

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT
NEGATIVE DECLARATION**

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

FILE NO.: PLN2022-00066

APPLICANT: San Mateo County

LOCATION: All lands designated as “Agriculture” on the San Mateo County General Plan Land Use Map. These lands are distributed throughout the Coastal Zone of unincorporated San Mateo County. Also, lands designated as “Open Space – Rural” or “Timber Production – Rural” on the San Mateo County General Plan Land Use Map where said lands have documented commercial agricultural operations for the three consecutive years prior to adoption of the existing Commercial Cannabis Cultivation Ordinance on June 1, 2017.

PROJECT DESCRIPTION

The County is preparing an update to its cannabis ordinance, initially adopted in 2017, based on a comprehensive review of the effectiveness of the ordinance and consideration of concerns raised by existing license holders operating in the unincorporated County.

The existing cannabis ordinance creates a discretionary licensing program and limits the potential locations where commercial cannabis activities may occur based on the General Plan land use designation/historical agricultural use of the property and based on proximity to sensitive land uses. Because the County’s issuance of cannabis licenses is discretionary, CEQA compliance is considered for each license application. In addition, the cannabis ordinance does not directly authorize any new physical development, such as construction of new greenhouses, or expansion of existing greenhouse complexes. Any new development needed to facilitate cannabis cultivation would require discretionary permits and review prior to issuance of any cannabis license. The proposed ordinance changes would not alter these program features.

Proposed ordinance changes include removing the canopy limit that was imposed on each owner of a license, allowing licensed cultivators to distribute their product between licensees instead of relying solely on a third party, and eliminating the requirement that cannabis licensees maintain non-cannabis production that may have existed in June of 2017. Other less substantive changes are intended to improve the program’s regulatory effectiveness and streamline implementation. Overall, staff anticipates that the ordinance amendments may increase the amount of cannabis cultivated by a given licensee at a particular location and may reduce obstacles to cannabis cultivation on parcels not currently engaged in cannabis farming. The precise extent to which the amendments may facilitate expansion of cannabis cultivation depends on a number of factors and is speculative at this time. Features of the existing and proposed ordinance (including location restrictions, setbacks, and discretionary review process) and otherwise applicable County land use regulations (including permit review processes for

new development) is expected to continue to significantly limit the scope of cannabis cultivation in the County and ensure review of all cannabis licenses and associated development on a case-by-case basis.

This IS/ND analyzes, at a programmatic level, the potential environmental impacts that might result from the proposed amended ordinance, as compared to the existing conditions under the existing ordinance.

FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

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

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

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

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

None

RESPONSIBLE AGENCY CONSULTATION

None

INITIAL STUDY

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

REVIEW PERIOD: March 16, 2022 – April 4, 2022

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., April 4, 2022.**

CONTACT PERSON

Delaney Selvidge
Project Planner, 650/363-1867
dselvidge@smcgov.org

Delaney Selvidge, Project Planner

County of San Mateo
Planning and Building Department

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

1. **Project Title:**
Commercial Cannabis Cultivation Ordinance Amendments
2. **County File Number:** PLN2022-00066
3. **Lead Agency Name and Address:**
San Mateo County Planning & Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
4. **Contact Person and Phone Number:**
Delaney Selvidge, Planner
650/363-1867
5. **Project Location:**
All lands designated as “Agriculture” on the San Mateo County General Plan Land Use Map. These lands are distributed throughout the Coastal Zone of unincorporated San Mateo County. Also, lands designated as “Open Space – Rural” or “Timber Production – Rural” on the San Mateo County General Plan Land Use Map where said lands have documented commercial agricultural operations for the three consecutive years prior to adoption of the existing Commercial Cannabis Cultivation Ordinance on June 1, 2017.
6. **Assessor’s Parcel Number and Size of Parcel:**
Various
7. **Project Sponsor’s Name and Address:**
San Mateo County Planning & Building Department
455 County Center, 2nd Floor
Redwood City, CA 94063
8. **General Plan Designation:**
Agriculture (and Open Space Rural and Timber Production – Rural where the three consecutive years of commercial agricultural operations prior to the adoption of the existing Commercial Cannabis Cultivation Ordinance is documented).
9. **Zoning:**
Primarily PAD (Planned Agricultural Development). However, there are a few parcels with the “Agriculture” land use designation that also are zoned RM-CZ (Resource Management – Coastal Zone). Commercial cultivation operations could also occur on land zoned RM-CZ or TPZ-CZ (Timber Production Zone – Coastal Zone) if the applicant can document that there have been three consecutive preceding years of commercial agricultural operations on the parcel prior to the adoption of the existing Commercial Cannabis Cultivation Ordinance.

10. **Description of the Project:** The County is preparing an update to its cannabis ordinance, initially adopted in 2017, based on a comprehensive review of the effectiveness of the ordinance and consideration of concerns raised by existing license holders operating in the unincorporated County.

The existing cannabis ordinance creates a discretionary licensing program and limits the potential locations where commercial cannabis activities may occur based on the General Plan land use designation/historical agricultural use of the property and based on proximity to sensitive land uses. Because the County's issuance of cannabis licenses is discretionary, CEQA compliance is considered for each license application. In addition, the cannabis ordinance does not directly authorize any new physical development, such as construction of new greenhouses, or expansion of existing greenhouse complexes. Any new development needed to facilitate cannabis cultivation would require discretionary permits and review prior to issuance of any cannabis license. The proposed ordinance changes would not alter these program features.

Proposed ordinance changes include removing the canopy limit that was imposed on each owner of a license, allowing licensed cultivators to distribute their product between licensees instead of relying solely on a third party, and eliminating the requirement that cannabis licensees maintain non-cannabis production that may have existed in June of 2017. Other less substantive changes are intended to improve the program's regulatory effectiveness and streamline implementation. Overall, staff anticipates that the ordinance amendments may increase the amount of cannabis cultivated by a given licensee at a particular location and may reduce obstacles to cannabis cultivation on parcels not currently engaged in cannabis farming. The precise extent to which the amendments may facilitate expansion of cannabis cultivation depends on a number of factors and is speculative at this time. Features of the existing and proposed ordinance (including location restrictions, setbacks, and discretionary review process) and otherwise applicable County land use regulations (including permit review processes for new development) is expected to continue to significantly limit the scope of cannabis cultivation in the County and ensure review of all cannabis licenses and associated development on a case-by-case basis.

