

County of San Mateo  
Planning and Building Department

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

1. **Project Title:** 4525 Cloverdale Road Cannabis Cultivation License Applications
2. **County File Number:** MNA 2018-00028, MNA 2018-00029, MNA 2018-00030, MNA2020-00020, -00021, -00023.
3. **Lead Agency Name and Address:** County of San Mateo Planning and Building Department  
455 County Center, 2nd Floor, Redwood City, CA
4. **Contact Person and Phone Number:** Delaney Selvidge, Project Planner, 650/363-1867
5. **Project Location:** 4525 Cloverdale Road, Pescadero
6. **Assessor's Parcel Number and Size of Parcel:** 086-061-090 (27.35 acres)
7. **Project Sponsor's Name and Address:**

MNA 2018-00028	CaliDutch, Inc.	2801 Atadero Court	Carlsbad, CA 92009
MNA 2018-00029	KloneCo, Inc	88 Tully Road, Suite 114	San Jose, CA 95111
MNA 2018-00030	Ono Associates	4525 Cloverdale Road	Pescadero, CA 94060
MNA2020-00020	Serenity Flowers	4525 Cloverdale Road	Pescadero, CA 94060
MNA2020-00021	GH Science	11054 Ventura Blvd, Suite 352	Studio City, CA 91604
MNA2020-00023	Whispy Flowers	4525 Cloverdale Road	Pescadero, CA 94060

8. **Name of Person Undertaking the Project or Receiving the Project Approval (if different from Project Sponsor):** Same as above.
9. **General Plan Designation:** Agriculture (Rural)
10. **Zoning:** Planned Agricultural District/Coastal Development (PAD/CD)

11. **Description of the Project:** *(Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)*

2020 Initial Study

The Project consists of three proposed commercial cannabis operations for three separate growers (CaliDutch Inc., KloneCo Inc., and Ono Associates) on one project site, Oku Flower Farm.

Project Background

Established in the early 1900’s, Oku Flower Farm (Oku Farms) is located on a 27.35-acre parcel, consists of a hydroponic vegetable growing and ornamental cut flower agricultural operation, and contains approximately 45 greenhouses, eight farm labor housing units, and associated storage buildings located throughout the property. Oku Farms has ceased utilizing several of the existing greenhouses and currently has 185,000 sq. ft. of vacant greenhouse space. The applicants have proposed to operate three separate cannabis growing operations within the vacant greenhouse space. Associated roadways, parking areas, bathroom facilities, irrigation systems, and other related infrastructure are already present on-site, as the empty greenhouses have historically been used to grow ornamental flowers. The proposed cannabis operations would not remove, displace, or hinder existing agricultural activities on-site.

Project Description

CaliDutch Inc.

The CaliDutch operation proposes to lease an existing 55,650 sq. ft. greenhouse, of which 52,000 sq. ft. of the structure would be utilized to cultivate cannabis. The operation would require 5 – 12 employees, involve the cultivation of up to 20,000 plants of varying life stages (i.e., young, juvenile, and adult plants), and would require minor renovations to the existing structure to include new exterior siding, doors, the installation of security features (i.e., exterior lighting and cameras), new ventilation systems, and interior light deprivation curtains. CaliDutch has applied for three County cannabis licenses as outlined below.

License Type	State License Number	Canopy Size
Nursery	LCA19-0003883	22,000 sq. ft.
Cultivation, Small Mixed Light	LCA19-0003884	10,000 sq. ft.
Cultivation, Small Mixed Light	LCA19-0003885	10,000 sq. ft.

KloneCo Inc.

KloneCo Inc. has proposed to lease an existing 55,120 sq. ft. greenhouse to operate a cannabis nursery. The facility would house 30,000 sq. ft. of “mother plants” (i.e., plants used to make clones) and 10,000 sq. ft. of clone propagation plants. The KloneCo operation proposes up to six employees and includes the addition of a 500 sq. ft. office trailer, installation of security fencing, exterior lights and cameras for security, interior lights for supplemental lighting, installation of blackout curtains, and additional bathroom facility with associated new waterlines and septic system, and general renovations to include: replacement of glass

windows, adding diving walls, and upgrades to the existing ventilation/air circulation system. KloneCo Inc. has applied for one County cannabis license as identified below:

License Type	State License Number	Canopy Size
Nursery	LCA19-0003129	40,000 sq. ft.

Ono Associates

Ono Associates has proposed to lease an existing 53,000 sq. ft. greenhouse to ultimately cultivate approximately 52,000 sq. ft. of cannabis. However, as of the date of this report, Ono Associates has only applied for and received one state provisional license to cultivate up to 22,000 sq. ft. of cannabis. Ono Associates intends to apply for three 10,000 sq. ft. small mixed light licenses in the near future to bring total cultivation to 52,000 sq. ft. For the purposes of this document, environmental evaluation will be conducted on the maximum proposed project of 52,000 sq. ft. of cultivation (operation). Prior to the expansion of facilities beyond 22,000 sq. ft. of cannabis, Ono Associates will be required to apply for additional cannabis licenses from the State and County.

The operation proposes up to six employees and includes the installation of security fencing, exterior lights and cameras for security, interior lights for supplemental lighting, interior blackout curtains, modifications to the existing ventilation system, and the installation of three new exterior fire hydrants and associated piping infrastructure to connect to an existing 3.3 million gallon (10 acre-feet) agricultural pond for fire suppression purposes. Ono Associates has applied for one County cannabis license as identified below.

License Type	State License Number	Canopy Size
Cultivation, Medium Mixed Light	LCA19-0005102	22,000 sq. ft.
<i>Potential Future Licenses</i>		
<i>Cultivation, Small Mixed Light</i>	<i>n/a</i>	<i>10,000 sq. ft.</i>
<i>Cultivation, Small Mixed Light</i>	<i>n/a</i>	<i>10,000 sq. ft.</i>
<i>Cultivation, Small Mixed Light</i>	<i>n/a</i>	<i>10,000 sq. ft.</i>

Proposed Amendment – Project Scope Changes

Project changes include increasing the number of cannabis operations from three to six operators. The new and expanded operations will be into both vacant and currently occupied greenhouse space, therefore the project now includes displacement (with replacement) of 140,000 square feet of agriculture currently present on the with existing greenhouses. No new development is proposed, and infrastructure already present on the site shall be used to serve the new and expanded commercial cannabis operations. The updated cumulative project scope is below:

File Number	Name	New or Existing	Existing/Proposed Square Footage of Cannabis*
MNA 2018-00028	CaliDutch, Inc.	Existing (no change)	20,000 sf of mixed-light cannabis 22,000 sf of cannabis nursery
MNA 2018-00029	KloneCo, Inc	Existing (no change)	40,000 sf of cannabis nursery
MNA 2018-00030	Ono Associates	Existing	42,000 sf of mixed-light cannabis
MNA2020-00020	Serenity Flowers LLC	New	42,000 sf of mixed-light cannabis
MNA2020-00021	GH Science	New	32,000 sf of mixed-light cannabis 10,000 sf of cannabis nursery
MNA2020-00023	Whispy Flowers	New	60,000 sf of mixed-light cannabis

\*Square footage may not match State license square footage as State licenses are available in set increments while County licenses reflect the exact square footage of cultivation.

The project also proposes to plant displaced agriculture on the parcel to offset for the cultivation that encroaches into currently occupied greenhouse space. An updated site plan for the parcel is included as Attachment E.

As indicated by the table above, no changes are proposed to previously evaluated CaliDutch, Inc., or KloneCo., Inc. operations. The amended project scope includes three additional operators (Serenity Flowers LLC, GH Science, and Whispy Flowers) and an update on the Ono Associates operation.

*Ono Associates*

In the 2020 Initial Study, Ono Associates was evaluated for cultivation that totaled 52,000 sq. ft. despite only applying for 22,000 sq. ft. of cultivation. Ono Associates has now applied for the additional State level permits to allow for an additional 20,000 sq. ft. of cultivation for a total of 42,000, which have not yet been issued by the State. However, as an operational size of 52,000 sq. ft. was evaluated in the 2020 IS, this change shall be considered previously evaluated and this update is purely for informational purposes.

State License Type	State License Number	Canopy Size
Cultivation, Medium Mixed Light	LCA19-0005102	22,000 sq. ft.
<i>Pending Licenses</i>		
<i>Cultivation, Small Mixed Light</i>	LCA21-0003804	10,000 sq. ft.
<i>Cultivation, Small Mixed Light</i>	LCA21-0003806	10,000 sq. ft.

*Serenity Flowers LLC (new operator)*

Serenity Flowers proposes to lease two existing greenhouses (6,125 sq. ft. and 53,928 sq. ft.) to cultivate approximately 42,000 sq. ft. of mixed light cannabis. Serenity Flowers has applied for one medium mixed light and two small mixed light State-level cultivation permits, which have not yet been issued by the State.

The operation proposes up to 6 employees (2 managers and 4 farm laborers) and includes the installation of security fencing, exterior lights and cameras for security, interior lights for supplemental lighting, replacement of existing interior blackout curtains, repairs to the existing greenhouse (as needed), and modifications to the existing ventilation system. The applicant proposes to install an ECOsorb CNB100 system designed to control cannabis odors, if there are documented odor issues on the parcel.

Serenity Flowers has applied for one County cannabis license for the 3 State cannabis licenses as identified below.

State License Type	State License Number	Canopy Size
<i>Pending Licenses</i>		
<i>Cultivation, Medium Mixed Light</i>	LCA21-0003738	22,000 sq. ft.
<i>Cultivation, Small Mixed Light</i>	LCA21-0003739	10,000 sq. ft.
<i>Cultivation, Small Mixed Light</i>	LCA21-0003740	10,000 sq. ft.

*GH Science (new operator)*

GH Science proposes to lease one existing greenhouse (approximately 76,500 sq. ft.) to cultivate 32,000 sq. ft. of mixed light cannabis and 10,000 sq. ft. of cannabis nursery. GH Science has applied for one medium mixed light, one small mixed light, and one nursery State-level cultivation permits, which have not yet been issued by the State.

The operation proposes up to 6 employees (2 managers and 4 farm laborers) and includes the installation of security fencing, exterior lights and cameras for security, interior lights for supplemental lighting, replacement of existing shade cloth with blackout curtains, repairs to the existing greenhouse (as needed), and modifications to the existing ventilation system. The applicant proposes to install an ECOsorb CNB100 system designed to control cannabis odors, if there are documented odor issues on the parcel.

