477000	EEL R A SCOTIA CA	USGS	3,293	7,218	9,280	8,443	6,013	145
11478500	VAN DUZEN R NR BRIDGEVILLE CA	USGS	323	728	814	748	627	12
11480390	MAD R AB RUTH RES NR FOREST GLEN CA	USGS	100	213	257	247	203	1.1
11481000	MAD R NR ARCATA CA	USGS	641	1,406	1,555	1,453	1,245	57
11481200	LITTLE R NR TRINIDAD CA	USGS	54	127	132	111	101	6.3
11481500	REDWOOD C NR BLUE LAKE CA	USGS	96	197	221	211	203	6.7
11482500	REDWOOD C A ORICK CA	USGS	406	901	987	856	794	28

**Table 5. Middle Sacramento Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11370500	SACRAMENTO R A KESWICK CA	USGS	1,786	1,786	2,275	3,155	3,802	914
11372000	CLEAR C NR IGO CA	USGS	197	296	403	503	406	35
11374000	COW C NR MILLVILLE CA	USGS	284	500	722	690	557	29
11376000	COTTONWOOD C NR COTTONWOOD CA	USGS	461	758	1,215	1,265	995	45
11376550	BATTLE C BL COLEMAN FISH HATCHERY NR COTTONWOOD CA	USGS	185	185	255	284	264	171
11377100	SACRAMENTO R AB BEND BRIDGE NR RED BLUFF CA	USGS	2,550	2,676	3,841	5,157	5,106	1,291
11379500	ELDER C NR PASKENTA CA	USGS	46	70	123	129	101	3
11381500	MILL C NR LOS MOLINOS CA	USGS	101	101	142	148	159	46
11383500	DEER C NR VINA CA	USGS	165	171	246	267	289	49
11390500	SACRAMENTO R BL WILKINS SLOUGH NR GRIMES CA	USGS	5,668	7,679	14,170	12,964	12,083	854
BIC	BIG CHICO CREEK NEAR CHICO	CA Dept of Water Resources	66	74	125	138	135	16
BLB	BLACK BUTTE	US Army Corps of Engineers	278	422	749	796	615	29
GRI	GRINDSTONE CK NR GRINDSTONE RANCHERIA	US Bureau of Reclamation	93	136	228	222	179	12
MUC	MUD CREEK NEAR CHICO	CA Dept of Water Resources	78	89	162	180	181	14
NCO	N FK COTTONWOOD CK ABV LK AT BRDG NR ONO	CA Dept of Water Resources, NRO	9.5	14	20	22	19	1.5
SCG	STONY CK NR GRIZZLY FLAT (CO RD 200A)	US Bureau of Reclamation	258	391	698	732	572	26
SUW	STONY CREEK NR SUWANNA RANCH (CO RD 410)	US Bureau of Reclamation	119	185	328	343	257	12
THO	THOMES CREEK AT PASKENTA	CA Dept of Water Resources	149	217	334	348	281	17

**Table 6. Southern Sacramento Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11335000	COSUMNES R A MICHIGAN BAR CA	USGS	170	190	323	391	382	23
11336580	MORRISON C NR SACRAMENTO CA	USGS	3.4	4.1	12	13	9.2	1
11336585	LAGUNA C NR ELK GROVE CA	USGS	2.5	3.1	9.4	10	7	1.1
11401920	SPANISH C A QUINCY CA	USGS	55	58	74	86	91	17
11402000	SPANISH C AB BLACKHAWK C AT KEDDIE CA	USGS	118	118	154	182	190	34
11413000	N YUBA R BL GOODYEARS BAR CA	USGS	292	321	385	416	435	84
11421000	YUBA R NR MARYSVILLE CA	USGS	1,102	1,380	1,736	1,929	1,964	324
11425500	SACRAMENTO R A VERONA CA	USGS	10,548	14,051	25,774	24,889	22,688	1,424
11427000	NF AMERICAN R A NORTH FORK DAM CA	USGS	284	354	429	471	456	85
11447360	ARCADE C NR DEL PASO HEIGHTS CA	USGS	3.3	4.4	13	13	11	1.2
11447650	SACRAMENTO R A FREEPORT CA	USGS	7,256	7,645	12,738	16,071	14,817	2,601
11449500	KELSEY C NR KELSEYVILLE CA	USGS	29	54	78	84	58	3.3
11451000	CACHE C NR LOWER LAKE CA	USGS	277	446	814	821	610	19
11451100	NF CACHE C A HOUGH SPRING NR CLEARLAKE OAKS CA	USGS	43	77	125	123	93	1
11451300	NF CACHE C NR CLEARLAKE OAKS CA	USGS	60	93	166	176	135	5.2
11451715	BEAR C AB HOLSTEN CHIMNEY CYN NR RUMSEY CA	USGS	16	33	67	74	49	1.5
11451800	CACHE C A RUMSEY CA	USGS	437	645	1,346	1,300	979	30
11453500	PUTAH C NR GUENOC CA	USGS	82	137	234	251	172	4



<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11455420	SACRAMENTO R A RIO VISTA CA	USGS	14,009	19,070	35,609	34,051	30,009	1,715
BPG	BEAR RIVER AT PLEASANT GROVE RD	CA Dept of Water Resources	133	150	252	301	270	18
CMF	COSUMNES R MID FORK NR SOMERSET	CA Dept of Water Resources	53	53	73	91	98	19
CNF	COSUMNES R N FORK NR EL DORADO	CA Dept of Water Resources	91	94	146	173	177	32
FOL	FOLSOM LAKE	US Bureau of Reclamation	1,177	1,228	1,603	1,838	1,904	413
FSB	FEATHER R ABV STAR BEND	CA Dept of Water Resources/NCRO	3,331	3,331	4,258	5,051	5,297	1,165
GRL	FEATHER RIVER NEAR GRIDLEY	CA Dept of Water Resources/O & M	2,152	2,179	2,537	3,050	3,162	704
ICR	INDIAN CREEK BELOW INDIAN FALLS	CA Dept of Water Resources	188	188	203	302	362	54
KCK	KELSEY CK BLW KELSEYVILLE	CA Dept of Water Resources	32	56	88	95	66	2.9
MCU	MIDDLE CK NR UPPER LAKE	CA Dept of Water Resources	31	52	83	85	72	1.8
MER	FEATHER RIVER AT MERRIMAC	CA Dept of Water Resources/O & M	514	514	586	771	921	167
MFP	MIDDLE FORK FEATHER RIVER NEAR PORTOLA	CA Dept of Water Resources	94	94	94	112	127	83
ORO	OROVILLE DAM	CA Dept of Water Resources/O & M	2,128	2,147	2,509	3,014	3,036	696
SFH	SOUTH HONCUT CREEK NEAR BANGOR	CA Dept of Water Resources/NCRO	22	38	61	62	50	2

**Table 7. North Central Coast Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11456000	NAPA R NR ST HELENA CA	USGS	52	88	153	159	110	1.6
11458000	NAPA R NR NAPA CA	USGS	109	172	335	342	229	3.5
11458500	SONOMA C A AGUA CALIENTE CA	USGS	38	65	110	117	76	3.7
11459500	NOVATO C A NOVATO CA	USGS	7.5	13	23	24	15	1.1
11460000	CORTE MADERA C A ROSS CA	USGS	10	20	32	32	20	1
11460151	REDWOOD C A HWY 1 BRIDGE A MUIR BEACH CA	USGS	4.6	8.2	13	11	7.3	1.5
11461000	RUSSIAN R NR UKIAH CA	USGS	69	138	197	189	143	3.8
11463000	RUSSIAN R NR CLOVERDALE CA	USGS	324	606	940	935	677	8.9
11463200	BIG SULPHUR C NR CLOVERDALE CA	USGS	63	115	181	190	128	2.9
11463900	MAACAMA C NR KELLOGG CA	USGS	35	61	103	103	73	1.4
11464000	RUSSIAN R NR HEALDSBURG CA	USGS	521	972	1,522	1,539	1,082	14
11465200	DRY C NR GEYSERVILLE CA	USGS	131	253	391	379	253	6.7
11465750	LAGUNA DE SANTA ROSA C NR SEBASTOPOL CA	USGS	33	53	103	101	66	3.8
11466320	SANTA ROSA C A WILLOWSIDE RD NR SANTA ROSA CA	USGS	44	76	132	135	89	2
11466800	MARK WEST C NR MIRABEL HEIGHTS CA	USGS	134	226	407	412	273	7.2
11467000	RUSSIAN R NR GUERNEVILLE CA	USGS	878	1,645	2,585	2,592	1,829	26
11467200	AUSTIN C NR CAZADERO CA	USGS	64	139	184	179	120	1.3
11467510	SF GUALALA R NR THE SEA RANCH CA	USGS	149	323	437	424	279	4.9

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11467553	NF GUALALA R AB SF GUALALA R NR GUALALA CA	USGS	39	77	117	107	80	3.9
11468000	NAVARRO R NR NAVARRO CA	USGS	200	407	611	557	422	8.4
11468500	NOYO R NR FORT BRAGG CA	USGS	82	169	240	212	175	5.5
11468900	MATTOLE R NR ETTERSBERG CA	USGS	113	268	306	265	212	7.8
11469000	MATTOLE R NR PETROLIA CA	USGS	406	942	1,118	960	769	27

**Table 8. Tahoe Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
10296000	W WALKER RV BLW L WALKER RV NR COLEVILLE, CA	USGS	89	102	102	102	102	79
10296500	W WALKER RV NR COLEVILLE, CA	USGS	103	106	106	106	106	92
10308200	E FK CARSON RV BLW MARKLEEVILLE CK NR MARKLEEVILLE	USGS	117	137	137	137	137	71
10310000	W FK CARSON RV AT WOODFORDS, CA	USGS	35	41	41	41	41	22
10336610	UPPER TRUCKEE RV AT SOUTH LAKE TAHOE, CA	USGS	27	35	35	35	35	11
10336645	GENERAL C NR MEEKS BAY CA	USGS	5	6.2	6.2	6.2	6.2	1.2
10336660	BLACKWOOD C NR TAHOE CITY CA	USGS	11	13	13	13	13	2.1
10336780	TROUT CK NR TAHOE VALLEY, CA	USGS	14	14	14	14	14	15
10343500	SAGEHEN C NR TRUCKEE CA	USGS	5.2	5.2	5.2	5.2	5.2	2.2