This IS/ND analyzes, at a programmatic level, the potential environmental impacts that might result from the proposed amended ordinance, as compared to the existing conditions under the existing ordinance. See Attachment A showing all proposed ordinance modifications.

11. **Surrounding Land Uses and Setting:**
Various
12. **Other Public Agencies Whose Approval is Required:**
None
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

Notices to the Tamien Nation, who have requested notice of relevant projects, were sent on January 22, 2022. The Tamien Nation has not requested consultation within 30 days of receipt of the notice regarding the proposed amendments to the commercial cannabis cultivation ordinance amendments.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in 5. below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other California Environmental Quality Act (CEQA) process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources. Sources used or individuals contacted should be cited in the discussion.

Please note, ordinance references are to the amended ordinance unless otherwise stated.

1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1.a. Have a substantial adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?				X
Discussion: The proposed ordinance amendments will not authorize any new development by right. Existing greenhouse structures continue to be eligible for use for commercial cannabis cultivation, subject to receipt of the required cannabis license. As is the case with the existing ordinance, no new development activities would be permitted as part of the cannabis cultivation license process. The construction of new structures for cultivation (i.e. greenhouses) remain subject to existing permitting requirements, including discretionary Planning permits. Any future construction of new greenhouses and/or site development that could potentially be used for commercial cultivation will be subject to a separate permitting process at the time of application. Such future permitting process will consider the impacts of the physical development of the parcel, including applicable design standards contained within the County Zoning Regulations and Local Coastal Program, which are designed, in part, to protect scenic vistas and views from existing residential areas and public lands.				

Source: (Commercial Cannabis Cultivation Ordinance, 2018), (Proposed Amendments to Cannabis Cultivation Ordinance, 2022), (Local Coastal Program Policies, 2013)				
1.b. Substantially damage or destroy scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
Discussion: See staff's response to Question 1(a). Source:				
1.c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings, such as significant change in topography or ground surface relief features, and/or development on a ridgeline? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
Discussion: See staff's response to Question 1(a). Source:				
1.d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X	
Discussion: Any expansion of operations or new operations facilitated by these ordinance amendments have the potential to result in an increase in light coming from the parcels. The ordinance currently requires all lighting be fully shielded, downward casting, and not spill over onto other structures, other properties or the night sky. The requirement that between sunset and sunrise light shall not escape at a level that is visible from neighboring properties or the public right-of-way, and, to the extent feasible, from a fixed location two hundred fifty (250) feet in all directions from the structure where the Cultivation is being conducted will also continue to remain in effect. A lighting plan demonstrating compliance is required as part of any application for a new, expanded, or renewed permit. Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)				
1.e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?			X	
Discussion: Existing or future structures that may be used for commercial cannabis cultivation under the current or amended ordinance may be located within designated Scenic Corridors. However, all cultivation operations must occur within enclosed buildings, specifically within mixed-				

<p>light greenhouses. The greenhouse structures used for cultivation of cannabis will be visually indistinguishable from those used for any other agricultural operation. Any expansion of operations or new operations facilitated by these ordinance amendments would occur within these enclosed greenhouses. Any new structural development associated with such operations will be reviewed under the same visual resource standards as all other agricultural structures. As the locations available for cultivation, both structure and parcel type, have not been altered by the proposed amendments to the existing ordinance, the impact of the proposed ordinance amendments will be less than significant.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (San Mateo County Zoning Regulations, 2022); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
1.f.	If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?			X
<p>Discussion: See staff's response to Question 1(e).</p> <p>Source:</p>				
1.g.	Visually intrude into an area having natural scenic qualities?			X
<p>Discussion: See staff's response to Question 1(e).</p> <p>Source:</p>				

<p>2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>					
		Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
2.a.	For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X

Discussion: State law (California Business and Professions Code Section 26060(a)) defines cannabis as an agricultural product for the purposes of cannabis cultivation licenses. As a result, the commercial cultivation of cannabis under both the current ordinance and proposed amendments is considered an agricultural use.

Source: (California Business and Professions Code Section 26060, 2017); (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

2.b. Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?

X

Discussion: As stated in 2(a) above, the cultivation of cannabis is considered an agricultural operation and would be treated as such in all these zoning related scenarios. Cannabis cultivation operations may be allowed on lands under a Williamson Act contract as long as the property complies with the requirements of the County's Land Conservation Act Uniform Rules and Procedures. While the proposed amendments eliminate the existing Section 5.148.160(g) of the ordinance which states this requirement, any landowners under a Land Conservation Act (Williamson Act) contract must comply with all San Mateo County Land Conservation Act Uniform Rules and Procedures. This is regardless of whether the cannabis ordinance reiterates this requirement. Therefore, the proposed amendments to the existing ordinance will not result in any changes to the responsibilities of landowners under Williamson Act contracts or whose land contains Open Space Easements.

Source: (Land Conservation (Williamson) Act: Uniform Rules and Procedures, 2013); (Commercial Cannabis Cultivation Ordinance, 2018)

2.c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?

X

Discussion: As stated in 2(a) and 2(b) above, the cultivation of cannabis is defined as an agricultural operation by State law. The existing ordinance allows cannabis cultivation subject to a cannabis cultivation license within existing greenhouse structures, which will not cause the conversion of any farmland or forestland. No new development activities would be permitted as part of the cannabis cultivation license process, and therefore the ordinance would not lead to any conversion of forestland to non-forest use. The construction of new structures for cultivation (i.e. greenhouses) remain subject to existing permitting requirements, including discretionary Planning permits. Any future construction of new greenhouses and/or site development that could potentially be used for commercial cultivation will be subject to a separate permitting process at that time. Such future permitting process will consider the impacts of the physical development of the parcel, including applicable state or federal regulations, when and if a specific project is proposed on a specific parcel. The proposed cannabis ordinance amendments include the removal of a section (Section 5.148.160(g) of the existing ordinance) that requires that commercial cannabis cultivation not displace any non-cannabis commercial agricultural production existing as of January 1, 2017. Alternatively, a person seeking to engage in commercial cannabis cultivation could offset a proposed cultivation site by relocating existing agricultural production to another area of the property on a 1 to 1 ratio, provided such relocation does not conflict with any applicable policy or regulation. However, it was found that this section ordinance was difficult to implement and resulted in greenhouse space

that had become vacant after June 1, 2017 being ineligible for cannabis cultivation, even if the vacancy was not related to cannabis cultivation. As such, we do not expect the elimination of this section to have significant impacts on traditional agricultural production. Additionally, removal of this replacement provision will not result in conversion of Farmland to non-agricultural uses, as cannabis cultivation is considered under State law as an agricultural use. Therefore, replacement of traditional agriculture with cannabis cultivation will result in replacing one agricultural use with another.