GH Science has applied for one County cannabis license for the 3 State cannabis licenses as identified below.

State License Type	State License Number	Canopy Size
<i>Pending Licenses</i>		
<i>Cultivation, Medium Mixed Light</i>	LCA21-0004997	22,000 sq. ft.
<i>Cultivation, Small Mixed Light</i>	LCA21-0005053	10,000 sq. ft.
<i>Cultivation, Nursery</i>	LCA21-0004998	10,000 sq. ft.

*Whispy Flowers (new operator)*

Whispy Flowers proposes to lease one existing greenhouse (approximately 76,125 sq. ft.) to cultivate 60,000 sq. ft. of mixed light cannabis. Whispy Flowers has applied for one medium mixed light and four small mixed light State-level cultivation permits, which have not yet been issued by the State.

The operation proposes up to 6 employees (2 managers and 4 farm laborers) and includes the installation of security fencing, exterior lights and cameras for security, interior lights for supplemental lighting, replacement of existing interior blackout curtains, repairs to the existing greenhouse (as needed), and modifications to the existing ventilation system. The applicant proposes to install an ECOsorb CNB100 system designed to control cannabis odors, if there are documented odor issues on the parcel.

Whispy Flowers has applied for one County cannabis license as identified below.

State License Type	State License Number	Canopy Size
<i>Pending Licenses</i>		
<i>Cultivation, Medium Mixed Light</i>	LCA21-0003757	22,000 sq. ft.
<i>Cultivation, Small Mixed Light</i>	LCA21-0003758	10,000 sq. ft.
<i>Cultivation, Small Mixed Light</i>	LCA21-0003759	10,000 sq. ft.
<i>Cultivation, Small Mixed Light</i>	LCA21-0003760	10,000 sq. ft.
<i>Cultivation, Small Mixed Light</i>	LCA21-0003761	10,000 sq. ft.

**Parcel Water Rights**

**2020 Initial Study**

Butano Creek (Creek) is the primary source of water for Oku Farms. Oku Farms has existing water rights (see table below) to the Creek that permits a diversion of up to 40 acre-feet of water per year, and the utilization of two large agricultural ponds (sized at 10 and 30 acre-feet respectively) located north of the project parcel. Oku Farms has two in-stream points of water diversion and no alteration to these structures are proposed. A new California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreement (LSAA) to evaluate the proposed cannabis operations on-site is pending approval from CDFW (Permit No. EPIMS-06735-R3). Diversion under the proposed LSAA is confined to December 1 to April 1 of each year. During this period, a minimum in-stream bypass flow rate of 3 cubic feet per second (cfs) of water is required by the LSAA before diversion activities occur.

**State Water Resources Control Board - Parcel Water Rights**

Permit Number	License Number	Source	Amount Per Annum
11364	7140	Butano Creek	40 acre-feet

Water calculations were provided by the applicants to illustrate that the total annual water diversion for the cannabis operations and other agricultural operations on-site would not exceed the allowable water diversion authorized under the existing State license and water diversions historically conducted by Oku Farms. Two existing agricultural ponds containing approximately 40 acre-feet of water in addition to the water rights of 40 acre-feet to serve the site. Total water usage from the three cannabis operators is not expected to cause Oku Farms to exceed their maximum allowed water usage of 40 acre-feet per year accounting for both the banked water in the agricultural ponds and water diverted from Butano Creek.

Expected Water Usage	
User	Approximate Water Usage Per Annum
CaliDutch Inc.	11.5 acre-feet
KloneCo Inc.	8.96 acre-feet
Ono Associates	9.62 acre-feet
Other Agricultural Practices On-site	10 acre-feet

Proposed Amendment

As was discussed in the 2020 Initial Study, Oku Farms has an appropriative water right that includes 40-acre feet from Butano Creek per annum. Additionally, Oku Farms has an existing riparian water right for water from Butano Creek. Additionally, the parcel has an existing Lake and Streambed Alteration Agreement (LSAA) from California Department of Fish and Wildlife (CDFW) to evaluate the proposed cannabis operations on-site. CDFW staff have indicated that an amendment to the parcel's existing Lake and Streambed Alteration (LSA) will be needed and is currently in process.

State Water Resources Control Board - Parcel Water Rights				
Right Type	Permit Number	License Number	Source	Amount Per Annum
Appropriative	11364	7140	Butano Creek	40 acre-feet
Riparian	n/a	n/a	Butano Creek	n/a

Based upon the water usage of the 3 cannabis cultivators who have been operating on the parcel since 2020, the expected water usage has been updated to a more accurate estimation. Water usage was significantly less than previously expected. Therefore, all cannabis cultivation on the parcel will be served by the parcel's appropriative water right (40-acre feet per annum). The parcel's riparian water right will be used to provide water for the non-cannabis agricultural operations on the parcel, and water from an existing well will continue to be used to serve domestic water uses.

Expected Water Usage		
User	Approximate Water Usage Per Annum	Water Source
CaliDutch Inc.	3.38 acre-feet	Appropriative Right

KloneCo Inc.	3.30 acre-feet	Appropriative Right
Ono Associates	3.93 acre-feet	Appropriative Right
Whispy Flowers	3.93 acre-feet	Appropriative Right
Serenity Flowers	3.93 acre-feet	Appropriative Right
GH Science	3.22 acre-feet	Appropriative Right
Non-Cannabis Greenhouse Production	10 acre-feet	Riparian Right
Agriculture Displaced from Greenhouses	6 acre-feet	Riparian Right
Approximate Appropriative Right Total: 21.69 acre-feet per annum Approximate Riparian Right Total: 16 acre-feet per annum		

**Parcel Energy**  
**2020 Initial Study**

Documentation from Oku Farms verifies that the property has enrolled in Peninsula Clean Energy’s Eco100 clean energy program and generates electricity from 100% renewable resources. In addition, the applicants have stated that they intend to utilize energy efficient LED lights to reduce their energy costs and meet the County’s energy requirements.

**Proposed Amendment**

The parcel continues to participate in the Peninsula Clean Energy Eco100 clean energy program. The 3 additional operators, Serenity Flowers, GH Science, and Whispy Flowers, have submitted plans that indicate LED lights will be used for their lighting needs to reduce energy costs and meet the County’s energy requirements.

**12. Surrounding Land Uses and Setting:**

**2020 Initial Study**

The project site consists of a 27.35-acre agricultural parcel developed with numerous greenhouses, agricultural storage sheds, eight farm labor housing units, and associated road, water, and septic infrastructure. The project parcel is accessed via a paved private driveway off of Cloverdale Road, is relatively flat, and is bounded by Butano Creek to the south and two large agriculture impoundment ponds to the north. Surrounding parcels are designated for agricultural or open space use and contain relatively minor tree cover. With the exception of the farm labor housing on the project parcel, the residences in closest proximity to the proposed cannabis growing operations include a residence located 1,300 feet due east of the project parcel, on the other side of Cloverdale Road and another residence located approximately 1,200 feet to the southeast. Pescadero High School is located approximately 4,000 feet northeast of the project site and represents the nearest school in vicinity to the project site. This exceeds the 600-foot buffer required by State and County regulations. There are no other known protected sites (i.e., day care centers, youth centers or playgrounds, drug or alcohol treatment centers, residentially-designated properties) within 600 feet of the project parcel.

**Proposed Amendment**

The 2020 Initial Study surrounding land uses and setting description continues to be accurate.

**13. Other Public Agencies Whose Approval is Required:**

**2020 Initial Study**

CalCannabis Cultivation Licensing, (a division of the California Department of Food and Agriculture); Regional Water Quality Control Board; California Department of Fish and Wildlife.

Proposed Amendment

The above list of agencies continues to be accurate.

14. **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.?:** (NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process (see Public Resources Code Section 21080.3.2.). Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality).

2020 Initial Study

As of the date of this report, no California Native American tribe has requested consultation pursuant to Public Resources Code Section 21080.3.1. in general, or for this project specifically. While the County is only obligated to engage in consultation when a California Native American tribe has requested such consultation, and none have done so, it is the County’s policy to nonetheless initiate the consultation process when undeveloped and/or vacant land is proposed for development. The project site has been developed with greenhouses and other supporting buildings and structures for over 60 years, and as a result no consultation efforts particular to this site have been conducted.

Proposed Amendment

Since the 2020 Initial Study representatives of the Tamien Nation have required notification and the opportunity to consult on all County Projects. The proposed amendments to the project are located within existing greenhouses and no other development is proposed. Therefore, the County did not notify the Tamien Nation regarding the proposed amendment. If in the future, development occurs on this parcel the Tamien Nation will be notified and consulted.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

2020 Initial Study

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	X	Energy		Public Services
	Agricultural and Forest Resources		Hazards and Hazardous Materials		Recreation
X	Air Quality	X	Hydrology/Water Quality		Transportation

X	Biological Resources		Land Use/Planning	X	Tribal Cultural Resources
	Climate Change		Mineral Resources		Utilities/Service Systems
X	Cultural Resources	X	Noise		Wildfire
X	Geology/Soils		Population/Housing	X	Mandatory Findings of Significance

Proposed Amendment

The above table continues to be an accurate representation of the environmental factors potentially affected by the amended project.