**Table 9. South Central Coast Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11141280	LOPEZ C NR ARROYO GRANDE CA	USGS	3.8	3.8	8.1	10	8.4	2.2
11143000	BIG SUR R NR BIG SUR CA	USGS	38	43	90	102	85	13
11143200	CARMEL R A ROBLES DEL RIO CA	USGS	40	67	158	210	162	3.9
11143250	CARMEL R NR CARMEL CA	USGS	40	71	175	244	181	5.5
11147500	SALINAS R A PASO ROBLES CA	USGS	20	43	117	149	114	1.9
11148500	ESTRELLA R NR ESTRELLA CA	USGS	22	28	61	96	91	1.5
11148900	NACIMIENTO R BL SAPAQUE C NR BRYSON CA	USGS	27	63	156	177	124	4.7
11149400	NACIMIENTO R BL NACIMIENTO DAM NR BRADLEY CA	USGS	16	34	108	118	80	4.7
11149900	SAN ANTONIO R NR LOCKWOOD CA	USGS	33	65	140	168	113	6.2
11150500	SALINAS R NR BRADLEY CA	USGS	75	136	350	411	399	4.4
11151300	SAN LORENZO C BL BITTERWATER C NR KING CITY CA	USGS	3.9	7.7	18	24	23	1.2
11151700	SALINAS R A SOLEDAD CA	USGS	107	167	429	519	497	11
11152000	ARROYO SECO NR SOLEDAD CA	USGS	64	99	206	280	209	9.8
11152050	ARROYO SECO BL RELIZ C NR SOLEDAD CA	USGS	57	96	208	278	189	8.4
11152500	SALINAS R NR SPRECKELS CA	USGS	125	219	539	666	618	16
11153000	PACHECO C NR DUNNEVILLE CA	USGS	4.2	9.7	27	36	24	2.3
11153650	LLAGAS C NR GILROY	USGS	11	18	59	53	37	1.3

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11156500	SAN BENITO R NR WILLOW CREEK SCHOOL CA	USGS	7	17	34	59	50	1.5
11157500	TRES PINOS C NR TRES PINOS CA	USGS	3.5	10	29	35	26	1.4
11158600	SAN BENITO R A HWY 156 NR HOLLISTER CA	USGS	15	32	79	99	80	1.8
11159000	PAJARO R A CHITTENDEN CA	USGS	50	91	288	279	210	3.5
11159200	CORRALITOS C A FREEDOM CA	USGS	10	16	29	28	22	2.3
11160000	SOQUEL C A SOQUEL CA	USGS	17	26	45	48	37	2.3
11160500	SAN LORENZO R A BIG TREES CA	USGS	52	71	129	145	110	16
11161000	SAN LORENZO R A SANTA CRUZ CA	USGS	57	83	144	159	119	17
11162500	PESCADERO C NR PESCADERO CA	USGS	12	23	43	47	36	2.5
11162570	SAN GREGORIO C A SAN GREGORIO CA	USGS	16	25	45	45	35	1.3
11162630	PILARCITOS C A HALF MOON BAY CA	USGS	9	11	21	21	17	2
11164500	SAN FRANCISQUITO C A STANFORD UNIVERSITY CA	USGS	11	17	38	40	29	1.3
11166000	MATADERO C A PALO ALTO CA	USGS	1.4	1.6	4.8	5.4	3.2	1.6
11169025	GUADALUPE R ABV HWY 101 A SAN JOSE CA	USGS	38	58	168	161	104	1.5
11169500	SARATOGA C A SARATOGA CA	USGS	3.1	5.1	9	10	8	1
11169800	COYOTE C NR GILROY CA	USGS	7.3	19	57	65	45	2.1
11172175	COYOTE C AB HWY 237 A MILPITAS CA	USGS	20	52	134	147	100	1.6
11172945	ALAMEDA C AB DIV DAM NR SUNOL CA	USGS	4.2	10	21	23	19	1.6

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11173200	ARROYO HONDO NR SAN JOSE CA	USGS	8.8	20	44	49	39	1.2
11173800	INDIAN C NR SUNOL CA	USGS	0.8	2	4.1	4.2	3.8	2.7
11174600	ALAMO CN NR PLEASANTON CA	USGS	2.9	5.1	16	15	11	1.7
11176400	ARROYO VALLE BL LANG CYN NR LIVERMORE CA	USGS	5.2	16	43	51	38	1
11176500	ARROYO VALLE NR LIVERMORE CA	USGS	6	18	48	58	41	1.3
11176900	ARROYO DE LA LAGUNA A VERONA CA	USGS	12	36	117	114	85	1.2
11180500	DRY C A UNION CITY CA	USGS	0.52	1.5	3.4	3.9	2.9	1.2
11180825	SAN LORENZO C AB DON CASTRO RES NR CASTRO V CA	USGS	1.6	3.3	7.7	8.2	6	1.5
11180900	CROW C NR HAYWARD CA	USGS	1.1	2.6	5.9	6.3	4.8	1.3
11180960	CULL C AB CULL C RES NR CASTRO VALLEY CA	USGS	0.57	1.5	3.5	3.8	3	1.9
11181040	SAN LORENZO C A SAN LORENZO CA	USGS	4	9.5	24	23	18	1.5

**Table 10. San Joaquin Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11224000	MF SAN JOAQUIN R NR MAMMOTH LAKES CA	USGS	23	25	28	27	31	13
11251000	SAN JOAQUIN R BL FRIANT CA	USGS	518	711	711	711	768	307
11255575	PANOCHÉ C A I-5 NR SILVER CREEK CA	USGS	3.8	6.3	11	22	20	1
11264500	MERCED R A HAPPY ISLES BRIDGE NR YOSEMITE CA	USGS	75	108	132	135	145	22
11266500	MERCED R A POHONO BRIDGE NR YOSEMITE CA	USGS	138	225	259	259	259	41
11274500	ORESTIMBA C NR NEWMAN CA	USGS	1.1	6.2	18	26	16	2.5
11274630	DEL PUERTO C NR PATTERSON CA	USGS	0.7	2.7	6.8	10	7.6	2.2
11274790	TUOLUMNE R A GRAND CYN OF TUOLUMNE AB HETCH HETCHY	USGS	170	197	225	211	237	66
11276500	TUOLUMNE R NR HETCH HETCHY CA	USGS	272	362	406	409	409	94
11276900	TUOLUMNE R BL EARLY INTAKE NR MATHER CA	USGS	276	377	414	414	414	98
11284400	BIG C AB WHITES GULCH NR GROVELAND CA	USGS	3.7	5.1	9.4	11	9.5	1.1
11285500	TUOLUMNE R A WARDS FERRY BR NR GROVELAND CA	USGS	601	761	761	761	816	292
11289650	TUOLUMNE R BL LAGRANGE DAM NR LAGRANGE CA	USGS	653	767	767	793	950	340
11299600	BLACK C NR COPPEROPOLIS CA	USGS	2.3	4.4	11	11	8.8	1.8
11303000	STANISLAUS R A RIPON CA	USGS	481	504	504	526	639	222



<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
BAR	BEAR	US Army Corps of Engineers	6	8.5	19	22	20	1.4
BDV	BLACK RASCAL DIVERSION	US Army Corps of Engineers	1.6	1.6	3.8	4.6	3.3	1.1
BUR	BURNS CREEK DAM	US Army Corps of Engineers	4.2	4.8	12	13	12	1.3
DCM	DRY CREEK AT MODESTO AT CLAUS ROAD	CA Dept of Water Resources	12	12	29	34	28	1.8
FHL	FRESNO R ABV HENLEY LAKE	US Army Corps of Engineers	46	58	103	120	133	2.1
GDW	GOODWIN DAM	US Bureau of Reclamation	479	543	543	543	653	224
GRF	SAN JOAQUIN RIVER AT GRAVELLY FORD	US Bureau of Reclamation	518	697	697	697	759	332
LDC	LITTLE DRY CREEK (USBR)	US Bureau of Reclamation	3.3	4.1	8.9	12	11	1.2
MIL	FRIANT DAM (MILLERTON)	US Bureau of Reclamation	516	720	720	720	764	307
MSN	MERCED RIVER NEAR SNELLING	CA Dept of Water Resources	344	392	460	531	620	146
MST	MERCED RIVER NEAR STEVINSON	CA Dept of Water Resources/SCRO	348	348	436	520	597	130
NHG	NEW HOGAN LAKE	US Army Corps of Engineers	146	200	411	400	346	4.4
NML	NEW MELONES RESERVOIR	US Bureau of Reclamation	481	550	550	550	619	218
OBB	STANISLAUS R AT ORANGE BLOSSOM BRIDGE	CA Dept of Water Resources	486	533	533	533	656	219
TUM	TUOLUMNE MEADOWS	CA Dept of Water Resources	24	24	28	25	32	12

**Table 11. Mono Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
10251330	AMARGOSA RV ABV CHINA RANCH WASH NR TECOPA, CA	USGS	47	47	48	75	137	17
10251335	WILLOW CK AT CHINA RANCH, CA	USGS	2.1	2.1	2.1	3.3	4.6	2.5
10260500	DEEP C NR HESPERIA CA	USGS	33	36	59	75	91	7.8
10260950	WF MOJAVE R AB MOJAVE R FORKS RES NR HESPERIA CA	USGS	11	13	28	37	35	2.2
10261500	MOJAVE R A LO NARROWS NR VICTORVILLE CA	USGS	39	42	69	99	98	4.3
10262500	MOJAVE R A BARSTOW CA	USGS	63	104	164	150	144	7.7
10263500	BIG ROCK C NR VALYERMO CA	USGS	6.5	6.5	8.3	13	13	3.9
10265150	HOT C A FLUME NR MAMMOTH LAKES CA	USGS	22	25	27	27	27	22