Source: (California Business and Professions Code Section 26060, 2017); (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

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

Source:

2.e.	Result in damage to soil capability or loss of agricultural land?				X
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Discussion: See staff's response to Question 2(c).

Source:

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

Source:

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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3.a. Conflict with or obstruct implementation of the applicable air quality plan?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the current ordinance and proposed amended ordinance, can only occur within enclosed greenhouses subject to a cannabis license. There is no evidence at this time that cultivation operations (under the existing or proposed ordinance) will emit hazardous emissions that will violate standards contained in the 2017 Bay Area Clean Air Plan. There is the potential that future construction of greenhouses for cultivation could generate dust and particulate emissions akin to any typical construction project. Construction of any new greenhouses would still require discretionary permits pursuant to the County's existing land use regulations. If such proposals are submitted in the future, they will be evaluated under CEQA for impacts at that time and mitigated as appropriate. Further, the existing ordinance requires the use of renewable energy sources and prohibits fossil-fuel generators except for portable temporary use in emergencies (5.148.160(m)). It also requires that commercial cannabis operators include proper ventilation and odor control filtration (5.148.130(f)). The proposed ordinance amendments make no changes to these requirements.</p> <p>Source: (Bay Area Air Quality Management District, 2017); (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
3.b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural use on parcels zoned and traditionally used for agriculture. Each individual license will be subject to a separate CEQA process that will consider any net increases of criteria pollutants. Therefore, it is not anticipated that the proposed cannabis cultivation ordinance amendments will impact criteria pollutant emissions.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
3.c. Expose sensitive receptors to substantial pollutant concentrations, as defined by the Bay Area Air Quality Management District?				X
<p>Discussion: See staff's response to Question 3(a).</p> <p>Source:</p>				
3.d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

Discussion: Cannabis cultivation has been known to produce significant odors when the plants flower prior to harvesting. These odors can have significant impacts upon populations in close proximity to the cannabis cultivator. The existing ordinance placed limits upon the proximity of cannabis cultivation to sensitive receptors, including requiring all premises used for mature plant cultivation to be set back a minimum of 600 feet from any residentially-designated property (5.148.160(e)) and set back at least 300 feet from residential and business structures on surrounding properties (5.148.160(d)). In addition, all mature plant cultivation operations are required to install odor control filtration and ventilation systems and direct any exhaust vents away from residential uses or zones (5.148.130(f)). These setbacks and odor control requirements do not apply to nursery-only cultivation, because cannabis nursery stock is removed from the premises before plants reach the flowering stage, which is the stage known to contribute to odor impacts. The proposed ordinance amendments would not modify the existing setbacks, or odor control filtration requirements, ensuring impacts will be less than significant.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

4. BIOLOGICAL RESOURCES. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
4.a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service?				X
<p>Discussion: While the proposed ordinance amendments may allow for an expansion of the number or size of cannabis cultivation operators within the County, the commercial cultivation of cannabis is an agricultural operation that, under the existing and proposed ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance, nor the proposed ordinance amendments authorize any new construction or modify any land use regulations. As a result, the amendments would not authorize any land disturbance that could result in any adverse impacts to sensitive habitats or species. Any impacts to biological resources due to the construction of any future greenhouse buildings that could potentially be used for cultivation will continue to be subject to future discretionary review, including CEQA review. Additionally, each cannabis license will continue to be subject to discretionary CEQA review and any impacts related to water use will be evaluated when and if a specific project is proposed on a specific parcel.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
4.b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional				X

plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service or National Marine Fisheries Service?				
<p>Discussion: See discussion under Question 4(a). Additionally, the existing ordinance provides that runoff containing sediments or other waste or byproducts, including fertilizers and pesticides, shall not be allowed to drain to any storm drain system, waterways, or adjacent lands, and shall comply with all applicable state and federal laws, and that individuals must develop a plan for compliance before engaging in commercial cannabis cultivation (5.148.160(j-k)). The proposed ordinance amendments make no changes to these provisions of the existing ordinance. It also provides that individuals must provide a plan for storing, handling, and disposing of all waste by-products and, at a minimum, characterize the anticipated amount and types of waste generated, identify the designated holding area(s) for cannabis waste, and describe operational measures that are proposed to manage, track/identify, and dispose of cannabis waste in compliance with County and State standards. The proposed ordinance amendments make no changes to these provisions of the existing ordinance and therefore there will be no significant impact.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
4.c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
<p>Discussion: This question is project and site specific. The proposed ordinance amendments will not authorize any new development by right. Existing greenhouse structures continue to be eligible for use for commercial cannabis cultivation, subject to receipt of the required cannabis license. As is the case with the existing ordinance, no new development activities would be permitted as part of the cannabis cultivation license process, and therefore the ordinance would not lead to any direct disturbance of wetlands. The construction of new structures for cultivation (i.e. greenhouses) remain subject to existing permitting requirements, including discretionary Planning permits. Any future construction of new greenhouses and/or site development that could potentially be used for commercial cultivation will be subject to a separate permitting process at that time. Such future permitting process will consider the impacts of the physical development of the parcel, including applicable state or federal regulations, when and if a specific project is proposed on a specific parcel.</p> <p>Source: (San Mateo County Zoning Regulations, 2022); (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
4.d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
<p>Discussion: See staff's response to Question 4(c).</p>				