**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.

<b>1. AESTHETICS.</b> Except as provided in Public Resources Code Section 21099, would the project:				
	<i><b>Potentially Significant Impacts</b></i>	<i><b>Significant Unless Mitigated</b></i>	<i><b>Less Than Significant Impact</b></i>	<i><b>No Impact</b></i>
1.a. Have a substantial adverse effect on a scenic vista, views from existing residential areas, public lands, water bodies, or roads?			X	
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The project parcel is located approximately 1,150 feet west of Cloverdale Road and sits within the Cloverdale Road/Stage Road/Pescadero Road County Scenic Corridor and contains several greenhouse complexes that were historically used to grow ornamental flowers. Currently 185,000 sq. ft. of greenhouse space on the project site is vacant and unused. The project, which involves the growth and cultivation of cannabis, will occur within 163,770 sq. ft. of the unused vacant greenhouse space. While no new greenhouse structures are proposed to support the project, the addition of a 500 sq. ft. office trailer, and 200 sq. ft. storage shed are proposed. The new office trailer and shed will be located along the northern edge of the KloneCo greenhouse complex. However, due to the site’s distance from Cloverdale Road (1,200 feet) and the presence of screening trees along the front property line, the addition of these structures would not be noticeable from Cloverdale Road. Furthermore, no public lands or public water bodies are adjacent to the project site. While the existing greenhouse complex that will house the project is visible from Cloverdale Road, no new structures or other changes on the project site that could create a significant new adverse visual impact from Cloverdale Road or adjacent parcels is proposed.</p> <p><u>Proposed Amendment</u></p> <p>The proposed amendment involves expanding cannabis cultivation within an additional 184,548 sq. ft. of existing greenhouse space. This expansion area is clustered in the same vicinity as the existing operations on the property and will be conducted within existing greenhouses. The expanded use will not have increased or new aesthetic impacts; therefore, the impacts remain less than significant.</p>				

<p><b>Source:</b>  2020 Initial Study - Project Plans; San Mateo County GIS.  Proposed Amendment – Amended Project Plans; San Mateo County GIS.</p>					
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	
<p><b>Discussion:</b>  <u>2020 Initial Study</u>  The project parcel is not located within a state scenic highway. As stated above, the project parcel is located within the Cloverdale Road/Stage Road/Pescadero Road County Scenic Corridor. The parcel is flat, bounded by Butano Creek to the south, and dominated by several large existing greenhouse complexes. No rock outcroppings and/or historic buildings are located on-site and no new structures (other than a 500 sq. ft. office trailer and 200 sq. ft. shed) or other significant external structural changes are proposed on the project site. While riparian vegetation and trees exist along Butano Creek no trees are proposed for removal. Grading and associated site disturbance to accommodate three new fire hydrants, water lines, and a new septic system will be minor in nature, blend with the surrounding topography and will not substantially damage or destroy scenic resources.  <u>Proposed Amendment</u>  The amended project scope does not have increased or new impacts on the existing visual character or quality of public views of the site; therefore, the impacts remain less than significant.</p> <p><b>Source:</b>  2020 Initial Study - Project Plans; San Mateo County GIS.  Proposed Amendment – Amended Project Plans; San Mateo County GIS.</p>					
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:**

2020 Initial Study

The project site is located within a non-urbanized area; however, the proposed project will occur entirely within existing greenhouse structures. Though the addition of a new office trailer and storage shed will occur, these structures are similar in scale to other existing accessory buildings present on the project site and will not be visible from Cloverdale Road due to existing tree cover. Therefore, the project will not substantially modify the existing visual character of the site. See discussion under Question 1(a).

Proposed Amendment

The amended project scope does not have increased or new impacts on the existing visual character or quality of public views of the site; therefore, the impacts remain less than significant.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

1.d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X	
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**Discussion:**

2020 Initial Study

As discussed above, there are three different business entities applying for separate cannabis licenses located within different greenhouse complexes on the parcel. Each applicant has provided the following information regarding their use of artificial lighting and proposed measures to control light pollution:

CaliDutch has stated that lighting will be used throughout all areas of the facility. Indoor lighting for nursery cultivation will include a mix of natural light throughout most of the year to reduce costs and energy use and Double-Ended (DE) High Pressure Sodium (HPS) lighting to increase lighting levels when necessary. The DE-HPS lights improve the quality of the plants and are considered the industry standard. To control the amount of natural light there will be three interior light deprivation curtains that open and close on either a manual, or a computer-controlled automatic system.

KloneCo has stated that they will emphasize the use of natural light in order to minimize costs as much as possible. However, artificial light will be necessary at times. KloneCo proposes to install LED lighting within their greenhouse lease area. KloneCo is also proposing to install light deprivation blackout curtains to prevent any artificial light from escaping their greenhouses at night.

Ono Associates plans to utilize a combination of natural sunlight and low wattage LED lighting for their cannabis cultivation. Ono will install low wattage string lighting at 6 watts per every 25 square feet within the facility. To control the plant's growth, Ono will replace existing shade cloth in their greenhouse with black-out curtains. The mix of natural and artificial lighting will enable Ono to harvest multiple crops a year without the need to use expensive, high output lighting.

The Environmental Impact Report adopted by the CalCannabis Cultivation Licensing Division acknowledges the potential for new sources of nighttime light and includes required screening measures to reduce potential impacts as outlined below:

*“[M]ixed-light cultivation of cannabis involves the cultivation of cannabis using both natural and artificial light and darkness for the purpose of controlling the life cycle of the plant. Techniques used to manipulate light, such as using tarps or other measures to exclude natural light or using low- or high intensity artificial lighting systems, could be visible outside of greenhouses or other mixed light facilities during the daytime or at night and could create a nuisance to adjacent and nearby properties, residences, and/or motorists traveling on affected roadways. The degree to which such lighting would create adverse impacts on sensitive receptors would vary widely among proposed cultivation sites, but could be significant in some locations. The Proposed Program regulations, however, would include implementation of environmental protection measures requiring that artificial lighting used for the manipulation of plant growth cycles be shielded to minimize the visual effects of the presence of lighting and nighttime glare (Section 8314; see Appendix A). Therefore, visual impacts from the Proposed Program would be less than significant.”* California Department of Food and Agriculture, CalCannabis Cultivation Licensing, Final PEIR, November 2017.

Consistent with this analysis, § 8304 (*General Environmental Protection Measures*) of the State regulations (*CalCannabis Regulations*) contain the following requirement:

(g) *Mixed-light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare.*

As the project is required to satisfy this State requirement, and because the applicants have already proposed measures (i.e., light deprivation curtains) to adhere to this requirement, staff has determined that there will be no significant visual impact due to the use of grow lights at the facility.

In addition to the growth of the crop itself, required security lighting on-site presents the potential for glare that could adversely affect day or nighttime views in the area. To address this potential impact, § 8304 (*General Environmental Protection Measures*) of the CalCannabis Regulations also require:

(c) *All outdoor lighting used for security purposes shall be shielded and downward facing.*

When the applicants submit building permits to construct the proposed site improvements, staff will confirm their building permit plans comply with these ordinance requirements.

#### Proposed Amendment

The proposed amendment expands the number of operators from 3 (CaliDutch, KloneCo, and Ono Associates) to 6. The new operators are Serenity Flowers LLC, GH Science and Whispy Flowers. In addition to the descriptions above and analysis of the artificial light practices and proposed measures to control light pollution of the operators, the practices of the 3 new operators are described below:

Serenity Flowers LLC plans to use a combination of natural sunlight and supplemental lighting for cannabis cultivation. In order to control growth of the plants, Serenity will replace existing shade cloth in their greenhouse with black-out curtains. They state this will enable them to harvest multiple crops per year without the need for expensive, high output lighting. The supplemental lighting to be used will be low wattage (11-watt) LED lighting with shielding directing light downward. The light will be 8-10 feet above the floor and each row will have 12 LED bulbs.

GH Science plans to use a combination of natural sunlight and low wattage (11-watt) LED lighting consisting of 5-6 rows of string lighting with shielding to reflect light downward. The lights will be 8-10 feet above the floor and each row will have 12 LED bulbs per string row.

GH Science will replace existing shade cloth in the greenhouse with black-out curtains to fully contain the lighting.

Whispy Flowers states that they will be using a combination of natural sunlight and low wattage LED lighting (11-watt) consisting of 5-6 rows of string lighting installed at a height of 8-10 feet with 12 LED bulbs per string row. Whispy Flowers will replace the existing shade cloth with black-out curtains. They state that the mix of natural and artificial lighting will enable Whispy to harvest multiple crops a year without the need for expensive, high output lighting.

The 3 additional cultivators propose lighting and light control measures that are both consistent with § 8304 (General Environmental Protection Measures) c and g, and are comparable with measures proposed by the 3 cultivators that are already operating on the parcel (LED lights and black-out curtains). Therefore, as described, the additional cannabis operators are not expected to create significantly more light or glare that was previously analyzed; therefore, impacts will remain less than significant.

**Source:**

2020 Initial Study - California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program (CalCannabis Regulations); Project Plans.

Proposed Amendment - California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program (CalCannabis Regulations); Amended Project Plans.

1.e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?			X	
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**Discussion:**

2020 Initial Study

The project site is not within the boundaries of a State Scenic Corridor. However, the project site is located within the Cloverdale Road/Stage Road/Pescadero Road County Scenic Corridor. As stated previously, the new office trailer and storage shed proposed for the north side of the KloneCo greenhouse complex will be screened by existing vegetation along the property line and will not be visible from Cloverdale Road. The addition of the buildings are not expected to change or impact the scenic value of this corridor.

Proposed Amendment

The amended project scope does not have increased or new impacts on the existing visual character or quality of public views of the site; therefore, the impacts remain less than significant.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo

1.f. If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
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**Discussion:**

2020 Initial Study

The project site is not within a Design Review District.

Proposed Amendment

The project site is not within a Design Review District.

**Source:**

2020 Initial Study - San Mateo County GIS.

Proposed Amendment – San Mateo County GIS; Project Location.

1.g.	Visually intrude into an area having natural scenic qualities?			X	
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**Discussion:**

2020 Initial Study

Cultivation activities will occur entirely within existing greenhouse structures. As discussed in Section 1.a. and 1.e. the addition of a new office trailer and storage shed will not significantly modify the existing visual character of the site as the site is already developed with several storage sheds and accessory buildings.

Proposed Amendment

The amended project scope does not include additional development that would visually intrude into the natural scenic qualities of the site; therefore, the impacts remain less than significant.

**Source:**

2020 Initial Study - Project Plans; County of San Mateo, 1986, General Plan Policies; County of San Mateo Local Coastal Program; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; County of San Mateo, General Plan Policies, 2013; County of San Mateo Local Coastal Program, 2013; San Mateo County GIS.

**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:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
2.a. For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X

**Discussion:**

2020 Initial Study

The project site is located within the Coastal Zone. The proposed use of the vacant greenhouses to grow cannabis. As cannabis cultivation is considered agriculture by the State of California, the project will not convert any farmland to non-agricultural use.

Proposed Amendment

The amended project scope will utilize both vacant and currently occupied greenhouse space to grow cannabis. State law (California Business and Professions Code Section 26060 (a)) defines cannabis as an agricultural product for the purposes of cannabis cultivation licenses. No change in use is proposed, as part of this amendment; therefore, no impacts are expected.

**Source:**

2020 Initial Study - San Mateo County GIS.

Proposed Amendment – San Mateo County GIS; Amended Project Plans; California Business and Professions Code Section 26060, 2017.

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

2020 Initial Study

The project site is zoned for agricultural use and is under a Williamson Act contract. The cultivation of cannabis is considered an agricultural activity by County of San Mateo and is consistent with the

agricultural zoning of the parcel. Furthermore, the California Department of Conservation (which administers the Williamson Act program at the State level) has determined that cannabis is an agricultural crop consistent with the Williamson Act requirements. As such, the project does not conflict with the parcel's existing Williamson Act contract.