**Table 12. Kern Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11189500	SF KERN R NR ONYX CA	USGS	61	61	61	65	61	39
11200800	DEER C NR FOUNTAIN SPRINGS CA	USGS	6.1	8.3	11	17	18	5.5
11203580	SF TULE R NR CHOLOLLO CAMPGROUND NR PORTERVILLE CA	USGS	4.9	6.3	6.3	7.5	9.8	2.7
11204100	SF TULE R NR RESERVATION BNDRY NR PORTERVILLE CA	USGS	11	14	19	25	29	3.7
11206820	MARBLE FORK KAWEAH R AB HORSE C NR LODGEPOLE CA	USGS	4.7	6.1	6.9	6.8	8.3	2.3
11224500	LOS GATOS C AB NUNEZ CYN NR COALINGA CA	USGS	1	3	6.2	10	9.3	3.2
11253310	CANTUA C NR CANTUA CREEK CA	USGS	0.53	1.3	2.5	4	4.3	1.8
ISB	ISABELLA DAM	US Army Corps of Engineers	274	274	274	274	274	310
KKV	KERN R AT KERNVILLE	US Army Corps of Engineers	255	290	290	290	290	172
KRT	KINGS R NR TRIMMER	US Army Corps of Engineers	441	695	759	759	759	277
LCV	DRY CREEK NEAR LEMONCOVE	US Army Corps of Engineers	13	19	33	40	42	1
PDR	MILL CREEK NEAR PIEDRA	US Army Corps of Engineers	16	27	50	59	64	1.2
PNF	PINE FLAT DAM	US Army Corps of Engineers	475	715	715	715	715	329
SCC	SUCCESS DAM	US Army Corps of Engineers	51	61	75	104	111	16
TRM	TERMINUS DAM	US Army Corps of Engineers	149	177	177	197	226	89
TRR	KAWEAH RIVER AT THREE RIVERS	US Army Corps of Engineers	125	186	186	186	207	62

**Table 13. South Coast Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11014000	JAMUL C NR JAMUL CA	USGS	1.8	2.9	5.8	11	9.9	3.4
11015000	SWEETWATER R NR DESCANSO CA	USGS	5.1	6.3	11	16	19	2.9
11016200	SWEETWATER R A DEHESA CA	USGS	6.2	9.4	18	28	29	3.5
11023000	SAN DIEGO R A FASHION VALLEY AT SAN DIEGO CA	USGS	14	21	42	64	71	4
11023340	LOS PENASQUITOS C NR POWAY CA	USGS	1.5	1.8	5.1	6.5	6.4	1.6
11027000	GUEJITO C NR SAN PASQUAL CA	USGS	1.3	1.5	3.7	5.5	4.4	2.2
11028500	SANTA MARIA C NR RAMONA CA	USGS	3.2	3.2	7.4	11	9.6	1
11042000	SAN LUIS REY R A OCEANSIDE CA	USGS	17	30	70	96	89	1.2
11042400	TEMECULA C NR AGUANGA CA	USGS	7.4	7.7	16	24	21	1.6
11044300	SANTA MARGARITA R A FPUD SUMP NR FALLBROOK CA	USGS	24	24	55	78	71	2.8
11044350	SANDIA C NR FALLBROOK CA	USGS	0.28	0.76	2	3.4	2.2	1
11044800	DE LUZ C NR DE LUZ CA	USGS	0.52	1.3	3.1	5.8	4	1
11046000	SANTA MARGARITA R A YSIDORA CA	USGS	25	27	59	93	81	3
11046100	LAS FLORES C NR OCEANSIDE CA	USGS	0.66	1	2.6	3.9	2.9	1
11046300	SAN MATEO C NR SAN CLEMENTE CA	USGS	1.8	4.7	11	19	14	1.1
11046360	CRISTIANITOS C AB SAN MATEO C NR SAN CLEMENTE CA	USGS	0.88	1.4	3.6	6	4	1.2
11047300	ARROYO TRABUCO A SAN JUAN CAPISTRANO CA	USGS	1.4	2.9	7.8	10	9.6	3.4
11048200	AGUA CHINON WASH NR IRVINE CA	USGS	0.05	0.15	0.41	0.64	0.45	1

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11051499	SANTA ANA R NR MENTONE (RIVER ONLY) CA	USGS	39	39	41	58	69	18
11055800	CITY C NR HIGHLAND CA	USGS	3.6	4.4	8	11	11	1.3
11057500	SAN TIMOTEO C NR LOMA LINDA CA	USGS	6.5	7.3	14	24	20	1.2
11058500	E TWIN C NR ARROWHEAD SPRINGS CA	USGS	1.6	1.7	3.3	4.7	4.4	1
11062000	LYTLE C NR FONTANA CA	USGS	22	22	37	47	47	11
11063510	CAJON C BL LONE PINE C NR KEENBROOK CA	USGS	10	10	19	28	25	3.1
11063680	DEVIL CYN C NR SAN BERNARDINO CA	USGS	1.7	1.7	4.1	4.8	3.8	1.8
11069500	SAN JACINTO R NR SAN JACINTO	USGS	12	13	21	32	30	3.5
11070365	SAN JACINTO R NR SUN CITY CA	USGS	22	25	62	75	66	2.9
11073360	CHINO C A SCHAEFER AVENUE NR CHINO CA	USGS	8.9	11	23	29	27	3
11073495	CUCAMONGA C NR MIRA LOMA CA	USGS	9.5	10	26	37	25	1.5
11078000	SANTA ANA R A SANTA ANA CA	USGS	140	166	368	502	425	16
11098000	ARROYO SECO NR PASADENA CA	USGS	3.7	3.7	8.1	11	9.2	1.8
11109000	SANTA CLARA R NR PIRU CA	USGS	43	43	87	157	120	1.1
11109600	PIRU CREEK ABOVE LAKE PIRU CA	USGS	31	31	61	95	80	3.7
11109800	PIRU CREEK BELOW SANTA FELICIA DAM CA	USGS	34	34	67	113	90	2.6
11111500	SESPE CREEK NEAR WHEELER SPRINGS CA	USGS	4.9	7.6	16	28	22	1.7
11113000	SESPE C NR FILLMORE	USGS	34	40	91	150	104	1
11113500	SANTA PAULA C NR SANTA PAULA	USGS	5.1	6.1	14	23	16	1.4
11114495	MATILIJIA C NR RES NR MATILIJIA HOT SPRINGS CA	USGS	8.4	12	27	43	30	1.8
11118500	VENTURA R NR VENTURA	USGS	24	34	90	135	83	1.9

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
11119500	CARPINTERIA C NR CARPINTERIA CA	USGS	2.3	3.2	8.7	13	7.6	1.3
11119750	MISSION C NR MISSION ST NR SANTA BARBARA CA	USGS	1.3	1.7	4.4	6.8	4.1	1.8
11120000	ATASCADERO C NR GOLETA CA	USGS	1.9	2.9	7.7	11	7.7	1.4
11120500	SAN JOSE C NR GOLETA CA	USGS	0.86	1.2	3.2	4.4	3	1.1
11123500	SANTA YNEZ R BL LOS LAURLS CYN NR SNTA YNEZ CA	USGS	34	55	124	213	147	2.2
11124500	SANTA CRUZ C NR SANTA YNEZ CA	USGS	5.1	11	22	36	32	2.6
11128250	ALAMO PINTADO C NR SOLVANG CA	USGS	2	3.3	8.5	12	9.1	1.8
11128500	SANTA YNEZ R A SOLVANG CA	USGS	56	95	239	341	255	3
11129800	ZACA C NR BUELLTON CA	USGS	1.9	3.6	9.6	13	10	2.2
11132500	SALSIPUEDES C NR LOMPOC CA	USGS	2.4	4.7	12	18	13	2.1
11134000	SANTA YNEZ R A H ST NR LOMPOC CA	USGS	62	110	281	368	312	9.6
11135800	SAN ANTONIO C A LOS ALAMOS CA	USGS	2	3.8	9.8	15	10	1.1
11136100	SAN ANTONIO C NR CASMALIA CA	USGS	5.2	8.5	23	37	26	1.2
11136600	SANTA BARBARA CYN C NR VENTUCOPA CA	USGS	2.5	3.2	5.8	10	8.8	2
11136800	CUYAMA R BL BUCKHORN CYN NR SANTA MARIA CA	USGS	22	33	59	98	92	3
11137900	HUASNA R NR ARROYO GRANDE CA	USGS	4.1	9.2	21	31	23	3.4
11138500	SISQUOC R NR SISQUOC CA	USGS	9.4	24	41	77	77	1.3
11140000	SISQUOC R NR GAREY	USGS	17	44	96	134	143	2.6
11140585	SANTA MARIA R A SUEY CROSSING NR SANTA MARIA CA	USGS	44	81	148	266	241	7.6
11141050	ORCUTT C NR ORCUTT CA	USGS	0.84	1.2	2.8	5.1	3.2	1.4

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
CCH	CACHUMA LAKE	US Bureau of Reclamation	47	78	175	295	212	2.7
CSK	CASTAIC CANYON CK Z3-2388	CA Dept of Water Resources, Southern Field Div	2.1	2.1	3.7	7.8	6.1	2.5
ECC	ELIZABETH CANYON CK	CA Dept of Water Resources, Southern Field Div	4.1	4.9	10	18	13	2.5
FCK	FISH CANYON CK	CA Dept of Water Resources, Southern Field Div	2.6	2.8	5.5	10	7.6	1.5
PIR	PIRU CREEK BLW BUCK CR NR PYRAMID LAKE	CA Dept of Water Resources	19	23	42	70	59	3.8

**Table 14. South Eastern Desert Region Compliance Gage Numeric Instream Flow Requirements**

<b>Gage Number</b>	<b>Gage Name</b>	<b>Source</b>	<b>November (cfs)</b>	<b>December (cfs)</b>	<b>January (cfs)</b>	<b>February (cfs)</b>	<b>March (cfs)</b>	<b>Aquatic Base Flow (cfs)</b>
10254050	SALT C NR MECCA	USGS	2.6	1.2	3	4.4	2.6	2
10256500	SNOW C NR WHITE WATER CA	USGS	1.8	1.8	2.4	3	3.2	1.5
10257600	MISSION C NR DESERT HOT SPRINGS CA	USGS	1.5	1.5	2.2	3.4	3.1	1.1
10258000	TAHQUITZ C NR PALM SPRINGS CA	USGS	1.7	2.4	3.2	3.7	4.6	1.5
10258500	PALM CYN C NR PALM SPRINGS CA	USGS	1.2	1.9	4.1	6.2	5.8	1
10259000	ANDREAS C NR PALM SPRINGS CA	USGS	1.1	1.2	1.7	1.9	1.9	1
10259100	WHITEWATER R A RANCHO MIRAGE CA	USGS	40	50	69	98	86	15
10259200	DEEP C NR PALM DESERT CA	USGS	0.57	0.71	1.5	2.2	1.8	1
10259300	WHITEWATER R A INDIO CA	USGS	47	71	83	116	95	18
9423350	CARUTHERS C NR IVANPAH CA	USGS	0.25	0.29	0.39	0.48	0.86	1



## SECTION 5 – PLANNING AND REPORTING

### Technical Report Preparation Requirements for Cannabis General Order

Enrollees under the Cannabis General Order are required to submit technical reports to the appropriate Regional Water Board. The report(s) shall be transmitted in portable document format (PDF) to the e-mail address provided in the notice of receipt provided to the Cannabis General Order Enrollee as proof of enrollment. A description of each report and deadline for its submittal is provided below. The table below summarizes report submittal requirements, by tier and risk level, and Cannabis General Order Attachment D contains guidance regarding contents of required reports.