Source:				
4.e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?			X
Discussion: See staff's response to Question 4(c).				
Source:				
4.f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?			X
Discussion: See staff's response to Question 4(c).				
Source:				
4.g.	Be located inside or within 200 feet of a marine or wildlife reserve?			X
Discussion: See staff's response to Question 4(c).				
Source:				
4.h.	Result in loss of oak woodlands or other non-timber woodlands?			X
Discussion: See staff's response to Question 4(c).				
Source:				

5. CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
5.a.	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?			X
Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize any new construction or demolition. Adoption of the proposed amendments do not authorize any adverse impacts to cultural or historic resources. Any potential impacts upon cultural or historic resources due to the construction of any future greenhouse				

buildings that could potentially be used for cannabis cultivation would be analyzed as part of the discretionary planning permit review for that specific project. Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)				
5.b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?				X
Discussion: See staff's response to Question 5(a). Source:				
5.c. Disturb any human remains, including those interred outside of formal cemeteries?				X
Discussion: See staff's response to Question 5(a). Source:				

6. ENERGY. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
6.a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X
Discussion: Due to the elimination of restrictions such as limits on the amount of canopy per owner and elimination of the agricultural production protection provision, the ordinance amendments could increase commercial cannabis cultivation in San Mateo County. However, in addition to other changes, cannabis cultivators will now be required to comply with the current California Energy Efficiency Standards for newly constructed and/or renovated buildings per Title 24, Part 6 Energy Code. Therefore, the proposed amendments will not result in wasteful, inefficient, or unnecessary consumption of energy resources. Source: (General Plan, Chapter 17, Energy and Climate Change Element, 2013); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)				
6.b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.				X
Discussion: The existing ordinance requires that 100% of energy for cannabis cultivation operations be from either an on-grid renewable energy source or an on-site zero net energy				

renewable source. The proposed ordinance amendments do not change this provision sections of the existing ordinance. Additionally, Section 5.148.160(m) now requires that cannabis cultivators comply with Title 24 Part 6 Energy Code of the California Energy Efficiency standards.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

7. GEOLOGY AND SOILS. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
7.a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the following, or create a situation that results in:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? <i>Note: Refer to Division of Mines and Geology Special Publication 42 and the County Geotechnical Hazards Synthesis Map.</i>				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing and proposed ordinance, can only occur within enclosed greenhouses. The ordinance amendments do not authorize any new construction, and construction of any greenhouse intended for cannabis cultivation would require discretionary planning permits. This category of impact is site specific. Any potential impacts on or affecting geologic resources/hazards due to construction activities would be analyzed pursuant to existing planning review requirements at the time that a specific greenhouse is proposed.</p> <p>Source: (California Business and Professions Code Section 26060, 2017); (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
ii. Strong seismic ground shaking?				X
<p>Discussion: See staff's response to Question 7(a)(i).</p> <p>Source:</p>				
iii. Seismic-related ground failure, including liquefaction and differential settling?				X
Discussion: See staff's response to Question 7(a)(i).				

Source:				
iv. Landslides?				X
Discussion: See staff's response to Question 7(a)(i).				
Source:				
v. Coastal cliff/bluff instability or erosion? <i>Note to reader: This question is looking at instability under current conditions. Future, potential instability is looked at in Section 7 (Climate Change).</i>				X
Discussion: See staff's response to Question 7(a)(i).				
Source:				
7.b. Result in substantial soil erosion or the loss of topsoil?				X
Discussion: See staff's response to Question 7(a)(i).				
Source:				
7.c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?				X
Discussion: See staff's response to Question 7(a)(i).				
Source:				
7.d. Be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code, creating substantial direct or indirect risks to life or property?				X
Discussion: See staff's response to Question 7(a)(i).				
Source:				
7.e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
Discussion: See staff's response to Question 7(a)(i).				
Source:				

7.f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X
Discussion: See staff's response to Question 7(a)(i). Source:				

8. CLIMATE CHANGE. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
8.a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?				X
<p>Discussion: The proposed ordinance amendments would not authorize any new development by right. Existing greenhouse structures continue to be eligible for use for commercial cannabis cultivation, subject to receipt of the required cannabis license. As is the case with the existing ordinance, no new development activities would be permitted as part of the cannabis cultivation license process. The construction of new structures for cultivation (i.e. greenhouses) remain subject to existing permitting requirements, including discretionary Planning permits. Any future construction of new greenhouses and/or site development that could potentially be used for commercial cultivation will be subject to a separate permitting process at that time. Such future permitting process will consider the impacts of the physical development of the parcel, including greenhouse gas emissions, when and if a specific project is proposed on a specific parcel.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (General Plan, Chapter 17, Energy and Climate Change Element, 2013)</p>				
8.b. Conflict with an applicable plan (including a local climate action plan), policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
<p>Discussion: See staff's response to Question 8(b).</p> <p>Source:</p>				
8.c. Result in the loss of forestland or conversion of forestland to non-forest use, such that it would release significant amounts of GHG emissions, or significantly reduce GHG sequestering?				X

Discussion: The existing ordinance allows cannabis cultivation subject to a cannabis license. The existing and proposed ordinance encourage cannabis cultivation within existing greenhouse structures, because construction of new greenhouses requires extensive discretionary planning review and permits. Because the existing and proposed ordinance encourage use of existing greenhouses, the ordinance is not expected to cause the conversion of any farmland or forestland. Any future construction of new greenhouses and/or site development that could potentially be used for commercial cultivation will be subject to a separate discretionary permitting process at that time. Such future permitting process will consider the impacts of the physical development of the parcel, including greenhouse gas emissions or reduction in greenhouse gas sequestration, when and if a specific project is proposed on a specific parcel.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (General Plan, Chapter 17, Energy and Climate Change Element, 2013)

8.d. Expose new or existing structures and/or infrastructure (e.g., leach fields) to accelerated coastal cliff/bluff erosion due to rising sea levels?