Proposed Amendment

Since the 2020 initial study, it has been determined that for Williamson Act compliance purposes cannabis is considered a use compatible with agriculture but is not an agricultural use itself. The amended project scope includes the planting of agriculture to replace the agriculture that was displaced by cannabis within the greenhouses. The parcel will continue to grow traditional crops and will continue to be subject to the requirements of the Williamson Act.

**Source:**

2020 Initial Study - San Mateo County GIS; San Mateo County Zoning Regulations.

Proposed Amendment – San Mateo County GIS; Amended Project Plans; San Mateo County Zoning Regulations; San Mateo County Land Conservation (Williamson) Act Uniform Rules and Procedures.

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
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**Discussion:**

2020 Initial Study

The project site is a privately-owned 27.35-acre parcel developed with greenhouses, farm labor housing units, water tanks, associated storage sheds, and road and utility infrastructure. Though a majority of the parcel is developed with structures and/or low lying grassy vegetation, there is a linear band of riparian vegetation associated with Butano Creek along the southern property line. Per Public Resources Code Section 12220 (g) forestland is defined as *land that can support 10% native tree cover of any species and that allows for management of one or more forest resources including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation and other public benefits*. As seen in aerial photographs, the riparian areas cover about 10% of the property. However, the project will not result in the conversion of forestland to non-forestland as cultivation activities will occur within existing structures and the addition of the office trailer and storage shed will be located near the northern boundary line well away from Butano Creek and its riparian vegetation.

The parcel is identified as containing mostly Unique Farmland with small amounts of Prime Farmland by the San Mateo County Important Farmlands of Statewide Importance Map, 2018. Unique Farmland is defined by the California Department of Conservation as *lesser quality soils used for the production of the state's leading agricultural crops*. While Unique Farmland is defined as *land with the best combination of physical and chemical features able to sustain long term production of agricultural crops*.

The existing greenhouse complexes on-site are located on soils identified as Unique Farmland. The utilization of the vacant greenhouse space to cultivate cannabis would not involve the conversion of Farmland to non-agricultural use.

Proposed Amendment

The amended project scope will utilize both vacant and currently occupied greenhouse space to cultivate cannabis. This would not result in conversion of Farmland to non-agricultural use. The amended project scope will not result in any additional development on the parcel; therefore, the 2020 initial study analysis and determination of no impact continues to be accurate.

**Source:**

2020 Initial Study - California Department of Conservation, Farmland Mapping and Monitoring Program Map; Public Resources Code Section 12220(g); California Department of Conservation – San Mateo County Important Farmland Map, 2018; Project Location.

Proposed Amendment – California Department of Conservation, Farmland Mapping and Monitoring Program Map; Public Resources Code Section 12220(g); California Department of Conservation – San Mateo County Important Farmland Map, 2018, 2012; Project Location.

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:**

2020 Initial Study

No lands will be divided as part of this project. The proposed project will utilize the existing greenhouses on the site. The new office trailer and storage shed will be located on soils identified as Class II soils; however, these soils have been previously disturbed and converted into a parking/access area adjacent to the existing greenhouse complex. Placing the new structures in this location would not result in the further conversion of prime agricultural soils into non-agricultural use as the area has already been converted.

Proposed Amendment

The amended project scope would not result in any land division or additional development on the parcel; therefore, the impacts remain less than significant.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans, San Mateo County GIS.

2.e. Result in damage to soil capability or loss of agricultural land?			X	
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**Discussion:**

2020 Initial Study

See Section 2.e and 2.d for further discussion.

Proposed Amendment

See Section 2.e and 2.d for further discussion.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans, San Mateo County GIS.

<p>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))?</p> <p><i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i></p>			X	
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**Discussion:**

2020 Initial Study

The project parcel is zoned Planned Agricultural District/Coastal Development (PAD/CD). Agricultural production and the construction of agriculturally related buildings (i.e., storage sheds and office trailers) are allowed within the PAD. The project does not conflict with the zoning, require a rezoning, nor interfere with timberland production elsewhere on appropriately zoned lands. Nor would the project result in the conversion of forest land to non-forest use as discussed in Section 2.c.

Proposed Amendment

The amended project scope includes use of existing greenhouses for additional cannabis cultivation (3 additional operators) but does not include any additional development on the parcel. As such, the amended project scope will continue to be less than significant.

**Source:**

2020 Initial Study - San Mateo County GIS.

Proposed Amendment- San Mateo County GIS; Amended Project Plans.

**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>
<p>3.a. Conflict with or obstruct implementation of the applicable air quality plan?</p>			X	

**Discussion:**

2020 Initial Study

The Bay Area 2017 Clean Air Plan (CAP), developed by the Bay Area Air Quality Management District (BAAQMD or District), is the applicable air quality plan for San Mateo County. The CAP was created to improve Bay Area air quality and to protect public health and climate. Large

projects that exceed regional employment, population, and housing planning projections have the potential to be inconsistent with the CAP. Currently, the project site contains a mixture of vacant and occupied greenhouses that are currently used, or have been used, for the production of ornamental flowers, fruits, and vegetables. At the present time, the property owner employs 25 workers throughout the year with many of these workers living in farm labor housing units on-site. KloneCo and CaliDutch plan to add a total of 11-18 workers per day to the site while Ono Associates plans to utilize the existing on-site workers to fill the 6 employee positions their operation will require. Historically, Oku Farms employed up to 45 persons. With a proposed total employment level of approximately 43 persons with full implementation of the project and existing activities, the activity level on the project site is expected to return the level previously experienced when all the greenhouse structures were in production.

The project and its operation involve minimal hydrocarbon (carbon monoxide: CO) air emissions, whose source would be exhaust from vehicle trips (e.g., construction vehicles for the office trailer and storage shed and personal cars of construction workers and employees), whose primary fuel source is gasoline, during construction and project operation. The re-introduction of agricultural activities will generate the need for additional employees (i.e., 11-18 persons) which will result in a minor increase in personal vehicle trips to the site above existing conditions. While re-introduction of agricultural activities will also result in an increase in delivery vehicles (typically box trucks) to the parcel above current levels, this increase is not expected to exceed peak historic levels when all the greenhouses were occupied. CaliDutch and KloneCo. have each anticipated the need for approximately 12 delivery vehicle trips per month while Ono Associates estimates approximately 20 vehicle trips per month. With 12 vehicle trips per month to accommodate the existing agriculture on site, the parcel would see approximately 56 delivery vehicle trips per month during business days/hours. This is less than the approximate 60 delivery vehicle trips that occurred historically on site when all greenhouses were occupied. As such, the project is not expected to generate significant new operational vehicle trips above historic levels or those that would be expected of an agricultural site of this size.

The need for an additional 11-18 employees will not substantially affect housing, employment, and population projections within the region, which is the basis of the Bay Area Clean Air Plan projections. As such, the project is not considered a regionally significant project (under CEQA Guidelines Section 15206) such that the project would affect regional vehicle miles traveled (VMT) and warrant intergovernmental review by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC).

Furthermore, the project falls under the threshold levels contained in BAAQMD's screening criteria, which is used to identify projects that have the potential to generate emissions that exceed the District's operational emissions thresholds. These thresholds were established to identify projects that have the potential to generate a substantial amount of criteria air pollutants. Because the project will not exceed these thresholds, the project is not considered by the District to be a substantial emitter of criteria air pollutants. Therefore, the Project will not conflict with or obstruct implementation of the 2017 Bay Area Clean Air Plan and any impacts are considered less than significant.

#### Proposed Amendment

The amended project scope includes the addition of 3 additional operators to cultivate cannabis within existing greenhouses. Agricultural production that is currently present within this greenhouse space will be replaced elsewhere on the parcel (140,000 square feet of replacement agriculture). There have been no changes to the staffing for KloneCo and CaliDutch (11-18 workers per day). Ono Associates, Serenity Flowers, GH Science, and Whispy Flowers each plan to utilize 6 workers per day. The property owner has estimated that a maximum of 20 workers per day will be needed for the non-cannabis agriculture on the parcel with this number lowering as

cannabis cultivation ramps up on the parcel. Therefore, the maximum workers required for the cannabis cultivation is 42, with a maximum of 62 workers will be present on the parcel at any one time. While this is an increase from the number of workers historically on the parcel, these additional workers are not expected to have a significant impact on air emissions above those that would be expected of an agricultural operation site of this size. The need for 17 additional employees will not substantially affect housing, employment or population projections within the region, which is the basis of the Bay Area Clean Air Plan projections. As such, the project is not considered a regionally significant project (under CEQA Guidelines Section 15206) such that the project would affect regional vehicle miles traveled (VMT) and warrant intergovernmental review by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC).

**Source:**

2020 Initial Study - Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air Plan; Project Plans.

Proposed Amendment - Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air Plan; Amended Project Plans.

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		
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**Discussion:**

2020 Initial Study

The San Francisco Bay Area Air Basin is a State designated non-attainment area for Ozone, Particulate Matter (PM10), and Fine Particulate Matter (PM-2.5). On January 9, 2013, the Environmental Protection Agency (EPA) issued a final rule to determine that the Bay Area attained the 24-hour PM-2.5 national standard. However, the Bay Area will continue to be designated as “non-attainment” for the national 24-hour PM-2.5 standard until the BAAQMD submits a “re-designation request” and a “maintenance plan” to the EPA and the proposed re-designation is approved by the Environmental Protection Agency.

The project will utilize existing greenhouse buildings to cultivate cannabis. There is no evidence to suggest that cultivation activities will generate significant new levels of criteria air pollutants (ROG, NOx, PM10 and PM2.5), or Toxic Air Contaminants (TAC), or Greenhouse Gases (GHGs).

However, according to the applicants, there is one small stationary diesel generator on the project site which has the potential to release GHGs during its operation. At the present time, the applicants have not been able to ascertain whether this generator has been registered with the BAAQMD in accordance with the District’s Regulation 11, Rule 17 (*Limited Use Stationary Compression Ignition (Diesel) Engines in Agricultural Use*). This rule provides an exemption for very-low use (less than 20 hours per year) stationary engines. However, the owner or operator of a stationary agricultural diesel engine must still register the engine in the District’s Agricultural Diesel Engine Registration Program, and renew registration annually. The program also requires an owner or operator to document the number of hours the generator is used during the year.