*Summary of Technical Reports Required by Tier and Risk Level*

<b>Tier</b>	<b>Risk Level</b>	<b>Technical Reports</b>
Conditionally Exempt	Not Applicable	Site Closure Report
Tier 1	All	Site Management Plan
Tier 1	Moderate	Site Erosion and Sediment Control Plan
Tier 1	High	Disturbed Area Stabilization Plan
Tier 1	All	Site Closure Report
Tier 2	All	Site Management Plan
Tier 2	Moderate	Site Erosion and Sediment Control Plan
Tier 2	High	Disturbed Area Stabilization Plan
Tier 2	All	Nitrogen Management Plan
Tier 2	All	Site Closure Report

Conditionally exempt cannabis cultivators that can no longer meet the requirements to qualify for conditional exemptions may have to enroll as a Tier 1 or Tier 2 site. If so, cannabis cultivators that no longer qualify for the conditionally exempt cannabis cultivation site status shall submit the technical and monitoring reports associated with their tier status and risk level.

Applicants or current cannabis cultivators that do not comply with the conditional exemptions (enrolled as Tier 1 or Tier 2) must comply with the riparian setback and slope limits and are classified as low, moderate or high risk, as described below:

- **Low Risk:** A cannabis cultivation site is classified as low risk if no part of the disturbed area is located on a slope of 30% or greater. Such cannabis cultivators shall register as low risk and submit a *Site Management Plan*.
- **Moderate Risk:** A cannabis cultivation site is classified as moderate risk if any part of the disturbed area is located on a slope greater than 30 percent and less than 50 percent. Such cannabis cultivators shall register as moderate risk and submit a *Site Erosion and Sediment Control Plan*.
- **High Risk:** A cannabis cultivation site is classified as high risk if any part of the disturbed area exists within the riparian setback limits. Such cannabis cultivators shall register as

high risk, submit a *Disturbed Area Stabilization Plan*, and shall address the compliance issue as described below. Because such cannabis cultivators pose a higher risk to water quality and will require a higher level of Regional Water Board oversight, they are subject to a higher application and annual fee. When the cannabis cultivation site is reconfigured to comply with the riparian setbacks, the cannabis cultivator can request the Regional Water Board reclassify the site to a lower risk level and allow a lower annual fee to be assessed.

### Site Management Plan

**Within 90 days** of the issuance of a notice of receipt, Tier 1 and Tier 2 cannabis cultivators shall submit and implement a *Site Management Plan* that describes how the cannabis cultivator is complying with the Requirements listed in Attachment A. The description shall describe how the Best Practicable Treatment or Control (BPTC) measures are implemented (e.g., for petroleum fuel storage, specify the specific product or means of compliance). Cannabis cultivators that are landowners of cannabis cultivation sites in North Coast Regional Water Board jurisdiction are required to submit and implement *Site Management Plans* that describe how the Requirements are implemented property-wide, including Requirements implemented to address discharges from legacy activities. The *Site Management Plan* may include a schedule to achieve compliance, but all work must be completed by **the onset of the winter period each year**. (The winter period start date does not relieve a cannabis cultivator from implementing the interim soil stabilization Requirements described in Attachment A of this Policy. Interim measures are those that are implemented immediately upon site development.) Attachment D of the Cannabis General Order provides guidance on the contents of the *Site Management Plan*.

### Site Erosion and Sediment Control Plan

Tier 1 or Tier 2 cannabis cultivators classified as moderate risk (any portion of the disturbed area is located on a slope greater than 30 percent and less than 50 percent), shall submit a *Site Erosion and Sediment Control Plan* that describes how the cannabis cultivator will implement the Requirements listed in Attachment A of this Policy. Because moderate risk sites are located on steeper slopes, additional Requirements, or a higher density of Requirements may be appropriate to achieve the goal of minimizing the discharge of sediment off-site. The report shall include an analysis of slope stability. The report shall be approved by the Regional Water Board Executive Officer prior to implementation

Consistent with the Business and Professions Code, the Forest Practice Act, and other state laws, certain technical report preparation, design calculations, and report preparation must be prepared under the supervision of a California licensed civil engineer, professional forester, or professional geologist. When required, the *Site Erosion and Sediment Control Plan* shall be prepared by an individual qualified as described below:

- i. A California Registered Professional Civil Engineer.
- ii. A California Registered Professional Geologist.
- iii. A California Certified Engineering Geologist.
- iv. A California Registered Landscape Architect.
- v. A Professional Hydrologist registered through the American Institute of Hydrology.
- vi. A Certified Professional in Erosion and Sediment Control (CPESC)<sup>TM</sup> registered through EnviroCert International, Inc.

- vii. A Certified Professional in Storm Water Quality (CPSWQ)<sup>TM</sup> registered through EnviroCert International, Inc.
- viii. A Professional in Erosion and Sediment Control registered through the National Institute for Certification in Engineering Technologies (NICET).

Attachment D of the Cannabis General Order, provides guidance on the contents of the *Site Erosion and Sediment Control Plan*.

### **Disturbed Area Stabilization Plan**

Tier 1 or Tier 2 cannabis cultivators classified as high risk (any portion of the disturbed area exists within the riparian setbacks Requirements specified in Section 1 of this Policy except as authorized under 404/401 CWA permits, a CDFW LSA Agreement, coverage under the Cannabis General Order water quality certification, or site-specific WDRs issued by the Regional Water Board ), shall submit a *Disturbed Area Stabilization Plan* that describes how compliance with the riparian setbacks will be achieved. The report shall be approved by the Regional Water Board Executive Officer prior to implementation.

Areas disturbed upon initial site development that are located within the riparian setback specified in the Policy are considered disturbed area and will place the cannabis cultivation site under the high risk level. Access roads and watercourse crossings designed, constructed, and maintained consistent with the Road Handbook are not considered disturbed areas.

Consistent with the Business and Professions Code, the Forest Practice Act, and other state laws, certain technical report preparation, design calculations, and report preparation must be prepared under the supervision of a California licensed civil engineer, professional forester, or professional geologist.

When required, the *Disturbed Area Stabilization Plan* shall be prepared by a qualified professional as described in this attachment (Attachment A).

If the cannabis cultivator cannot achieve compliance by the next onset of the winter period (stabilization work will continue into the winter period or will continue the following year), the Cannabis Cultivator must include a time schedule and scope of work for approval by the Regional Water Board Executive Officer and use in preparing an enforcement order. Attachment D of the Cannabis General Order provides guidance on the contents of the *Disturbed Area Stabilization Plan*.

### **Nitrogen Management Plan**

**Within 90 days** of the issuance of a notice of receipt, all Tier 2 cannabis cultivators with a cannabis cultivation area, or aggregate of cultivation areas, greater than one acre shall submit a *Nitrogen Management Plan* (NMP) for the cannabis cultivation site. The NMP shall calculate all the nitrogen applied to the cannabis cultivation area (dissolved in irrigation water, originating in soil amendments, and applied fertilizers) and describe procedures to limit excessive fertilizer application. Attachment D of the Cannabis General Order provides guidance on the contents of a *Nitrogen Management Plan*.

### **Site Closure Report**

**At least 90 days prior to ending cannabis cultivation** at a site, a registered (conditionally exempt) or enrolled (Tier 1 or Tier 2) cannabis cultivator shall submit a *Site Closure Report* that describes how the site will be decommissioned to prevent sediment and turbidity discharges that degrade water quality. If construction activities are proposed in the *Site Closure Report*, a project implementation schedule shall be included in the report. Attachment D of the Cannabis

General Order provides guidance on the contents of the *Site Closure Report*. A Notice of Termination must be submitted (Attachment C of the Cannabis General Order) with the *Site Closure Report*.