X

Discussion: The proposed ordinance amendments will not authorize any new development by right, including any alterations to the existing land condition. Existing greenhouse structures continue to be eligible for use for commercial cannabis cultivation, subject to receipt of the required cannabis license. As is the case with the existing ordinance, no new development activities would be permitted as part of the cannabis cultivation license process. The construction of new structures for cultivation (i.e. greenhouses) remain subject to existing permitting requirements, including discretionary Planning permits. Any future construction of new greenhouses and/or site development that could potentially be used for commercial cultivation will be subject to a separate permitting process at that time. Such future permitting process will consider the impacts of the physical development of the parcel, including risks due to rising sea levels or flooding, when and if a specific project is proposed on a specific parcel.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

8.e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?

X

Discussion: See staff's response to Question 8(d).

Source:

8.f. Place structures within an anticipated 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

X

Discussion: See staff's response to Question 8(d).

Source:

8.g.	Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
Discussion: See staff's response to Question 8(d). Source:					

9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
		Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
9.a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. The County's ordinance does not require that this plant be grown organically. Therefore, it is possible that individual growers will utilize commercial pesticides and/or herbicides as with other agricultural crops. The transportation, storage and use of commercial pesticides and herbicides is regulated by the State and overseen by the County Agricultural Commissioner. Submission of a Pesticide Plan is included as an application requirement. Hazardous materials (toxic substances or radioactive material) are regulated by the State and overseen by the County Environmental Health Director. Further, the ordinance expressly requires growers who utilize hazardous materials to comply with all applicable County and State hazardous materials requirements (Section 5.148.160(p)). Additionally, the ordinance provides that runoff containing sediment or other waste or byproducts, including fertilizers and pesticides, shall not be allowed to drain to a storm drain system, waterways, or adjacent lands, and shall comply with all applicable State and Federal laws, and that individuals must develop a plan for compliance before engaging in commercial cannabis cultivation (Section 5.148.160(j)). It also provides that individuals must provide a plan for storing, handling, and disposing of all waste by-products and, at minimum, characterize the anticipated amount and types of waste generated, identify the designated holding area(s) for cannabis waste, and describe operational measures that are proposed to manage, track/identify, and dispose of cannabis waste in compliance with County and State standards (Section 5.148.160(q)). The proposed ordinance amendments make no changes to these provisions of the existing ordinance; therefore, no impacts are anticipated.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>					
9.b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X

<p>Discussion: See staff's response to Question 9(a).</p> <p>Source:</p>				
9.c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X
<p>Discussion: In addition to the discussion under Question 9(a), this question is predicated upon activities/development occurring in a known, specific location. At the present time, it is not known on a parcel by parcel basis where commercial growers will seek to establish growing operations in the future. The existing ordinance <u>requires</u> all commercial cannabis cultivation operations to be a minimum of 4000 600 feet from all schools, and the proposed ordinance would not alter this requirement. In addition, as described in Question 9(a), any hazardous materials used for cultivation operations would be subject to regulatory oversight.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
9.d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X
<p>Discussion: See staff's response to Question 9(a) and (c).</p> <p>Source:</p>				
9.e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?			X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. The proposed ordinance amendments do not make any changes to this provision of the ordinance. Neither the existing ordinance nor the proposed ordinance amendments authorize new construction. This category of impact is site specific. Any potential impacts due to construction on or near lands within two miles of an airport will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				

9.f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: Under the existing ordinance, the commercial cultivation of cannabis is an agricultural operation that can only occur within enclosed mixed-light greenhouses. There is no evidence to conclude that either the existing ordinance or the proposed ordinance amendments will impair an adopted emergency response or evacuation plan.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>					
9.g.	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorize any new construction. This category of impact is site specific. Any potential impacts due to construction on or near lands within a mapped wildland fire hazard area will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>					
9.h.	Place housing within an existing 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction, including housing, would be required to be proposed and permitted separately, and assessed at that time. This category of impact is site specific. Any potential impacts due to construction on or near lands within a mapped flood hazard area will be analyzed at the time that a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>					
9.i.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?				X
<p>Discussion: See staff's response to Question 9(h).</p> <p>Source:</p>					

9.j.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
<p>Discussion: In addition to the discussion under 9(h), any new construction will be assessed for hazards such as levee or dam failure at the time that a specific project is proposed on a specific piece of land. Any new construction shall be proposed and permitted under the applicable standards and requirements separately from an application for a cannabis cultivation license.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>					
9.k.	Inundation by seiche, tsunami, or mudflow?				X
<p>Discussion: In addition to the discussion under 9(h), any new construction will be assessed for hazards such as inundation by seiche, tsunami or mudflow at the time that a specific project is proposed on a specific piece of land. Any new construction shall be proposed and permitted under the applicable standards and requirements separately from an application for a cannabis cultivation license.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>					

10. HYDROLOGY AND WATER QUALITY. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
10.a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality (consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash))?				X
<p>Discussion: The existing ordinance includes requirements for compliance with the Waste Discharge Requirements of the Regional Water Quality Control Board (see Section 5.148.160(k) of the existing ordinance). This section of the existing ordinance requires submittal of a wastewater treatment plan as part of the application process. Said plan is reviewed by the County Environmental Health Services for compliance with applicable State and Local regulations. The plan must show how excess irrigation water or effluent from cultivation areas shall be directed to a treatment and distribution system, irrigation, greywater or bio-retention treatment system. The proposed ordinance</p>				

amendments make no changes to this section of the ordinance; therefore, the proposed amendments will have no impact.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

10.b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

X

Discussion: The proposed ordinance amendments may allow property owners who would not otherwise have pursued cannabis cultivation licenses to pursue such licenses. Restricting cultivation to existing greenhouse space, unless further discretionary permits are sought to construct additional greenhouses, will limit the extent each parcel can pursue cannabis cultivation. However, as specified in the existing ordinance, the operator must provide documentation that demonstrates that the parcel has adequate legally permitted water access to supply the proposed cannabis cultivation and any other uses on the parcel. Groundwater in California is regulated by the Sustainable Groundwater Management Act which developed a framework to protect ground water resources in the long term. According to the County's Office of Sustainability, all 9 basins within San Mateo County are currently designated as Very Low Priority and therefore are not required to develop local groundwater sustainability agencies. However, adequate groundwater management is needed to preserve County water supplies. Therefore, the proposed ordinance amendments include water use requirements in Section 5.148.160(r) dependent upon the type of water source and the status of the applicable water basin. Therefore, the proposed amendments will have a less than significant impact on groundwater supplies and groundwater recharge.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (Sustainable Groundwater Management Act, 2019);