In addition, Section 8306 (*Generator Requirements*) of the CalCannabis Regulations requires applicants using generators to demonstrate compliance with the above rule by providing “a *Permit to Operate, or other proof of engine registration, obtained from the Local Air District with jurisdiction over the licensed premises.*” Additionally, Section 8306 requires:

- (d) *All generators shall be equipped with non-resettable hour-meters. If a generator does not come equipped with a non-resettable hour-meter an after-market non-resettable hour-meter shall be installed.*

Any future use of the diesel generator for the proposed cultivation activities will be in compliance with the CalCannabis Regulations and subject to the registration and operating requirements of the District. Compliance with these requirements will ensure that the use of the generator will not generate a cumulatively considerable increase in criteria air pollutants. In addition, to the existing generator on site, CaliDutch has also proposed to install a new generator adjacent to their leased greenhouse structure. Though CaliDutch has not determined what type of generator they will install (i.e. diesel or natural gas powered), this generator will be required to comply with the CalCannabis Regulations and will be subject to applicable registration and operating requirements.

Construction of the proposed new septic system, storage shed, office trailer, and the installation of three new fire hydrants and associated water lines is expected to result in a temporary increase in PM-2.5 in the project area as these PM-2.5 particles are a typical construction vehicle emission. Any increase in these criteria pollutants would be significant due to the area's non-attainment. However, the temporary nature of proposed construction activities and adherence to the mitigation measure below will reduce the potential effects of increased PM-2.5 to a less than significant level.

**Mitigation Measure 1:** Pollutant Control – The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District's Basic Construction Mitigation Measures, listed below:

- a. Water all active construction areas at least twice daily.
- b. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- c. Sweep daily all paved adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
- d. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
- e. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand etc.) that can be blown by the wind.
- h. Replant vegetation in disturbed areas as quickly as possible.
- i. Install erosion control measures to prevent silt runoff to public roadway and/or into Butano Creek.
- j. All haul trucks transporting soil, sand, or other loose material on and off site shall be covered.
- k. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

I. A publicly visible sign with the telephone number and person to contact at the project site regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Proposed Amendment

In relation to the amended project scope, the mitigation measure proposed above will continue to ensure that the impacts of the amended project scope will be less than significant (as mitigated).

**Source:**

2020 Initial Study - Bay Area Air Quality Management District (BAAQMD), 2017, Bay Area 2017 Clean Air Plan; Bay Area Air Quality Management District (BAAQMD), 2011: Regulation 11 (Hazardous Pollutants), Rule 17 - Limited Use Stationary Compression Ignition (Diesel) Engines In Agricultural Use; California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program (CalCannabis Regulations); Project Plans.

Proposed Amendment - Bay Area Air Quality Management District (BAAQMD), 2017, Bay Area 2017 Clean Air Plan; California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program (CalCannabis Regulations); Amended Project Plans.

3.c. Expose sensitive receptors to substantial pollutant concentrations, as defined by the Bay Area Air Quality Management District (BAAQMD)?				X
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**Discussion:**

2020 Initial Study

The two nearest residences adjacent to the project site are located 1,300 feet due east of the project parcel, on the other side of Cloverdale Road and 1,200 feet to the southeast. Pescadero High School is located approximately 4,000 feet northeast of the project site and represents the nearest school in vicinity to the project site. The project would not result in the generation of substantial pollutant concentrations as defined by the BAAQMD (for further discussion see Section 3.b). Due to the distance from the nearest identified sensitive receptors and the fact that the project would not generate substantial pollutant concentrations no impact is expected.

Proposed Amendment

The amended project scope includes cultivation within existing greenhouses in close proximity to the greenhouses previously described; therefore, there is no substantial evidence that the amended project will expose sensitive receptors to substantial pollutant concentrations.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans, San Mateo County GIS.

3.d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		X		
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**Discussion:**

2020 Initial Study

Odors are not a regulated air pollutant such as PM10 or ROG. As such, the BAAQMD has developed qualitative parameters that should be considered when evaluating project level odor issues. The District has established odor screening thresholds for certain odor generating land uses. Cannabis cultivation operations are not on the list of odor generating land uses. However, composting operations are on the list. The District has established a threshold of 1-mile between this category of odor source (compost operations) and receptors. In other words, if the distance between the odor source and a receptor is less than 1-mile, then there will likely be an odor impact upon the receptor. As a proxy, the County proposes to use the “composting operations” category to establish whether there could be a potential odor impact upon nearby residences (to this proposed cannabis operation).

There are two residences within a 1-mile radius of the project site. Both residences could be exposed to odor impacts due to the release of exhaust air from the greenhouses that will be utilized for the flowering plants. At the present time, there are no odor control devices on the exhaust fans of the project greenhouses.

The odor associated with cannabis plants occurs during the flowering stage when buds begin to grow on each plant. This is not an issue during the plant’s early “seedling” stage, when individual plants are being propagated in the nursery greenhouses. Thus, odor control measures are not necessary on the buildings proposed for nursery use. As discussed in the project description section, KloneCo is proposing only cultivation of nursery stock. Therefore, no odor control systems are required on the greenhouses that KloneCo will occupy. However, both CaliDutch and Ono Associates as cultivation facilities have proposed to install charcoal filter air-scrubber systems to control the escape of odors associated with cannabis flowering. The mitigation measure below is included to ensure said systems are constructed prior to the beginning of cultivation operations. With the installation of the recommended odor control system on all buildings containing flowering cannabis plants and or their product, the odor that may be generated by the concentration of a large number of plants will be minimized to a less than significant level.

**Mitigation Measure 2:** Odor Control -- Prior to the issuance of the requested Type 2B or 3B (Mixed Light, Cultivation) licenses, the applicants (CaliDutch and Ono Associates) shall apply for building permits to install charcoal filter air-scrubber systems within all buildings that will contain flowering cannabis plants or their product. This includes the greenhouses and the drying and processing buildings. The applicant shall also submit a maintenance plan for the air-scrubber systems (which includes record keeping) for review and approval prior to issuance of the requested licenses.

Proposed Amendment

The amendments to the project scope include the addition of 3 additional cannabis cultivators within existing greenhouse space. These 3 operators have proposed the installation of an ECOsorb CNB100 system to serve as odor control if odor becomes an issue. The ECOsorb system is designed to neutralize cannabis odors and is an advancement of technology. Therefore, it would be appropriate to update Mitigation Measure 2 to allow for the installation of “charcoal filter air-scrubber systems or other similar cannabis odor control system that has been determined to be superior to charcoal filter air-scrubber systems within all building that will contain flowering cannabis plants or their product”. As such, Mitigation Measure 2 shall read:

**Mitigation Measure 2:** Odor Control -- Prior to the issuance of the requested Type 2B or 3B (Mixed Light, Cultivation) licenses, the applicants (CaliDutch, Serenity

Flowers, GH Science, Whispy Flowers and Ono Associates) shall apply for building permits to install charcoal filter air-scrubber systems or other similar cannabis odor control system that has been determined to be equivalent to charcoal filter air-scrubber systems within all building that will contain flowering cannabis plants or their product. This includes the greenhouses and the drying and processing buildings. The applicant shall also submit a maintenance plan for the air-scrubber systems (which includes record keeping) for review and approval prior to issuance of the requested licenses

The above updated mitigation measure will continue to ensure that the impacts of the amended project scope will be less than significant (as mitigated).

**Source:**

2020 Initial Study - Bay Area Air Quality Management District (BAAQMD), CEQA Air Quality Guidelines (2017); CDFG CalCannabis DEIR, Vol. 1; Project Plans.

Proposed Amendment - Bay Area Air Quality Management District (BAAQMD), CEQA Air Quality Guidelines (2017); CDFG CalCannabis DEIR, Vol. 1; Amended Project Plans.

**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?		X		

**Discussion:**

2020 Initial Study

The project site is developed with multiple greenhouses, accessory buildings, farm labor housing units, and various road and utility infrastructure. Two large agricultural ponds are located just north of the project parcel while Butano Creek, bordered by typical riparian habitat along both sides, cuts through the project parcel and runs along its southerly boundary line. A search of the California Natural Diversity Database (CNDDB) identified the potential for two sensitive species to be located on-site - steelhead salmon and San Francisco garter snake (SFGS) - while the site's LSAA identified the potential for several other species to be located on-site. These species include but are not limited to the: California red-legged frog (CRLF), California roach, coho salmon, coastal threespine stickleback fish, roosting bats, and nesting birds.

As discussed in the project description, the project will involve minimal site disturbance to include the installation of three new fire hydrants and associated waterlines, a new 500 sq. ft. office trailer, a new 200 sq. ft. storage shed, a new septic system to support expanded bathroom facilities (which will require review and approval by the County's Environmental Health Division), and minor interior and exterior modifications to the greenhouse structures. The installation of these structures and

facilities will be confined to the northern half of the parcel in previously disturbed areas and located approximately 270 feet away from the Butano Creek riparian vegetation at its closest point. However, one of the new fire hydrants and water line will be located at the back of a greenhouse immediately adjacent to the Butano Creek riparian vegetation. The hydrant and water line will be located in a disturbed area along the edge of an existing graveled road and will not encroach into the riparian vegetation. As such, there is no expectation that the construction of proposed site improvements would modify or adversely impact sensitive riparian habitats or species.

Though Oku Farms has water rights to Butano Creek to divert up to 40 acre-feet of water per year from the Creek (see Section 19 for water rights discussion), project operation, specifically increased water diversion from Butano Creek to support the proposed cannabis crop, can potentially impact Butano Creek, the surrounding riparian habitat, and species of special of concern if water demands exceed water supply. This is especially true during the dry season, when the potential to dewater a creek is more likely. To prevent such an occurrence, CDFW, in their proposed LSAA (Attachment ), included Avoidance and Minimization Measures. Adherence to these measures which include but are not limited to bypass flow rates, season of allowed diversion, leak inspections, and reporting measures will ensure no significant impacts will occur. Mitigation Measure 3 below requires compliance with the LSAA to ensure no significant impacts result from water diversion.

**Mitigation Measure 3:** Avoidance and Minimization Measures – The applicant shall adhere to the Avoidance and Minimization Measures contained within proposed Lake and Streambed Alteration Agreement to be issued to Oku Farms by the California Department of Fish and Wildlife.