## SECTION 6 – USEFUL GUIDANCE DOCUMENTS

1. Handbook for Forest, Ranch, & Rural Roads: A Guide for Planning, Designing, Constructing, Reconstructing, Upgrading, Maintaining, and Closing Wildland Roads  
<http://www.pacificwatershed.com/sites/default/files/RoadsEnglishBOOKApril2015b.pdf>
2. A Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds  
<http://www.5counties.org/roadmanual.htm>
3. Construction Site BMP Fact Sheets  
<http://www.dot.ca.gov/hq/construc/stormwater/factsheets.htm>
4. United States Environmental Protection Agency Riparian/Forested Buffer  
<https://nepis.epa.gov/Exe/ZyPDF.cgi/2000W45Y.PDF?Dockey=2000W45Y.PDF>
5. Creating Effective Local Riparian Buffer Ordinances  
[http://www.ohioenvironmentallawblog.com/uploads/file/UGA%20riparian\\_buffer\\_guidebook.pdf](http://www.ohioenvironmentallawblog.com/uploads/file/UGA%20riparian_buffer_guidebook.pdf)
6. How to Install Residential Scale Best Management Practices (BMPs) in the Lake Tahoe Basin  
<http://www.tahoebmp.org/Documents/Contractors%20BMP%20Manual.pdf>
7. Spoil Pile BMPs  
[http://michigan.gov/documents/deq/deq-wb-nps-sp\\_250905\\_7.pdf](http://michigan.gov/documents/deq/deq-wb-nps-sp_250905_7.pdf)
8. Sanctuary Forest Water Storage Guide  
[https://greywateraction.org/wp-content/uploads/2014/11/SanctuaryForrest\\_Water\\_Storage\\_Guide.pdf](https://greywateraction.org/wp-content/uploads/2014/11/SanctuaryForrest_Water_Storage_Guide.pdf)
9. Natural Resources Conservation Service-USDA, “Ponds – Planning, Design, Construction”, Agriculture Handbook  
[http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/nrcs144p2\\_030362.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs144p2_030362.pdf)
10. Division of Safety of Dams Size Requirements  
<http://www.water.ca.gov/damsafety/jurischart/>
11. Water Tanks: Guidelines for Installation and Use  
[http://www.waterandseptictanks.com/Portals/0/files/GUIDELINES-FOR-INSTALLATION-OF-WATER-TANKS-\\_rev1\\_-03-20-08-\\_2\\_.pdf](http://www.waterandseptictanks.com/Portals/0/files/GUIDELINES-FOR-INSTALLATION-OF-WATER-TANKS-_rev1_-03-20-08-_2_.pdf)
12. Guidelines for Use and Installation of Above Ground Water Tanks  
[http://www.waterandseptictanks.com/Portals/0/files/GUIDELINES-FOR-INSTALLATION-OF-WATER-TANKS-\\_rev1\\_-03-20-08-\\_2\\_.pdf](http://www.waterandseptictanks.com/Portals/0/files/GUIDELINES-FOR-INSTALLATION-OF-WATER-TANKS-_rev1_-03-20-08-_2_.pdf)
13. BEST MANAGEMENT PRACTICES (BMP’s) University of California Cooperative Extension  
[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/wine\\_country/docs/updates081910/ucce\\_bmps.pdf](http://www.waterboards.ca.gov/sandiego/water_issues/programs/wine_country/docs/updates081910/ucce_bmps.pdf)

14. California Storm Water Quality Association, Section 4: Source Control BMPs  
<https://www.casqa.org/sites/default/files/BMPHandbooks/sd-12.pdf>
15. CA DOT Solid Waste Management Plan  
<http://www.dot.ca.gov/hq/construc/stormwater/WM-05.pdf>
16. State Water Resources Control Board Onsite Wastewater Treatment System (OWTS) policy  
[http://www.waterboards.ca.gov/water\\_issues/programs/owts/docs/owts\\_policy.pdf](http://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf)
17. California Storm Water Quality Association  
Section 4: Source Control BMPs  
<https://www.casqa.org/sites/default/files/BMPHandbooks/sd-32.pdf>
18. California Riparian Habitat Restoration Handbook  
[http://www.conservation.ca.gov/dlrp/watershedportal/InformationResources/Documents/Restoration\\_Handbook\\_Final\\_Dec09.pdf](http://www.conservation.ca.gov/dlrp/watershedportal/InformationResources/Documents/Restoration_Handbook_Final_Dec09.pdf)
19. The Practical Streambank Bioengineering Guide  
[http://www.nrcs.usda.gov/Internet/FSE\\_PLANTMATERIALS/publications/idpmcpu116.pdf](http://www.nrcs.usda.gov/Internet/FSE_PLANTMATERIALS/publications/idpmcpu116.pdf)
20. Watershed Best Management Practices for Cannabis Growers and other Rural Gardeners  
<http://mcrd.org/resources/publications>
21. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region  
[http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/reg\\_supp/trel08-28.pdf](http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/reg_supp/trel08-28.pdf)
22. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region  
[http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/reg\\_supp/west\\_mt\\_finals\\_upp2.pdf](http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/reg_supp/west_mt_finals_upp2.pdf)

ATTACHMENT B: MONITORING AND REPORTING PROGRAM  
ORDER WQ 2017-0023-DWQ  
GENERAL WASTE DISCHARGE REQUIREMENTS AND  
WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF WASTE  
ASSOCIATED WITH CANNABIS CULTIVATION ACTIVITIES

This monitoring and reporting program (MRP) describes requirements for monitoring a cannabis cultivation site and its associated facilities. This MRP is issued pursuant to Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Regional Water Quality Control Board (Regional Water Board) Executive Officer, State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

The State Water Resources Control Board (State Water Board) and Regional Water Boards are transitioning to the paperless office system. In some regions, Dischargers will be directed to submit reports (both technical and monitoring reports) to the State Water Board's GeoTracker database over the Internet in portable document format (pdf). If so directed, analytical data shall be uploaded to the GeoTracker database under a site-specific global identification number. Information on the GeoTracker database is provided on the Internet at:

<[http://www.waterboards.ca.gov/ust/electronic\\_submittal/index.shtml](http://www.waterboards.ca.gov/ust/electronic_submittal/index.shtml)>

Water Code section 13267 states, in part:

“In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”

Water Code section 13268 states, in part:

“(a) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).

(b)(1) Civil liability may be administratively imposed by a regional board in accordance with article 2.5 (commencing with section 13323) of chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”

ATTACHMENT B: MONITORING AND REPORTING PROGRAM  
 ORDER WQ 2017-0023-DWQ  
 GENERAL WDRs AND WAIVER OF WDRs FOR DISCHARGES OF WASTE  
 ASSOCIATED WITH CANNABIS CULTIVATION ACTIVITIES

The Discharger owns or engages in cannabis cultivation activities that are subject to the Notice of Applicability (NOA) of Water Quality Order 2017-0023-DWQ. The reports are necessary to ensure that the discharger complies with the NOA and General Order. Pursuant to California Water Code section 13267, the discharger shall implement this MRP and shall submit the monitoring reports described herein.

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The name of the sampler, sample type (grab or composite), time, date, location, bottle type, and any preservative used for each sample shall be recorded on the sample chain of custody form. The chain of custody form must contain all custody information including date, time, and to whom samples were relinquished. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Regional Water Board staff.

Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that they are used by a California Environmental Laboratory Program certified laboratory or:

1. The user is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
3. Instruments are serviced by the manufacturer or authorized representative at the recommended frequency; and
4. Field calibration reports are maintained and available for at least three years.

**FACILITY STATUS**

Dischargers that are classified as Tier 1 or Tier 2 facilities shall report the following:

<b><u>Monitoring Requirement</u></b>	<b><u>Description</u></b>
Winterization Measures Implemented	Report winterization procedures implemented, any outstanding measures, and the schedule for completion.
Tier Status Confirmation	Report any change in the tier status. (Stabilization of disturbed areas may change the tier status of a facility. Contact the Regional Water Board if a change in status is appropriate.)
Third Party Identification	Report any change in third party status as appropriate.
Nitrogen Application <sup>1</sup>	Report monthly and annual total nitrogen use for bulk, solid, and liquid forms of nitrogen. Provide the data as lbs/canopy acre/time (month or year) as described in Attachment D, Nitrogen Management Plan.  If plant tissue was collected to determine limited nitrogen availability, the results shall be submitted.

<sup>1</sup> Nitrogen Application reporting is required when the cultivation area or aggregate of cultivation areas exceeds one acre.



ATTACHMENT B: MONITORING AND REPORTING PROGRAM  
 ORDER WQ 2017-0023-DWQ  
 GENERAL WDRs AND WAIVER OF WDRs FOR DISCHARGES OF WASTE  
 ASSOCIATED WITH CANNABIS CULTIVATION ACTIVITIES

**SITE MAINTENANCE STATUS**

Dischargers that are classified as Tier 1 or Tier 2, and are characterized as a moderate or high risk, shall perform the following additional monitoring.

<b><u>Observations</u></b>	<b><u>Description</u></b>	<b><u>Monitoring Frequency</u></b>
Surface Water Runoff	Report any conditions of surface water runoff, including location, duration, source of runoff (irrigation water, storm water, etc.)	Monthly
Soil Erosion Control	Report any indications of soil erosion (e.g., gully, turbid water discharge, landslide, etc.).	Monthly
Sediment Capture	Report the status of sediment capture measures (e.g., silt fence, fiber rolls, settling basin, etc.)	Monthly
Erosion/Sediment Capture Maintenance	Report maintenance activities to maintain the effectiveness of erosion control and sediment capture measures (e.g., reinstallation of straw mulch, hydroseeding, tarp placement, removal or stabilization of sediment captured, removal of settled sediment in a basin, etc.)	Monthly
Stabilization of Disturbed Areas	Dischargers characterized as high risk (with any portion of the disturbed area within the setbacks), shall provide a status report describing activities performed to stabilize the disturbed area within the setback.	Monthly
Material(s) Storage Erosion/Spills Prevention	Report materials delivered or stored at the site that could degrade water quality if discharged off-site (e.g., potting soil, manure, chemical fertilizer, gasoline, herbicides, pesticides, etc.)	Monthly
Holding Tank, Septic Tank, or Chemical Toilet Servicing	Report the dates, activity, and name of the servicing company for servicing holding tanks or chemical toilets.	Monthly

### STORM WATER RUNOFF MONITORING

Dischargers that are classified as Tier 1 or Tier 2, and are characterized as a moderate or high risk, shall perform the following monitoring.

<u>Constituent</u> <sup>1</sup>	<u>Frequency</u> <sup>2</sup>	<u>Monitoring Frequency</u> <sup>3</sup>
Turbidity	Once per calendar month when precipitation exceeds 0.25 in/day or when storm water runoff from the site is generated.	All months until winterization procedures are completed.
pH	Once per calendar month when precipitation amount is forecast to exceed 0.25 in/day.	All months until winterization procedures are completed.

<sup>1</sup> Constituents shall be monitored with a calibrated instrument.

<sup>2</sup> Samples shall be representative of storm water discharging from the disturbed area. Additional samples may be required to adequately characterize the discharge from all areas.

<sup>3</sup> Monitoring shall be performed during all months in which activity is occurring at the site until winterization is complete. Monitoring is not required after winterization is complete for unoccupied sites during winter months.