10.c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:

i. Result in substantial erosion or siltation on- or off-site;

X

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any potential alteration of existing drainage patterns due to construction of new or alteration of existing greenhouses will be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (California Business and Professions Code Section 26060, 2017)

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any potential alteration of the rate or amount of surface runoff due to construction of new or alteration of existing greenhouses will be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (California Business and Professions Code Section 26060, 2017)</p>				
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any impacts on capacity of existing or planned stormwater drainage systems or additional sources of polluted runoff due to construction of new or alteration of existing greenhouses will be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (California Business and Professions Code Section 26060, 2017)</p>				
iv. Impede or redirect flood flows?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any potential impact to flood flows due to construction of new or alteration of existing greenhouses will be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).</p>				
10.d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any project proposing construction of new or alteration of existing greenhouses within flood hazard, tsunami, or seiche zones will be analyzed for inundation risk at the time a specific project is proposed on a specific piece of land using applicable standards.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).

10.e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

X

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any potential conflicts with a water quality control plan or sustainable groundwater management plan will be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards. Additionally, the proposed ordinance amendments include water use requirements in Section 5.148.160(r) dependent upon the type of water source and the status of the applicable water basin. Therefore, the proposed amendments will have a less than significant impact on groundwater supplies and groundwater recharge.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Sustainable Groundwater Management Act, 2019);

10.f. Significantly degrade surface or ground-water water quality?

X

Discussion: See staff's response to Question 10(a).

Source:

10.g. Result in increased impervious surfaces and associated increased runoff?

X

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any potential impacts due to construction of new or alteration of existing greenhouses resulting in increased impervious surfaces will be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).

11. LAND USE AND PLANNING. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11.a. Physically divide an established community?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. State law (California Business and Professions Code Section 26060(a)) defines cannabis as an agricultural product for the purposes of commercial cannabis licensing. Therefore, cannabis cultivation is an agricultural use being proposed on agriculturally zoned or land traditionally utilized for agriculture. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. Additionally, all lands on which the proposed ordinance is applicable are located in rural area of within San Mateo County.</p> <p>Source: (California Business and Professions Code Section 26060, 2017); (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).</p>				
11.b. Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing and proposed ordinance, can only occur within enclosed greenhouses. The existing ordinance requires all individuals seeking to engage in commercial cannabis cultivation to provide evidence that the proposed operation meets all State and County land use and zoning requirements (Section. 5.148.130(b)). The proposed ordinance amendments do not alter this requirement. Potential impacts caused by future development such as proposing greenhouses on vacant land will be examined if and when such projects are proposed and considered, using applicable standards.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).</p>				
11.c. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples			X	

include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				
<p>Discussion: Due to the elimination of restrictions such as agricultural production protection requirements and limits on canopy per owner, the proposed ordinance amendments could result increase the number of parcels that choose to pursue commercial cannabis cultivation. Therefore, it is possible that adoption of the proposed ordinance amendments could lead to the development of new greenhouses on currently undeveloped agricultural land or expansion of an existing greenhouse complex. However, such development would be subject to an extensive review, permitting and, as applicable, mitigation process. To pursue such development would also require that the site has an adequate water source for irrigation, fire suppression and domestic consumption. Any impacts resulting from new construction or expansion of existing structures would be analyzed if and when a specific project is proposed on a specific piece of land using applicable standards, policies and CEQA requirements.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).</p>				

12. MINERAL RESOURCES. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
12.a. Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. State law (California Business and Professions Code Section 26060(a)) defines cannabis as an agricultural product. Therefore, cannabis is an agricultural use being proposed on agriculturally zoned or land traditionally utilized for agriculture. In cases where a cultivation business is proposed within existing greenhouses, any impact to known mineral resources occurred when the buildings were originally constructed. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and potential impacts upon mineral resources will be examined if and when such projects are proposed.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).</p>				
12.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local				X

general plan, specific plan or other land use plan?				
Discussion: See staff's response to Question 12(a). Source:				

13. NOISE. Would the project result in:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13.a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. State law (California Business and Professions Code Section 26060(a)) defines cannabis as an agricultural product. Therefore, cannabis is an agricultural use being proposed on agriculturally zoned or land traditionally utilized for agriculture. Greenhouses typically use fans to pull outside air into the building and circulate it, which does generate noise. The existing ordinance states that these commercial operations are subject to the County's noise regulations which does not exempt stationary noise sources associated with agriculture. Therefore, if the operation of a greenhouse air circulation system were to violate the noise standards contained in the County noise regulations, it would be subject to code enforcement action just as any other noise violation would. The proposed ordinance amendments do not alter this section of the existing ordinance. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time for adherence to the County's noise regulations.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Noise Regulations - San Mateo County Ordinance Code, 2006); (San Mateo County, 2013).</p>				
13.b. Generation of excessive ground-borne vibration or ground-borne noise levels?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. The proposed ordinance amendments do not alter this section of the existing ordinance. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time for adherence to applicable County and State regulations, including the County's Noise Control requirements set forth in Ordinance Code Chapter 4.88 (see <u>Section 5.148.160(n) of the existing ordinance</u>). There is not a reasonable expectation that commercial cultivation of cannabis will cause excessive ground-borne vibration or ground-borne noise levels.</p>				

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Noise Regulations - San Mateo County Ordinance Code, 2006).

13.c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, exposure to people residing or working in the project area to excessive noise levels?

X

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. The proposed ordinance amendments do not alter this section of the existing ordinance. Neither the existing ordinance nor the proposed amendments authorize new construction. This category of impact is site specific. Any potential impacts due to construction on or near lands within two miles of an airport will be analyzed at the time a specific project is proposed on a specific piece of land.

Source: (Commercial Cannabis Cultivation Ordinance, 2018) (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022).