- a) The season of diversion shall be limited from December 1 to April 1 of each year. From April 2 to November 30, all water shall be allowed to pass the point(s) of diversion
- b) The applicant shall maintain a protection bypass flow at all times while the diversion is operating. No water shall be diverted until at least 3 cfs is allowed to bypass the existing point(s) of diversion. If a diversion event causes the stream to drop below 3 cfs as measured by installed stream gauges, diversions shall cease. Diversion events may resume once the stream has reached a flow greater than 3 cfs and bypass flows continue to be met.
- c) The applicant shall install a meter/device capable of measuring the quantity of water diverted from the point(s) of diversion. The meter shall be designed to record the cumulative diversion amounts and measurement shall begin as soon as the LSAA is approved by CDFW.
- d) A stream gauge device shall remain installed each year and maintained in working order during the diversion season
- e) Diversion structure(s) inlets and outlets and flow bypass pipe(s) shall be fitted with fish screens meeting the “fry-size” criteria of CDFW and the National Marine Fisheries Service before water is impounded or diverted. These screens shall be maintained and kept clean and free of accumulated debris.
- f) Work within the stream channel may be subject to a LSAA and shall be confined to the period of June 1 through October 31.
- g) Regular inspections of the diversion point(s) and storage infrastructure shall be made to identify any leaks or water supply inefficiencies to prevent water loss. All leaks identified during inspections shall be repaired in a timely manner.
- h) Project infrastructure shall not prevent, impeded or prevent the passage of fish and/or other aquatic wildlife up or down stream.
- a. Migratory nongame native bird species are protected under the Federal Migratory Bird Treaty Act of 1980. California Fish and Game Code prohibits the take of all birds and their active nests.
- i) The Applicant shall not disturb trees that contain active bird nests without prior consultation and approval of CDFW.

- j) Any substance used to control or restrict plants, animals, insects, fungus, or bacteria and/or surfactants shall not be used or applied where they could enter the riparian buffer area or waters of the state.
- k) No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, asphalt, paint, oil or other petroleum products or any other substances which could be hazardous to aquatic life, or other project related materials shall be allowed to contaminate the soil and/or placed where it may be washed by rainfall or runoff into waters of the state.
- l) The Applicant shall submit an annual statement of water use to the State Water Resource Control Board when exercising its water right. For each year that the pending LSAA is valid the applicant shall submit a copy of the report to the CDFW.
- m) For each year that the pending LSAA is valid, the applicant shall submit to CDFW a Compliance and effectiveness Monitoring Plan. This report shall include: a summary of flow data collected, summary of dates when water was diverted, the total volume of water diverted, a table and graph of the upstream gage, summary and photo documentation of the bypass flow area(s), and a description of possible additional measures that could achieve resource goals if the observed flows are not meeting the criteria outlined in the plan.

Proposed Amendment

In relation to the amended project scope, the mitigation measure above will continue to ensure that the impacts of the amended project scope will be less than significant (as mitigated). The project would be required to comply with any additional mitigation measures proposed by CDFW as part of a LSAA amendment, as appropriate, for the amended project scope.

**Source:**

2020 Initial Study - Project Plans; CDFW LSAA, 2019.

Proposed Amendment – Amended Project Plans

4.b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
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**Discussion:**

2020 Initial Study

As discussed in Section 4.a above, there will be no physical changes to the existing stream diversion structures in Butano Creek. Nor will there be a change to the rate, total amount, or time of year during which water can be withdrawn from the Creek. As such impacts to Butano Creek and its riparian habitat is not expected. In addition, site disturbance to accommodate two accessory structures and infrastructure improvements will be located in disturbed areas, will not encroach upon the riparian habitat and are not expected to result in new, significant impacts.

Proposed Amendment

The amended project scope does not alter the existing stream diversion structures in Butano Creek. The applicant has updated their expected water usage based upon actual usage data since the project's original initial study. Based upon these updated numbers, impacts to Butano Creek and its riparian habitat are not expected, despite the expanded project scope.

**Source:**  
 2020 Initial Study - Project Plans.  
 Proposed Amendment – Amended Project Plans.

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		
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**Discussion:**

2020 Initial Study

To meet the U.S. Army Corps of Engineers definition of wetland, three characteristics must be demonstrated: wetland vegetation, wetland hydrology, and wetland soils. In addition, a wetland must have a hydrological connection to other wetlands and/or waters of the United States.

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information to the public on the extent and status of the Nation's wetlands. Per the U.S. Fish and Wildlife Service National Wetlands Inventory Mapper, Butano Creek is identified as a "Riverine" habitat and classified as a R3UBH, riverine (R), upper perennial (3), unconsolidated bottom (UB), permanently flooded (H) creek. This is a non-tidal wetland contained within a channel, with very little floodplain development, in which surface water is present throughout the year in all years. Mapped wetland habitat is also located immediately adjacent to the project parcel to the north (i.e., the agricultural ponds) and to the west. The wetland habitat to the west is identified as freshwater forested/shrub wetland habitat and classified as PFO/SSC, palustrine (P), forested (FO), scrub-shrub (SS), and seasonally flooded (C). Though the parcel abuts and/or contains identified wetland habitats, cannabis growing and cultivation activities will occur within existing buildings and would not have a substantial adverse effect with implementation of the recommended mitigation measures contained in Section 4.a.

In addition, the construction and/or placement of proposed accessory structures, fire hydrants, and septic improvements will not have a substantial adverse effect on the identified wetland habitats as only minor site disturbance is necessary to accommodate these improvements. The accessory structures and expanded septic system are located approximately 260 feet from the nearest wetland habitat (i.e., the agricultural ponds) and would not necessitate the removal or filling of the wetland habitat. Similarly, the installation of three new fire hydrants and associated water line infrastructure will be located in previously disturbed areas and would not require the removal or filling of wetland habitat to construction or operate these facilities.

Proposed Amendment

The amended project scope would not result in any additional development on the parcel; therefore, the impacts remain less than significant.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.  
 Proposed Amendment – Project Plans; San Mateo County GIS.

4.d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native			X	
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resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>Wildlife corridors are important for the persistence of wildlife in the landscape and facilitate movement between populations. Types of wildlife movement includes migration (i.e., one direction per season), inter-population movement (i.e., long-term genetic exchange), and small travel pathways (i.e., daily movement within an animal’s home range). Though the majority of the parcel is heavily developed with numerous greenhouse structures, accessory buildings, farm labor housing units, water tanks, and road and utility infrastructure, Butano Creek and its riparian vegetation likely acts as a travel corridor for local wildlife. As the project does not involve work within Butano Creek or the riparian habitat, the project is not expected to substantially interfere with the movement of wildlife species.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope would not result in any land division or additional development on the parcel; therefore, the impacts remain less than significant.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Location; Project Plans.</p> <p>Proposed Amendment – Project Location; Amended Project Plans.</p>				
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
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The majority of project activities will occur within existing buildings. Minor site improvements to accommodate additional accessory structures and utility improvements are also proposed. These improvements will be located in previously disturbed areas and no vegetation or tree removal activities are proposed to accommodate the improvements.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope would not result in any additional development on the parcel; therefore, no additional impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans.</p> <p>Proposed Amendment – Amended Project Plans.</p>				
4.f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other				X

approved local, regional, or state habitat conservation plan?				
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>There are no adopted Habitat Conservation Plans (HCP) or other such plans that include the project site. The only adopted HCP in San Mateo County is the San Bruno Mountain HCP, located approximately 30 miles from the project parcel. The project is not expected to conflict with the San Bruno HCP.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope would not result in any additional development on the parcel that could conflict with an adopted Habitat Conservation (or similar) Plan; therefore, no additional impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - San Mateo County GIS.</p> <p>Proposed Amendment – San Mateo County GIS; Amended Project Plans.</p>				
4.g. Be located inside or within 200 feet of a marine or wildlife reserve?				X
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>There are no marine or wildlife reserves near, adjacent, nor on the project site. Thus, the project poses no impact.</p> <p><u>Proposed Amendment</u></p> <p>There are no marine or wildlife reserves near, adjacent, nor on the project site. Thus, the project poses no impact.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans; San Mateo County GIS.</p> <p>Proposed Amendment – Amended Project Plans; San Mateo County GIS.</p>				
4.h. Result in loss of oak woodlands or other non-timber woodlands?				X
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>There are no oak woodlands on the project parcel. Riparian woodland vegetation is located along the southern boundary of the project parcel. However, as no trees are proposed for removal to accommodate the project, no impact will occur.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not include tree removal; therefore, no additional impacts are expected.</p>				

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

**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:**

2020 Initial Study

All proposed cultivation will occur within existing greenhouse buildings which do not meet the definition of a historical resource. Though minor site disturbance will occur to accommodate the new accessory buildings and fire hydrants these structures will be located in previously disturbed areas. Grading and site disturbance activities to accommodate these improvements may have the potential to unearth previously undiscovered subsurface archaeological resources. In order to preserve potential undiscovered archaeological resources and reduce the proposed project’s impacts to a less than significant level, the mitigation measures below are recommended.

Though all growing and cultivation activities will occur within existing greenhouse buildings, the project was also referred to the Native American Heritage Commission (NAHC) to determine the site’s potential for cultural resources. In a response letter dated January 22, 2020, the NAHC noted that the requested Sacred Lands File search results were negative. Though the NAHC has no records of cultural resources at the project site, a list of Native American Tribes who may have knowledge of cultural resources in the area was provided with the recommendation that the Lead Agency contact these tribes. Per the recommendation of the NAHC, San Mateo County contacted these tribes notifying them of the proposed project to determine if there would be a significant impact to tribal or cultural resources. As of February 26, 2020, San Mateo County has received no response to indicate that the proposed project would impact any cultural or historical resources.

**Mitigation Measure 4:** In the event that archaeological resources are inadvertently discovered during construction, work in the immediate vicinity (within 50 feet) of the find must stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas beyond the 50-foot stop work area. A qualified archaeologist is defined as someone who meets the Secretary of the Interior's Professional Qualifications Standards in archaeology. The Current Planning Section shall be notified of such findings, and no additional work shall be done in the stop work area until the archaeologist has recommended appropriate measures, and those measures have been approved by the Current Planning Section and implemented.

**Mitigation Measure 5:** If a newly discovered resource is, or is suspected to be, Native American in origin, the resource shall be treated as a significant Tribal Cultural Resource, pursuant to Public Resources Code 21074, until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative.

Proposed Amendment

In relation to the amended project scope, no additional development is proposed; therefore, no impacts are expected. In the unlikely event that cultural resources are discovered on the parcel, the mitigation measures above will continue to ensure that the impacts would be less than significant.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

5.b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?		X		
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**Discussion:**

2020 Initial Study

See Section 5.a for discussion.