### REPORTING

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, monitoring parameter and reported results are readily discernible. The data shall be summarized to clearly illustrate compliance status as applicable. The results of any monitoring done more frequently than required at the locations specified in the MRP shall be reported in the next regularly scheduled monitoring report and shall be included in calculations as appropriate.

The State Water Board or Regional Water Board may require the Discharger to electronically submit monitoring reports using the State Water Board's California Integrated Water Quality System (CIWQS) program Internet web site or alternative database. Electronic submittal procedures will be provided when directed to begin electronic submittals. Until directed to electronically submit monitoring reports, the Discharger shall submit hard copy monitoring reports.

#### A. Annual Report

Annual Reports shall be submitted to the Regional Water Board by **March 1 following the year being monitored**. For example, the monitoring report for activities conducted in the year 2018 is due on March 1, 2019. The Annual Report shall include the following:

1. Facility Status, Site Maintenance Status, and Storm Water Runoff Monitoring.
2. The name and contact information for the person responsible for operation, maintenance, and monitoring.

A letter transmitting the annual report shall accompany each report. The letter shall summarize the numbers and severity of violations found during the reporting period, and actions taken or planned to correct the violations and prevent future violations. The transmittal letter shall contain the following penalty of perjury statement and shall be signed by the Discharger or the Discharger's authorized agent:

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“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of the those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”

The Discharger shall implement the above monitoring program.

**REGIONAL WATER BOARD CONTACT INFORMATION**

The Discharger shall submit notices, technical reports, and annual reports to appropriate Regional Water Board where the permitted activity is taking place. The appropriate Regional Water Board office and e-mail information is provided on the application receipt (e.g., notice of exemption, notice of receipt, notice of applicability, etc.)The information is also available by entering the location address in the web tool located at :

<[http://www.waterboards.ca.gov/waterboards\\_map.shtml#rwqcb](http://www.waterboards.ca.gov/waterboards_map.shtml#rwqcb)>.

<b><u>Regional Water Board</u></b>	<b><u>Mailing Address</u></b>	<b><u>ECM Mailbox E-Mail Address</u></b>
North Coast	5550 Skylane Blvd., Ste. A Santa Rosa, CA 95403	northcoast@waterboards.ca.gov
San Francisco Bay	1515 Clay Street, Ste. 1400 Oakland, CA 94612	rb2paperless@waterboards.ca.gov
Central Coast	895 Aerovista Place, Ste. 101 San Luis Obispo, CA 93401	centralcoast@waterboards.ca.gov
Los Angeles	320 W. 4th Street, Ste. 200 Los Angeles, CA 90013	losangeles@waterboards.ca.gov
Central Valley Redding Office	364 Knollcrest Drive, Ste. 205 Redding, CA 96002	centralvalleyredding@waterboards.ca.gov
Central Valley Sacramento Office	11020 Sun Center Drive, Ste. 200 Rancho Cordova, CA 95670	centralvalleysacramento@waterboards.ca.gov
Central Valley Fresno Office	1685 E Street Fresno, CA 93706	centralvalleyfresno@waterboards.ca.gov
Lahontan South Lake Tahoe Office	2501 Lake Tahoe Blvd. South Lake Tahoe, CA 96150	lahontan@waterboards.ca.gov
Lahontan Victorville Office	15095 Amargosa Road - Bldg 2, Ste. 210 Victorville Ca 92394	lahontan@waterboards.ca.gov
Colorado River	73-720 Fred Waring Dr., Ste. 100 Palm Desert, CA 92260	rb7-wdrs_paperless@waterboards.ca.gov

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<b><u>Regional Water Board</u></b>	<b><u>Mailing Address</u></b>	<b><u>ECM Mailbox E-Mail Address</u></b>
Santa Ana	3737 Main Street, Suite 500 Riverside, CA 92501	santaana@waterboards.ca.gov
San Diego	2375 Northside Drive, Ste. 100 San Diego, CA 92108	rb9paperless@waterboards.ca.gov

**ATTACHMENT C: NOTICE OF TERMINATION  
ORDER WQ 2017-0023-DWQ  
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WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES OF WASTE  
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Submittal of this Notice of Termination (NOT) to the Regional Water Quality Control Board (Regional Water Board) constitutes notice that a Discharger, identified in Section I of this form, requests termination of coverage under General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Order WQ 2017-0023-DWQ). Completed forms must be signed and post mailed or emailed to the Regional Water Board, attention: Cannabis Regulatory Program, 2017-0023-DWQ Notice of Termination. Refer to the monitoring and reporting program attached to the General Order for the email/ mailing address or contact the Regional Water Board. The Discharger shall attach a Site Closure Report and a final monitoring and reporting program report with the NOT.

Submittal of this NOT does not relieve the Discharger and/or the property owner of responsibility to control waste discharges related to the cultivation or related activities. The Regional Water Board may inspect the condition of the site or determine that the final monitoring report is incomplete prior to terminating coverage under the General Order.

**SECTION I. DISCHARGER INFORMATION**

A. Role (check all applicable)		
<input type="checkbox"/> Cultivator	<input type="checkbox"/> Land/Property Owner	<input type="checkbox"/> Third Party Representative
B. Name		
Address Where Legal Notice May Be Served (cannot be a PO Box)		
City	State	Zip Code
C. Contact Person (Leave blank if the same as above)		
E-Mail	Phone	

**SECTION II. CANNABIS CULTIVATION SITE INFORMATION**

A. Assessor Parcel Number(s)	WDID (if applicable) <sup>1</sup>	
Address	County	
City	State	Zip Code
Latitude/Longitude (If address is not available)		
B. Cultivation Site Enrollment Classification (check all applicable):		
Tier Designation:		Risk Designation <sup>2</sup> :
<input type="checkbox"/> Conditionally Exempt	<input type="checkbox"/> Tier 1 <input type="checkbox"/> Tier 2	<input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High

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C. Contact Person (Leave blank if same as Section I)	
E-Mail (Leave blank if same as Section I)	Phone (Leave blank if same as Section I)

**SECTION III. CERTIFICATION**

<p>I certify that: 1) I am a Discharger listed under Section I <u>or</u> a duly authorized representative of the Discharger listed in Section I of this form, 2) cultivation activities are ceased, 3) the cultivation site is stabilized, 4) there is no potential for waste discharges from the disturbed area in violation of Regional Water Board’s Basin Plan or the General Order, 5) the Site Closure Report is attached to this NOT, and 6) earthen material and waste have been consolidated at the site and stabilized or disposed of properly.</p> <p>“I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”</p>
Printed Name of Discharger/Duly Authorized Representative
Signature
Date

**Notes:**

1. Waste Discharge Identification (WDID) number is a number assigned to each Discharger enrolled under Tier 1 or Tier 2. Dischargers covered under “Conditionally Exempt” tier should leave this field blank. WDID number can also be obtained from an annual invoice mailed by the State Water Board. If a Discharger does not his/her WDID number, please contact the Regional Water Board and request the information prior to submittal of the Notice of Termination.
2. Dischargers covered under “Conditionally Exempt” tier should leave this field blank.

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This Technical Report Guidance provides guidance for preparation of the technical reports described in the Provisions section under this General Order. All technical reports shall be submitted to the appropriate Regional Water Board by transmitting the report in portable document format (PDF) to the e-mail address provided in the notice of receipt. Refer to Provisions section for technical report requirements.

**SITE MANAGEMENT PLAN**

Tier 1 and Tier 2 Dischargers shall submit and implement a *Site Management Plan* (Plan) that describes how the Discharger is implementing the best practical treatment or control (BPTC) measures listed in Attachment A. The Plan may include a schedule to achieve compliance, but all work must be completed by the onsets of winter period each year. (The due date does not relieve a Discharger from implementing the interim soil stabilization BPTC measures described in Attachment A.)

The Plan outline presented below is intended to provide general guidance for the Discharger and consultants. This sample format will help the Discharger include information needed to demonstrate that all applicable BPTC measures are implemented and properly maintained. In addition, Dischargers in the North Coast Regional Water Board's jurisdiction (Region 1) are required to address legacy waste discharge issues, including those that are not related to cannabis cultivation.

1. Sediment Discharge BPTC Measures

1.1. Site Characteristics

1.1.1. Provide a map showing access roads, vehicle parking areas, streams, stream crossings, cultivation site(s), disturbed areas, buildings, and other relevant site features.

1.1.2. Describe the access road conditions including estimating vehicle traffic, road surface (e.g., paved, rocky, or bare ground), and maintenance activities. Describe how storm water is drained from the access road (e.g., crowned, out slope, armored ditch, culverts, rolling dips, etc.).

1.1.3. Describe any vehicle stream crossing including the type of crossing (e.g., bridge, culvert, low water, etc.).

1.1.3.1. For Region 1 Dischargers, identify, discuss, and locate on the site map any legacy waste discharge issues that exist on the property.

1.2. Sediment Erosion Prevention and Sediment Capture (Moderate risk Tier 1 or Tier 2 Dischargers are required to submit a Site Erosion and Sediment Control Plan. Those Dischargers may refer to that plan rather than repeat it here)

1.2.1. Erosion Prevention BPTC Measures

1.2.1.1. Describe the BPTC measures that have been, or will be implemented to prevent or limit erosion. Provide an implementation schedule for BPTC

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measures that have not yet been implemented. Identify the erosion prevention BPTC measures on a site map.

1.2.1.1.1. The description shall address physical BPTC measures, (e.g., placement of straw mulch, plastic covers, slope stabilization, soil binders, culvert outfall armoring, etc.) and biological BPTC measures (vegetation preservation/replacement, hydro seeding, etc.).

1.2.2. Sediment Control BPTC Measures

1.2.2.1. Describe the BPTC measures that have been, or will be implemented to capture sediment that has been eroded. Provide an implementation schedule for BPTC measures that have not yet been implemented. Identify the sediment control BPTC measures on a site map.

1.2.2.1.1. The description shall address physical BPTC measures, (e.g., placement of silt fences, fiber rolls, or settling ponds/areas, etc.) and biological BPTC measures (vegetated outfalls, hydro seeding, etc.).