14. POPULATION AND HOUSING. Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
14.a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	

Discussion: While it is hoped that permitting the commercial cultivation of cannabis will support the existing agricultural job sector in the region, it is not anticipated that the number of potential jobs created in San Mateo County will result in a significant new demand for housing, above and beyond that demand which already exists. While the proposed ordinance amendments may allow for an expansion of the number or size of cannabis cultivation operators within the County, the commercial cultivation of cannabis is an agricultural operation that, under the existing and proposed ordinance, can only occur within enclosed greenhouses. Any potential housing impacts due to construction of new greenhouses or expansion of existing greenhouse complexes will be assessed if and when a specific project is proposed on a specific piece of land.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).

14.b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X
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Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing nor the proposed ordinance amendments authorize any new construction. As discussed previously, commercial cultivation is only allowed on land designated as “Agriculture” on the San Mateo County General Plan Land Use map, or on land that has a documented history of agriculture. Proposed cultivation within existing greenhouses will by definition, not displace existing housing. Potential new greenhouse construction will not displace existing housing because the existing ordinance requires all commercial cultivation operations to be a minimum of 300 feet from an existing residence. The proposed cannabis ordinance amendments do not alter this section of the existing ordinance.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).

15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
15.a. Fire protection?				X
15.b. Police protection?				X
15.c. Schools?				X
15.d. Parks?				X
15.e. Other public facilities or utilities (e.g., hospitals, or electrical/natural gas supply systems)?				X

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing nor the proposed ordinance amendments authorize any new construction. Any new construction would be required to be permitted separately and assessed at that time. Any potential impact to public services due to construction of new or alteration of existing greenhouses will be analyzed at that time.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

16. RECREATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16.a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorize any new construction. As was discussed previously, it is not anticipated that allowing commercial cultivation will result in a significant increase in the number of workers and/or residents who are working within this segment of the agricultural workforce.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).</p>				
16.b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<p>Discussion: See staff's response to Question 16(a).</p> <p>Source:</p>				

17. TRANSPORTATION. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
17.a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and parking?			X	

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorized any new construction. While the proposed changes to the commercial cannabis cultivation ordinance would allow licensees to transport their own product between State and local licenses, this change would not result in more trips as this task is currently being completed by third parties instead of the license holders. Additionally, if a parcel chooses to transition to cannabis cultivation from agricultural production traditionally present on these parcels, the trips associated with cannabis are not anticipated to be significantly greater. Any significant differences in vehicle miles traveled between existing and proposed uses will be analyzed during the CEQA process for each license.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).

17.b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) *Criteria for Analyzing Transportation Impacts?*

Note to reader: Section 15064.3 refers to land use and transportation projects, qualitative analysis, and methodology.

X

Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorize any new construction. Trips associated with cannabis cultivation are not anticipated to be significantly greater than those associated with agricultural cultivation traditionally present on these parcels.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021); (Local Coastal Program Policies, 2013).

17.c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

X

Discussion: As discussed above, the commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorized any new construction. This impact is both site and project specific. Potential impacts caused by the development of vacant land with greenhouses or expansion of existing greenhouse complexes will be examined if and when such projects are proposed.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021)

17.d. Result in inadequate emergency access?				X
Discussion: See staff's response to Question 17(c).				
Source:				

18. TRIBAL CULTURAL RESOURCES. Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
18.a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)				X
<p>Discussion: As discussed above, the commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorize any new construction. This impact is both site and project specific. Potential impacts related to development of vacant land with greenhouses or expansion of existing greenhouse complexes will be examined if and when such projects are proposed.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021).</p>				
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Subdivision (c) of Public Resources Code Section 5024.1. (In applying the criteria set forth in Subdivision (c) of Public Resource Code Section 5024.1, the lead				X

agency shall consider the significance of the resource to a California Native American tribe.)				
<p>Discussion: As discussed above, the commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorize any new construction. This impact is both site and project specific. Potential impacts related to the development of vacant land with greenhouses or expansion of existing greenhouse complexes will be examined if and when such projects are proposed.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021)</p>				

19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
19.a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorize any new construction. This impact is both site and project specific. Potential impacts caused by the development of vacant land with greenhouses or expansion of existing greenhouse complexes will be examined if and when such projects are proposed. Additionally, Section 5.148.160(j) of the existing and of the amended ordinance requires the submittal of a stormwater management plan for any new construction.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021)</p>				
19.b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
<p>Discussion: As discussed above, the commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed ordinance amendments authorize any new construction. However, due to the elimination of restrictions such as the agricultural production protection provision and limit on canopy per owner, the proposed ordinance amendments could result in parcels that could not or</p>				

would not have chosen to grow cannabis, growing cannabis. Therefore, it is possible that adoption of the proposed ordinance amendments could facilitate the development of new greenhouses on currently undeveloped agricultural land or expansion of an existing greenhouse complex. Potential impacts related to the development of vacant land with greenhouses or expansion of existing greenhouse complexes is site and project specific and will be examined if and when such projects are proposed. Additionally, Section 5.148.160(r) of the ordinance includes water use requirements in dependent upon the type of water source and the status of the applicable water basin. Therefore, the proposed amendments will have a less than significant impact on groundwater supplies and groundwater recharge.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (Sustainable Groundwater Management Act, 2019)

19.c. Result in a determination by the waste-water treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

X

Discussion: This category of impact is both site and project specific. Most areas designated as "Agriculture" or that have been traditionally used for agriculture tend to be outside of the boundaries of the County's various sewer districts which primarily contain the urban areas of the County. However, for those few areas that do fall within district boundaries, the individual sewer district's ability to provide service will be assessed at the time an application is submitted.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (San Mateo County Zoning Regulations, 2022); (Geographic Information System: Planning and Building Map Viewer, 2021)