Proposed Amendment

See Section 5.a for discussion.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

5.c. Disturb any human remains, including those interred outside of formal cemeteries?			X	
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**Discussion:**

2020 Initial Study

As discussed above, all proposed cultivation will occur within existing greenhouses. The project site has been developed with greenhouses and other support buildings for over 60 years. There is no evidence to suggest that human remains are interred on the project site. Regardless of the presence or lack of human remains on the site, the applicants are still subject to Section 8304 (*General Environmental Protection Measures*) of the California “Cannabis Cultivation Program” which requires the immediate halt of cultivation activities and implementation of Section 7050.5 of the Health and Safety Code if human remains are discovered. Adherence to this section of the government code will reduce impacts to less than significant levels if human remains are encountered on the project parcel.

Proposed Amendment

In relation to the amended project scope, no additional development is proposed; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - California Code of Regulations, Title 3. Food And Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; Project Plans.

<b>6. ENERGY.</b> 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:**

2020 Initial Study

The greenhouse complexes on-site are existing. While some minimal physical improvements to the greenhouse structures and site (security systems, fire hydrants, etc.) are proposed, there is no evidence to indicate that these improvements would result in unnecessary energy consumption or that they would be constructed in a wasteful and/or inefficient manner.

In addition, a review of plans submitted by the applicants does not indicate any unnecessary or wasteful energy consumption. The primary source of energy consumption at the project site will be associated with the use of grow lights within the greenhouses. The applicants propose to install LED or Double-Ended (DE) High Pressure Sodium (HPS) lighting within the greenhouses which are currently the most efficient forms of artificial lighting. The higher intensity lighting will be confined to buildings where cannabis is grown with supplemental natural light utilized wherever possible to reduce energy costs. No other large energy consuming uses are shown or proposed on the plans. In addition, all three applicants have committed to employ local residents, local contractors, and suppliers for construction and site maintenance whenever possible to reduce transportation times and overall fuel consumption. Though CaliDutch does plan to install a generator, this generator would be for emergency purposes only and would be subject to state reporting requirements (See Sections 3.b and 8.a for further discussion on the emergency generator). Specific energy saving measures for each operation are listed below.

CaliDutch

CaliDutch will be utilizing energy efficient heat retention curtains to trap heat in the greenhouses during the winter months and reduce overall energy consumption. In addition, an environmental control system with real time interpretation of environmental data will be installed. This system will be able to turn on/off artificial lights if the crop is receiving enough natural light further reducing energy consumption on-site. CaliDutch estimates an energy consumption of 25 watts/sq. ft. where crops are grown within the greenhouse structure and an overall energy consumption of 10,000 kilowatt-hours (kWh) per day.

KloneCo

KloneCo will utilize energy efficient mechanical equipment and install smart environmental control systems to minimize the unnecessary use of heating and cooling equipment. KloneCo will have an

energy consumption of 2.24 watts/sq. ft. within the lighted greenhouse building and an overall energy consumption of 6,000 kWh per day.

Ono Associates

Ono Associates will also utilize energy efficient mechanical and environmental control equipment. Ono Associates will have an energy consumption of 2.25 watts/sq. ft. and an overall energy consumption of 8,000 kWh per day.

In compliance with Section 5.148.160(n) of the County’s Cannabis Cultivation Ordinance which requires *all electrical power, including, without limitation, for illumination, heating, cooling, and ventilation, shall be provided by on-grid power with 100% renewable energy source or on-site zero net energy renewable source such that annual consumed energy is less than or equal to the on-site renewable generated energy*, Oku Farms has enrolled in Peninsula Clean Energy’s Eco100 program which provides electricity from 100% renewable resources. As such, all electricity on the project site will be provided by 100% renewable resources.

Proposed Amendment

While the amended project scope does include 3 additional operators (Serenity Flowers, GH Science, and Whispy Flowers), the parcel will continue to utilize 100% renewable energy. Therefore, any impacts are expected to be appropriately mitigated and to not be significantly beyond what has already been analyzed

**Source:**

2020 Initial Study - Project plans; PG&E Solar Choice; Peninsula Clean Energy.com/energy-choices; San Mateo County Cannabis Cultivation Ordinance.

Proposed Amendment – Amended Project Plans; Peninsula Clean Energy’s Eco100 program, 2022; San Mateo County Cannabis Cultivation Ordinance.

6.b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.				X
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**Discussion:**

2020 Initial Study

There is no evidence to suggest that any aspect of the project will conflict with the County’s Climate Action Plan (which incorporates Clean Energy policies) or the State’s Title 24 building energy efficiency standards. As stated above, the project must utilize 100% renewable energy sources either from the electrical grid and/or generate sufficient renewable energy on-site to meet the requirements of the County’s Cannabis Cultivation Ordinance.

Proposed Amendment

In relation to the amended project scope, there is no reason to believe that the additional cannabis cultivators will conflict with the County’s Climate Action Plan; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - San Mateo County Cannabis Cultivation Ordinance.

Proposed Amendments – San Mateo County Cannabis Cultivation Ordinance.

7. <b>GEOLOGY AND SOILS.</b> 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:				X
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other 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
<b>Discussion:</b> <u>2020 Initial Study</u> The nearest identified earthquake fault line is the Coastways Fault located approximately 0.45 miles to the east of the project parcel. The Coastways Fault is surrounded by the San Gregorio Fault Zone. At its closest point, the San Gregorio Fault Zone is located 0.25 miles to the east of the project parcel on the other side of Cloverdale Road. While in close proximity to Coastways Fault, the project site is not located within a mapped Alquist-Priolo Fault Zone. There is no additional evidence to conclude that the project site is subject to fault rupture.  <u>Proposed Amendment</u> The 2020 initial study discussion of earthquake faults remains accurate for the project parcel; therefore, impacts will remain less than significant.  <b>Source:</b> 2020 Initial Study - California Earthquake Hazards Zone Map (Franklin Point Quad) – California Department of Conservation <a href="https://maps.conservation.ca.gov/cgs/EQZApp/app/">https://maps.conservation.ca.gov/cgs/EQZApp/app/</a> ; San Mateo County GIS. Proposed Amendment - California Earthquake Hazards Zone Map (Franklin Point Quad) – California Department of Conservation <a href="https://maps.conservation.ca.gov/cgs/EQZApp/app/">https://maps.conservation.ca.gov/cgs/EQZApp/app/</a> ; San Mateo County GIS.				
ii. Strong seismic ground shaking?			X	
<b>Discussion:</b> <u>2020 Initial Study</u> The Coastways Fault and the San Andreas Fault are located 0.45 miles and 12 miles, respectively, to the east of the project parcel. A major earthquake along either fault line could produce strong to				

violent ground shaking. The proposed project will utilize the existing greenhouse buildings which were built in accordance with the building code at the time of their construction. These buildings are non-habitable and have withstood previous earthquake events, including the 1989 Loma Prieta earthquake. As such, it is not expected that the project will pose a health or safety risk to employees or persons within the structures. No further mitigation is necessary.

Proposed Amendment

The amended project scope continues to utilize existing greenhouses; therefore, impacts will remain less than significant.

**Source:**

2020 Initial Study - Association of Bay Area Governments, Shaking Hazard Map <http://resilience.abag.ca.gov/earthquakes/>; Project Plans; Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS; Association of Bay Area Governments, Shaking Hazard Map <http://resilience.abag.ca.gov/earthquakes/>.

iii. Seismic-related ground failure, including liquefaction and differential settling?				X
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**Discussion:**

2020 Initial Study

Based on the San Mateo County Geotechnical Hazards Synthesis Map, there is a low potential for liquefaction on the project parcel. As the project site is not within a mapped liquefaction hazard zone or on soils known to be susceptible to liquefaction or differential settling no impacts are expected to occur.

Proposed Amendment

The 2020 initial study discussion of ground failure remains accurate for the project parcel; therefore, impacts will remain less than significant.

**Source:**

2020 Initial Study - California Geological Survey Seismic Hazards Zones Maps; San Mateo County GIS.

Proposed Amendment - California Geological Survey Seismic Hazards Zones Maps; San Mateo County GIS.

iv. Landslides?				X
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**Discussion:**

2020 Initial Study

Based on the U.S. Geological Survey’s Landslide Susceptibility Map of 1972, the project parcel is located in Landslide Susceptibility Area I (area least susceptible to landslides). As no new buildings are proposed as part of the project and as the project parcel is not within a mapped landslide hazard zone, there is no evidence to suggest that a landslide may occur on or adjacent to the project parcel and damage the existing structures on-site.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no new impacts are expected.

**Source:**

2020 Initial Study - U.S. Geological Survey's Landslide Susceptibility Map, 1972; Project Location; San Mateo County Local Coastal Program South Coast Hazards Map; San Mateo County GIS.

Proposed Amendment - U.S. Geological Survey's Landslide Susceptibility Map, 1972; Project Location; San Mateo County Local Coastal Program South Coast Hazards Map; San Mateo County GIS; Amended Project Plans.

<p>v. Coastal cliff/bluff instability or erosion?</p> <p><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></p>				X
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**Discussion:**

2020 Initial Study

The project site is located approximately two miles from the nearest coastal bluff. There is no evidence to suggest that instability of this bluff will have any impact upon the existing buildings on the project site.

Proposed Amendment

There are no known changes to the status of the coastal bluff in relation to the existing buildings on the project site; therefore, no new impacts are expected.

**Source:**

2020 Initial Study - San Mateo County GIS.

Proposed Amendment – San Mateo County GIS.

7.b. Result in substantial soil erosion or the loss of topsoil?				X
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**Discussion:**

2020 Initial Study

No construction or soil disturbance is proposed as part of this application. All cultivation activities will occur within existing greenhouse buildings which have concrete floors.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no new impacts are expected.

**Source:**

2020 Initial Study - Project Plans, Site Visit.

Proposed Amendment – Amended Project Plans, Site Visit.