1.2.3. Maintenance Activities - Erosion Prevention and Sediment Control

1.2.3.1. Describe how the erosion prevention and sediment control BPTC measures will be monitored and maintained to protect water quality.

1.2.3.2. Describe how any captured sediment will be either stabilized in place, excavated and stabilized on-site, or removed from the site.

1.2.4. Erosion control BPTC measures: Describe the interim soil stabilization, if applicable and long-term BPTC measures implemented to prevent sediment transport at each identified disturbed area(s) and improperly constructed features.

2. Fertilizer, Pesticide, Herbicide, and Rodenticide BPTC Measures

2.1. Provide a summary table that identifies the products used at the site, when they are delivered to the site, how they are stored, and used at the site. If products are not consumed during the growing season, describe how they are removed from the site or stored to prevent discharge over the winter season.

2.2. Provide a site map that locates storage locations.

2.3. Describe how bulk fertilizers and chemical concentrates are stored, mixed, applied, and how empty containers are disposed.

2.4. Describe procedures for spill prevention and cleanup.

3. Petroleum Product BPTC Measures

3.1. Provide a summary table that identifies the products used at the site, when they are delivered to the site, how they are stored, and used at the site. If products are not consumed during the growing season, describe how they are removed from the site or stored to prevent discharge over the winter season.

3.2. Provide a site map that locates storage locations.

3.3. Describe how fuels, lubricants, and other petroleum products are stored, mixed, applied, and empty containers are disposed.



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- 3.4. Describe procedures for spill prevention and cleanup.
4. Trash/Refuse, and Domestic Wastewater BPTC Measures
  - 4.1. Describe the types of trash/refuse that will be generated at the site. Describe how the material is contained and properly disposed of.
    - 4.1.1. Provide a site map that locates the trash/refuse storage locations.
  - 4.2. Describe the number of employees, visitors, or residents at the site.
    - 4.2.1. Describe the types of domestic wastewater generated at the site (e.g., household generated wastewater or chemical toilet).
    - 4.2.2. Describe how the domestic wastewater is disposed.
      - 4.2.2.1. Permitted onsite wastewater treatment system (e.g., septic tank and leach lines).
      - 4.2.2.2. Chemical toilets or holding tank. If so, provide the name of the servicing company and the frequency of service.
      - 4.2.2.3. Outhouse, pit privy, or similar. Use of this alternative requires approval from the Regional Water Board Executive Officer; include the approval from the Executive Officer and any conditions imposed for use of this alternative.
        - 4.2.2.3.1. Provide a site map that locates any domestic wastewater treatment, storage, or disposal area.
  5. Winterization BPTC Measures
    - 5.1. Describe activities that will be performed to winterize the site and prevent discharges of waste. The description should address all the issues listed above.
    - 5.2. Describe maintenance of all drainage or sediment capture features (e.g., drainage culverts, drainage trenches, settling ponds, etc.) to remove debris, soil blockages, and ensure adequate capacity exists.
    - 5.3. Describe any revegetation activities that will occur either at the beginning or end of the precipitation season.
    - 5.4. If any BPTC measure cannot be completed before the onset of winter period, contact the Regional Water Board to establish a compliance schedule.
    - 5.5. For Region 1 Dischargers, describe any activities that will be performed to address legacy waste discharge issues. Region 6 Dischargers should consult with Regional Water Board staff to confirm if any other activities in addition to BPTCs are necessary to address legacy waste discharge issues.

## SITE EROSION AND SEDIMENT CONTROL PLAN

Tier 1 or Tier 2 Dischargers classified as moderate risk shall submit and implement a *Site Erosion and Sediment Control Plan* (Plan). The Plan shall be prepared under the supervision of a qualified professional as described in the Provisions section of the General Order. The report shall be approved by the Regional Water Board Executive Officer prior to implementation.

The Plan shall describe how best practical treatment or control (BPTC) measures listed in Attachment A will be implemented to achieve the goal of minimizing the discharge of sediment off-site. Site specific factors (e.g., percent slope, precipitation amounts, soil type, vegetation status, etc.) shall be considered in determining the appropriate level of water quality protection. The Plan shall include an analysis of slope stability and an implementation schedule; if the work cannot be completed by the onset of winter period each year, the Discharger shall contact the Regional Water Board to establish a compliance schedule. Indications of instability include the occurrence of slope failures at nearby similar sites, weak soil layers, geologic bedding parallel to slope surface, hillside creep (trees, fence posts, etc. leaning downslope), tension cracks in the slope surface, bulging soil at the base of the slope, and groundwater discharge from the slope. Interim soil stabilization BPTC measures shall be performed as soon as practicable. Interim measures are those that can be implemented immediately following site development.

At a minimum, the Plan shall address the following:

### 1. Site Description

- 1.1. Describe the site (e.g., topography, vegetation, elevation, historic precipitation patterns, soil types, surface waterbodies, etc.).
- 1.2. Site Disturbances – Provide a site map that shows the location of all of the applicable following items. For each mapped item, provide a description of the item.
  - 1.2.1. Historic (Existing) Disturbances (e.g., access/site roads, buildings, stream crossings, disturbed areas, graded areas, cultivation areas, vehicle parking areas, disturbed vegetation areas, etc.).
  - 1.2.2. Recent or Planned Disturbances (e.g., access/site roads, buildings, disturbed areas, graded areas, cultivation areas, vehicle parking areas, vegetation removal areas, etc.).
  - 1.2.3. Areas of Special Concern (e.g., describe any existing or planned stream or wetland crossing, any culverts, any slope that shows evidence of past failure, or evidence of instability (e.g., cracks in retaining walls, surface cracks in soil, bulging soil, groundwater discharge areas, sunken road beds, downslope leaning trees or utility poles, etc.).
  - 1.2.4. Describe and show on the site map, the storm water runoff sampling locations.
- 1.3. Erosion Prevention BPTC Measures
  - 1.3.1. Describe the BPTC measures that have been, or will be implemented to prevent or limit erosion. Provide an implementation schedule for BPTC measures that have not yet been implemented. Identify the erosion prevention BPTC measures on a site map.
    - 1.3.1.1. The description shall address physical BPTC measures, (e.g., placement of straw mulch, plastic covers, slope stabilization, soil binders, culvert outfall

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armoring, etc.) and biological BPTC measures (vegetation preservation/replacement, hydro seeding, etc.).

1.4. Sediment Control BPTC Measures

1.4.1. Describe the BPTC measures that have been, or will be implemented to capture sediment that has been eroded. Provide an implementation schedule for BPTC measures that have not yet been implemented. Identify the sediment control BPTC measures on a site map.

1.4.1.1. The description shall address physical BPTC measures, (e.g., placement of silt fences, fiber rolls, or settling ponds/areas, etc.) and biological BPTC measures (vegetated outfalls, hydro seeding, etc.).

1.5. Maintenance Activities - Erosion Prevention and Sediment Control

1.5.1. Describe how the erosion prevention and sediment control BPTC measures will be monitored and maintained to protect water quality.

1.5.2. Describe how any captured sediment will be either stabilized in place, excavated and stabilized on-site, or removed from the site.

2. Winterization

2.1. Prevention

2.1.1. Describe the BPTC measures that will be implemented before winter precipitation occurs to prevent erosion of disturbed areas, including the cultivation area.

2.1.2. Describe maintenance of all drainage or sediment capture features (e.g., drainage culverts, drainage trenches, settling ponds, etc.) to remove debris, soil blockages, and ensure adequate capacity exists.

2.1.3. Describe any revegetation activities that will occur either at the beginning or end of the precipitation season.

## NITROGEN MANAGEMENT PLAN

Tier 2 Dischargers that cultivate one acre or more of cannabis are required to submit a Nitrogen Management Plan (NMP). The NMP shall describe how nitrogen is stored, used, and applied to crops in a way that is protective of water quality. At a minimum, an NMP shall address the following:

1. Facility Description
  - 1.1. Location and Configuration
    - 1.1.1. Provide a description of the site, the method of growing cannabis (e.g., in ground, raised beds, grow bags, etc.).
    - 1.1.2. Describe the canopy area acreage (at plant maturity).
    - 1.1.3. Site Location Map (Provide a US Geological Survey topographic map or similar map that shows the location, nearby water bodies, public and access roads, etc.).
    - 1.1.4. Facility Plan (Provide a scaled drawing that shows the facility, disturbed areas, cultivation areas, buildings, access roads, greenhouses, material storage areas, source of irrigation water, water storage, etc.).
2. Sources of Nitrogen
  - 2.1. Bulk Materials (Materials either used as growing medium or as amendments to the growing medium (e.g., potting soil, manure, biosolids, etc.).
  - 2.2. Dry Fertilizers (Materials added to a growing medium or mixed with irrigation water that provide nitrogen to the crop (e.g., bone meal, feather meal, pelletized manure or biosolids, pelletized chemical fertilizer, etc.).
  - 2.3. Liquid Fertilizers (Materials added to irrigation water, or that are applied directly to the crop (e.g., fish emulsion, chemical fertilizers, etc.).
3. Nitrogen Storage, Use, and Disposal Practices
  - 3.1. Describe when nitrogen containing materials will be delivered to the site (e.g., as needed or at the beginning of growing season).
  - 3.2. Describe how bulk, dry, and liquid fertilizers will be stored.
  - 3.3. Describe any mixing or processing area(s) of nitrogen containing materials.
  - 3.4. If applicable, describe how “spent” growing medium is either removed from the site or incorporated into site soils.
  - 3.5. If “spent” growing medium is not removed from the site, describe how amendments are added to the existing medium to improve the nitrogen content. Describe when that process occurs.
4. Nitrogen Application Rate
  - 4.1. Monthly Applied Nitrogen – Provide a nitrogen management worksheet that calculates the nitrogen applied per canopy acre (see attached). Note that monthly nitrogen uptake rates generally are consistent with the evapotranspiration rate.
  - 4.2. Limited Nitrogen Availability – Due to natural processes, some crops may be nitrogen limited despite applying 1.4 times the crop uptake rate. (See the *Fertilizers, Pesticides, Petroleum Products and Other Chemicals* section of the Cannabis Policy Staff Report.)