19.d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

X

Discussion: At the present time, the County's landfill (Ox Mountain Landfill) still has capacity to serve the County's residents and businesses. As with all businesses and residences in the County, any potential cultivation business would be required to recycle and compost organic waste as much as possible. The proposed ordinance amendments to Section 5.148.160(q) provide additional flexibility for operators to compost organic waste on site instead of using a waste removal service. It is anticipated that this will reduce the amount of waste generated by the operations, as multiple license operators have indicated an interest in composting organic waste on site. It is not anticipated that the existing, proposed or anticipated cannabis cultivation businesses will generate such a significant increase in solid waste that they overwhelm Ox Mountain's current capacity. In 2019 the South Bayside Waste Management Authority signed a contract with Republic Services, the operator of Ox Mountain Landfill, to continue service for County residents and business through at least 2029 with further options for extension. Therefore, Ox Mountain will continue to provide waste disposal for County with adequate capacity.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (South Bayside Waste Management Authority, 2019)

19.e. Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				X
<p>Discussion: See discussion under Question 19(d) above. Additionally, each cannabis cultivation operator is required to apply for and obtain a state cannabis cultivation license. The proposed cannabis cultivation ordinance amendments align with the state requirements. Each operator will be required to obtain and maintain a state license prior to the start of cultivation and comply with state requirements as part of that process. This will ensure that operators meet local, state, and federal requirements.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022); (State of California Department of Cannabis Control, 2021)</p>				

<p>20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
20.a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed mixed-light greenhouses. There is no evidence to conclude that implementation of the proposed ordinance amendments will impair an adopted emergency response or evacuation plan <u>and Section 5.148.160(g) continues to require preparation and implementation of a fire prevention plan.</u> Potential impacts caused cannabis operators who are enabled to seek commercial cannabis cultivation licenses will be examined if and when such projects are proposed. Agencies reviewing applications include those involved in emergency response such as the Sheriff and applicable Fire Department. Applicants are required to seek approval and receive conditions, as applicable, to projects from these agencies before issuance of a cannabis cultivation license.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
20.b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
<p>Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any potential impact from pollutants due to construction of new or alteration of existing greenhouses will</p>				

be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

20.c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
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Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any potential impacts due to the installation or maintenance of associated infrastructure will be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

20.d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X
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Discussion: The commercial cultivation of cannabis is an agricultural operation that, under the existing ordinance, can only occur within enclosed greenhouses. Neither the existing ordinance nor the proposed amendments authorize new construction. Any new construction would be required to be permitted separately and assessed at that time. This category of impact is site specific. Any potential safety risks will be analyzed at the time a specific project is proposed on a specific piece of land using applicable standards.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

21. MANDATORY FINDINGS OF SIGNIFICANCE.				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
21.a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to				X

eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
<p>Discussion: While the proposed ordinance amendments may increase the amount of cannabis cultivated in the County and the number of parcels participating in commercial cannabis cultivation, evaluation of such cultivation remains limited to within existing greenhouse buildings. Any new construction of greenhouses would be subject to separate permitting and impacts to habitat, plant or animal species, and cultural resources any potential impacts to environmental quality will be assessed at the time a specific project is proposed on a specific piece of land using applicable standards.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
21.b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			X	
<p>Discussion: While the proposed ordinance amendments may increase the amount of cannabis cultivated in the County and the number of parcels participating in commercial cannabis cultivation, the potential impacts to the physical environment will vary depending upon the specific project proposed. As described in question 19(b), Section 5.148.160(r) of the ordinance has been altered to ensure adequate water for the proposed project and that if the water source is classified as at least medium risk under the California Groundwater Sustainability Act, the proposed project would need to prove that the water use proposed would not exceed the current water use on the parcel. Other cumulative effects are not anticipated due to the commercial cannabis ordinance amendments as each license will be evaluated for CEQA impacts and any proposed development will be evaluated as part of a discretionary permitting process. Therefore, the impact of the proposed ordinance amendments is anticipated to be less than significant.</p> <p>Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)</p>				
21.c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
<p>Discussion: While the proposed ordinance amendments may increase the amount of cannabis cultivated in the County and the number of parcels participating in commercial cannabis cultivation, any potential impacts to the physical environment will vary depending upon the proposed project and require a site specific analysis. The proposed ordinance amendments, on their own, do not facilitate</p>				

any adverse effects on human beings. Any potential environmental impacts will be assessed at the time a specific project is proposed on a specific piece of land using applicable standards.

Source: (Commercial Cannabis Cultivation Ordinance, 2018); (Proposed Amendments to Cannabis Cultivation Ordinance, 2022)

References

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- California, S. o. (2017, September 16). California Business and Professions Code Section 26060.
- San Mateo County. (2013, June). General Plan, Chapter 17, Energy and Climate Change Element.
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- San Mateo County. (2013, June 18). Local Coastal Program Policies.
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- San Mateo County Planning and Building Department. (2022, January). San Mateo County Zoning Regulations.
- San Mateo County, Planning and Building Division. (1986, November 18). General Plan, Historical and Archaeological Resources Background - Appendix B (Preliminary Inventory of Historic Resources).
- San Mateo County: Planning and Building Department. (2006, September 09). Noise Regulations - San Mateo County Ordinance Code.
- South Bayside Waste Management Authority. (2019, May 23). Board of Directors Meeting Agenda.
- State of California. (2019, January 1). Sustainable Groundwater Management Act.
- State of California Department of Cannabis Control. (2021). Medicinal and Adult-Use Commercial Cannabis Regulations California Code of Regulations Title 4.

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

AGENCY	YES	NO	TYPE OF APPROVAL
Bay Area Air Quality Management District		X	
Caltrans		X	
City		X	
California Coastal Commission		X	
California Department of Food and Agriculture		X	
County Airport Land Use Commission (ALUC)		X	

AGENCY	YES	NO	TYPE OF APPROVAL
Other: _____		X	
National Marine Fisheries Service		X	
Regional Water Quality Control Board		X	
San Francisco Bay Conservation and Development Commission (BCDC)		X	
Sewer/Water District:		X	
State Department of Fish and Wildlife		X	
State Department of Public Health		X	
State Water Resources Control Board		X	
U.S. Army Corps of Engineers (CE)		X	
U.S. Environmental Protection Agency (EPA)		X	
U.S. Fish and Wildlife Service		X	

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

DETERMINATION (to be completed by the Lead Agency).

On the basis of this initial evaluation:

X

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

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

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

(Signature)

Planner II

Date

(Title)

Attachment A: Proposed Amendments to Existing Commercial Cultivation of Cannabis Ordinance (4807).