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Additional nitrogen may be applied if the need is demonstrated based on a plant tissue sample analysis as described in the General Order. Provide the name of the analytical or agricultural laboratory that will provide plant tissue analysis.

#### EXAMPLE NITROGEN REPORTING WORKSHEET

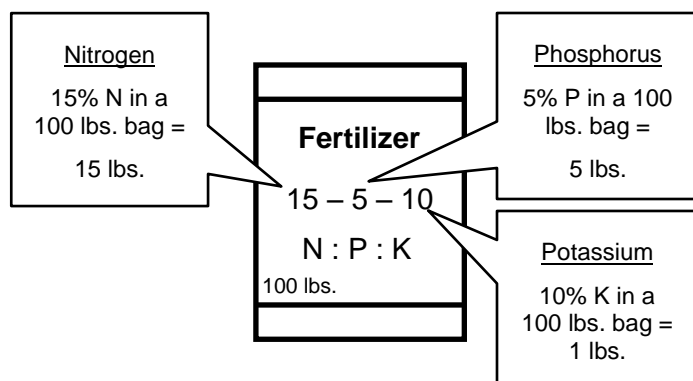
The General Order monitoring and reporting program (MRP) requires annual submittal of nitrogen data when a Discharger is required to submit an NMP. The application rate shall be reported as pounds of nitrogen applied per canopy acre. (Typically the cultivation area acreage will be larger than the canopy acreage. Use the anticipated canopy acreage at plant maturity for calculation purposes.) Methods to calculate the pounds of nitrogen applied from bulk, dry, or liquid fertilizer are presented below.

Note that the nitrogen applied shall only be calculated for the month in which it is applied and all the nitrogen applied shall be calculated. For example, use of slow release fertilizers or materials in chemical forms that are not immediately available for plant uptake shall be included in the calculation for the month applied rather than spreading the value over two or more months. Use of potting soil is likely to show an over application of nitrogen compared to crop uptake in early months, the application rate will approximate the crop uptake over the growing season.

#### Fertilizer Labeling

Fertilizer labels always list three nutrients, nitrogen (N), phosphorus (P), and potassium (K). The three numbers represent the percentage of each nutrient in the fertilizer source. For bulk materials such as potting soil, the seller can provide a list of the nutrient content. To calculate the nitrogen contained in liquid fertilizers, the density is needed. Liquid fertilizers list the volume and weight of the product, which can be used to calculate the density of the liquid fertilizer (if density is not listed on the product information label).

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**Bulk Materials**

$$\text{Nitrogen (lbs.)} = \frac{\%N}{100} \times \text{fertilizer weight applied (lbs.)}$$

**Dry Fertilizers**

$$\text{Nitrogen (lbs.)} = \frac{\%N}{100} \times \text{fertilizer weight applied (lbs.)}$$

**Liquid Fertilizers**

$$\text{Nitrogen (lbs.)} = \frac{\%N}{100} \times \text{density} \left( \frac{\text{lbs.}}{\text{gal.}} \right) \times \text{gallons of product}$$

$$\text{Nitrogen (lbs.)} = \frac{\%N}{100} \times \text{density} \left( \frac{\text{lbs.}}{\text{oz.}} \right) \times \text{ounces of product}$$

$$\text{Density} = \frac{\text{weight of product (lbs.)}}{\text{volume of product (gal. or oz.)}}$$

**Report monthly bulk, dry, liquid fertilizers individually**

$$\text{Rate Applied} = \frac{\text{Nitrogen Applied (lbs.)}}{\text{canopy acre}}$$

**EXAMPLE NITROGEN REPORTING FORM**

The nitrogen reporting form below shows the monthly and annual nitrogen application rates in pounds of nitrogen per canopy acre.

In April two bags of bulk fertilizer weight 100 lbs. each were used at a 0.50 acre cultivation site. The quantity of nitrogen from the bulk soil applied in April is 30 lbs.

$$\frac{15\%}{100} \times 200 \text{ lbs.} = 30 \text{ lbs. of Nitrogen}$$

The amount of nitrogen applied per canopy acre is then calculated as:

$$(30 \text{ lbs. N}) / (0.50 \text{ canopy acre}) = (60 \text{ lbs. N}) / (\text{canopy acre})$$

	Bulk	Dry	Liquid	Rate Applied
Month	Nitrogen reported as $\left( \frac{\text{lbs.}}{\text{canopy acre}} \right)$			
January	0	0	0	0
February	0	0	0	0
March	0	0	0	0
April	60	20	8	88
May	0	0	24	24
June	0	0	24	24
July	0	8	24	32
August	0	10	30	40
September	0	20	40	60
October	0	0	0	0
November	0	0	0	0
December	0	0	0	0
Subtotal	60	58	150	
<b>Total Annual Nitrogen Applied (lbs. per canopy acre) =</b>				<b>268</b>

## **DISTURBED AREA STABILIZATION PLAN**

Tier 1 or Tier 2 Dischargers classified as high risk shall submit and implement a Disturbed Area *Stabilization Plan* (Plan). (Note that high risk site classification is a temporary condition that exists until the Discharger stabilizes the disturbed area located within the setbacks. Once the area is stabilized and the Regional Water Board approves the work, the Discharger can petition the Regional Water Board to reclassify the site as either low or moderate risk, depending upon the site conditions.) The Plan shall be prepared under the supervision of a qualified professional as described in the Provisions section of the General Order. The report shall be approved by the Regional Water Board Executive Officer prior to implementation.

The Plan shall describe how best practical treatment and control (BPTC) measures listed in Attachment A will be implemented to achieve the goal of stabilizing the disturbed area to minimize the discharge of sediment off-site and complying with the setback requirements. Site specific factors (e.g., percent slope, precipitation amounts, soil type, vegetation status, etc.) shall be considered in determining the appropriate level of water quality protection. The Plan shall include an implementation schedule; if the work cannot be completed by the onset of winter period (see Attachment A for definition of “winter period”), the Discharger shall contact the Regional Water Board to establish a compliance schedule. Interim soil stabilization BPTC measures shall be performed as soon as practicable. Interim measures are those that can be implemented immediately following site development.

Certain activities within the setbacks that are authorized by a California Department of Fish and Wildlife Lake or Streambed Alteration Agreement, an Army Corps section 404 permit, a Regional Water Board section 401 water quality certification, or waste discharge requirements issued by a Regional Water Board or the State Water Board may be performed within the setbacks contained in the General Order and do not trigger a high risk Discharger classification.

At a minimum, the Plan shall address the following:

1. Site Description
  - 1.1. Describe the site (e.g., topography, vegetation, elevation, historic precipitation patterns, soil types, surface waterbodies, etc.).
  - 1.2. Provide a site map that shows the location of all water bodies, the applicable setback(s), all disturbed areas within the setback(s), and the storm water runoff sampling locations.
  - 1.3. Describe how the area was disturbed (e.g., previously existing condition, timber harvest, grading activities, etc.) and the level of disturbance.
  - 1.4. Describe the native vegetation that typically exists in the disturbed area.
2. Erosion Prevention BPTC Measures
  - 2.1. Describe the BPTC measures that have been, or will be implemented to prevent or limit erosion. Provide an implementation schedule for BPTC measures that have not yet been implemented. Identify the erosion prevention BPTC measures on a site map.
    - 2.1.1. The description shall address physical BPTC measures, (e.g., placement of straw mulch, plastic covers, slope stabilization, soil binders, culvert outfall armoring, etc.) and biological BPTC measures (vegetation preservation/replacement, hydro seeding, etc.).

ATTACHMENT D: TECHNICAL REPORT GUIDANCE  
ORDER WQ 2017-0023-DWQ  
GENERAL WDRs AND WAIVER OF WDRs FOR DISCHARGES OF WASTE  
ASSOCIATED WITH CANNABIS CULTIVATION ACTIVITIES

3. Sediment Control BPTC Measures

3.1. Describe the BPTC measures that have been, or will be implemented to capture sediment that has been eroded. Provide an implementation schedule for BPTC measures that have not yet been implemented. Identify the sediment control BPTC measures on a site map.

3.1.1. The description shall address physical BPTC measures, (e.g., placement of silt fences, fiber rolls, or settling ponds/areas, etc.) and biological BPTC measures (vegetated outfalls, hydro seeding, etc.).

4. Maintenance Activities - Erosion Prevention and Sediment Control

4.1. Describe how the erosion prevention and sediment control BPTC measures will be monitored and maintained to protect water quality.

4.2. Describe how any captured sediment will be either stabilized in place, excavated and stabilized on-site, or removed from the site.

5. Long Term Stabilization Measures

5.1. Describe any revegetation activities designed to provide long term stabilization, that will occur either at the beginning or end of the precipitation season

6. Compliance with General Order Schedule Limits

6.1. If the Discharger will not be able to achieve compliance by the onset of the next winter period (e.g., stabilization work will continue into the winter period or will continue the following year), the Discharger shall include a compliance schedule and scope of work for approval by the Regional Water Quality Control Board Executive Officer and for use in preparing an enforcement order



## **SITE CLOSURE REPORT**

A Site Closure Report (SCR) is required when cultivation activities at the site cease. The SCR shall be submitted in accordance with Provision C.1.e and is required for Dischargers that are covered by the Waiver (conditionally exempt) or enrolled as Tier 1 or Tier 2 Dischargers. The SCR shall be submitted with a completed Notice of Termination form (Attachment C) and shall, at a minimum, include the following components:

1. The date cultivation activities at the site will cease.
2. A description of measures that will be implemented at the cannabis cultivation site, including all areas associated with cannabis cultivation activities, to prevent sediment discharges to surface water bodies that will result in water quality degradation.
3. If construction activities are proposed as part of the closure activities, the SCR shall include a project implementation schedule.
  - 3.1. Construction and grading activities shall comply with Attachment A: Best Practices and Treatment Control Manual of the General Order.
4. For Dischargers that are classified as Tier 1 or Tier 2, a final Monitoring and Reporting Program report that includes monitoring conducted year-to-date.
5. Certification of the following items: (1) the cultivation activities will cease by the date noted in the SCR; (2) disturbed areas have or will be stabilized and the potential for waste discharges from the disturbed areas are minimized and (2) earthen material and waste have been consolidated at the site and stabilized or disposed of properly.