7.c. Be located on a geologic unit or soil that is unstable, or that would become		X		
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unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?				
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>All cannabis-related cultivation activities will occur within existing structures. Though minimal site disturbance for improvements (i.e., new fire hydrants and accessory buildings) is expected, there is no evidence to suggest that the underlying geology or surface soils on the project site are unstable such that the site improvements would result in landslides, lateral spreading, liquefaction, or collapse. The minor ground disturbance required to accommodate the site improvements can potentially cause erosion if proper erosion control measures are not implemented. The following mitigation measure is recommended to minimize erosion and runoff from the project site:</p> <p><b>Mitigation Measure 6:</b> Prior to the issuance of the building permit for the proposed site improvements (i.e. waterline and fire hydrant installation, renovations to the greenhouse structures, and installation of the office trailer and storage shed), the applicants shall submit an erosion control plan in compliance with the County’s General Erosion and Sediment Control Plan Guidelines Checklist for review and approval.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - San Mateo County GIS; Project Plans. Proposed Amendment – San Mateo County GIS, Amended Project Plans.</p>				
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
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>See discussion under Question 7(c).</p> <p><u>Proposed Amendment</u></p> <p>See discussion under Question 7.c.</p> <p><b>Source:</b></p> <p>2020 Initial Study - San Mateo County GIS; Project Plans. Proposed Amendment – San Mateo County GIS, Amended Project Plans.</p>				
7.e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems			X	

where sewers are not available for the disposal of wastewater?				
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**Discussion:**

2020 Initial Study

The project parcel is developed with several on-site septic systems to support existing farm labor housing units and farming operations on-site. The project will require the addition of a new septic system and expansion of an existing on-site septic system to support the CaliDutch and KloneCo operations. As the project site already supports several different septic systems, there is no evidence to suggest that the soils on-site would not be able to accommodate the proposed septic system improvements. Prior to the installation of the septic system improvements the applicants would be required to apply for appropriate permits with County of San Mateo Environmental Health Services and the Planning Department to ensure the septic design/placement adheres to County standards.

Proposed Amendment

The amended project scope does not include any additional septic systems to support the 3 new operators (Serenity Flowers, GH Science, and Whispy Flowers); therefore, impacts are expected to remain less than significant.

**Source:**

2020 Initial Study - Project Plans.  
 Proposed Amendment – Amended Project Plans.

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7.f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
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**Discussion:**

2020 Initial Study

Based on the project parcel’s existing highly disturbed and developed nature, it is not likely that the project parcel would host any paleontological resource or site or unique geologic feature. As discussed in Question 7.c, geology within the project site is typical of the surrounding area. Mitigation Measures 4 - 5 shall ensure that if any resources are encountered potential impacts will be reduced to less than significant levels.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; and no impacts are expected, however, Mitigation Measures 4-5 will continue to ensure that any potential impacts will be reduced to less than significant levels.

**Source:**

2020 Initial Study - San Mateo County GIS.  
 Proposed Amendment – San Mateo County GIS; Amended Project Plans.

<b>8. CLIMATE CHANGE.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8.a.	Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?		X	

**Discussion:**

2020 Initial Study

San Mateo County lies within the boundaries of the Bay Area Air Quality Management District (BAAQMD or District) and all development within the County is subject to compliance with the District’s Clean Air Plan. The District’s approach to developing a Threshold of Significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions. If a project will generate GHG emissions above the identified threshold level, it would be considered to contribute substantially to a cumulative impact and would be considered significant. The District has established 1,100 metric tons per year of Carbon Dioxide Equivalent (CO2e) as the threshold of significance.

As required by the County’s ordinance, cultivation activities will occur in greenhouse structures. This means that a mixture of natural sunlight and artificial light will be used for the majority of the photosynthesis process, unlike indoor growing operations which must rely entirely upon artificial light. The amount of artificial light needed for the project will vary depending upon the time of year. Assuming a “worst case scenario” of electrical usage during the middle of December (shortest amount of daylight), it is estimated that maximum instantaneous power draw (lighting and ventilation units), at full site usage, will be 36,000 kWh/day. This number assumes 14 to 15 hours of “nighttime” or low light conditions and that every grow light and every exhaust fan are running at the same time, an unlikely scenario given the way that plants will be rotated through their growing cycles. Using non-renewable sources of electricity, this level of energy usage could result in a significant impact related to GHG emissions necessary to produce the electricity. However, as stated above in the Energy section, the project is required to utilize 100% renewable energy, which has no associated operational GHG emissions.

With nearly all activities including lighting, irrigation pumps and ventilation units electrically powered and no significant activities involving the use of gasoline or diesel powered motors anticipated (existing/proposed generator use only during power failure as a backup source), direct carbon emissions due to project operations will be limited. Based on this analysis, the project will have a less-than-significant impact in regard to either direct or indirect generation of GHG emissions.

Proposed Amendment

The amended project scope includes 3 additional cannabis cultivators, however, all operators on site will continue to utilize renewable energy; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air Plan; Project Plans.

Proposed Amendment - Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air Plan; Amended Project Plans.				
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><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>As discussed above, the BAAQMD has determined that a project that generates GHG emissions above the 1,100 metric ton threshold would be in violation of the District’s Clean Air Plan. However, due to the Cannabis Ordinance’s requirement that all electrical power for this project must be obtained from 100% renewable energy sources (either from the electrical grid and/or from on-site), the project will not be in violation of the Clean Air Plan.</p> <p><u>Proposed Amendment</u></p> <p>The amended project will continue to be required to utilize renewable energy; therefore, no additional impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air Plan; Project Plans.</p> <p>Proposed Amendment - 2020 Initial Study - Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air Plan; Amended Project Plans.</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
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The project involves the re-use of existing greenhouse buildings. While new structures (i.e., office trailer and storage shed) are proposed, these structures will be located in previously disturbed and developed areas, not require the removal of any trees, nor result in the loss or conversion of forestland.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - San Mateo County GIS; Project Plans.</p> <p>Proposed Amendment – San Mateo County GIS; Amended Project Plans.</p>				

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
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The nearest coastal bluff is located 2 miles to the west of the project site. There is insufficient evidence to suggest that sea level rise or bluff erosion will be severe enough to impact the project site.</p> <p><u>Proposed Amendment</u></p> <p>There are no known changes to the status of the coastal bluff in relation to the existing buildings on the project site; therefore, no new impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - San Mateo County GIS. Proposed Amendment – San Mateo County GIS.</p>				
8.e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>See discussion under Question 8(d).</p> <p><u>Proposed Amendment</u></p> <p>See discussion under Question 8.d.</p> <p><b>Source:</b></p> <p>2020 Initial Study - San Mateo County GIS. Proposed Amendment – San Mateo County GIS.</p>				
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	
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The majority of the parcel and existing greenhouses are located in a FEMA designated Flood Zone A area. The addition of two new accessory structures would be located in this mapped flood zone, near the northern boundary line, and approximately 600 feet away from Butano Creek. The accessory structures, which include a storage shed and office trailer, would limit the risk of exposure of persons to flooding events as these structures are non-residential and non-habitable buildings. In</p>				

addition, these structures would be required to be constructed with breakaway wall and above the base flood elevation to reduce potential flooding hazards.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - FEMA Panel No. 06081C0457E, effective October 16, 2012; Project Plans.

Proposed Amendment – FEMA Panel No. 06081C0451E, effective October 16, 2012 (majority of parcel); FEMA Panel No. 06081C0432E, effective October 16, 2012; Amended Project Plans.

8.g. Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
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**Discussion:**

2020 Initial Study

See discussion under Question 8(f).

Proposed Amendment

See discussion under Question 8(f).

**Source:**

2020 Initial Study - FEMA Panel No. 06081C0457E, effective October 16, 2012; Project Plans.

Proposed Amendment – FEMA Panel No. 06081C0451E, effective October 16, 2012 (majority of parcel); FEMA Panel No. 06081C0432E, effective October 16, 2012; Amended Project Plans.

**9. HAZARDS AND HAZARDOUS MATERIALS.** Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9.a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?			X	

**Discussion:**

2020 Initial Study

While cannabis is a newly legal agricultural crop in California, any pesticide or herbicide use associated with its production is subject to the same rules and regulations as any other agricultural crop. The California Department of Pesticide Regulation and the San Mateo County Agricultural Commissioner enforce the use and sale of pesticides under Divisions 6 and 7 of the California Food and Agricultural Code, and Title 3 of the California Code of Regulations and are reflected in Section

8307 of the CalCannabis Regulations and Section 5.148.160(q) of the County's Commercial Cannabis Cultivation ordinance. These laws and regulations apply to all pesticide use; cannabis is no exception. The applicants are required to comply with the regulations regarding transportation, use and storage of all regulated pesticides and herbicides. Compliance with these State and local regulations is administered by the County's Agricultural Commissioner which is the local enforcement authority for the California Department of Food and Agriculture and the California Department of Pesticide Regulation. Compliance with these regulations will reduce any potential impact to a less-than-significant level.

In addition to pesticides and other chemical pest controls that are typically associated with agriculture, some forms of cannabis cultivation (primarily fully indoor grows) are known for the use of carbon dioxide enrichment. This is to off-set the sealed nature of a fully indoors growing environment. Because these license applications will utilize mixed-light greenhouses (which have windows that can be opened to allow fresh air in), the use of carbon dioxide enrichment is not needed nor proposed by the applicants.

All three applicants propose to limit any chemical controls (products classified as pesticides or fungicides) to be used on their plants to those substances listed on the California Department of Pesticide Regulation's "Legal Pest Management Practices for Cannabis Growers in California" document. These substances are exempt from residue tolerance requirements and either exempt from registration requirements or registered for a use broad enough to include use on cannabis. This practice is consistent with Section 8307 (*Pesticide Use Requirements*) of the CalCannabis Regulations which states that:

- (a) *Licensees shall comply with all pesticide laws and regulations enforced by the Department of Pesticide Regulation.*
- (b) *For all pesticides that are exempt from registration requirements, licensees shall comply with all pesticide laws and regulations enforced by the Department of Pesticide regulation and with the following pesticide application and storage protocols:*
  - (1) *Comply with all pesticide label directions;*
  - (2) *Store chemicals in a secure building or shed to prevent access by wildlife;*
  - (3) *Contain any chemical leaks and immediately clean up any spills;*
  - (4) *Apply the minimum amount of product necessary to control the target pest;*
  - (5) *Prevent off-site drift;*
  - (6) *Do not apply pesticides when pollinators are present;*
  - (7) *Do not allow drift to flowering plants attractive to pollinators;*
  - (8) *Do not spray directly to surface water or allow pesticide product to drift to surface water. Spray only when wind is blowing away from surface water bodies;*
  - (9) *Do not apply pesticides when they may reach surface water or groundwater; and*
    - (10) *Only use properly labeled pesticides. If no label is available consult the Department of Pesticide Regulation*

Proposed Amendment

The amended project scope does not include use of hazardous materials that differs significantly than what was previously considered; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations - "Legal Pest Management Practices for Cannabis Growers in California" (2017); San Mateo County Cannabis Cultivation Ordinance; Project Plans.

Proposed Amendment - California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations, Section 8307 "Pesticide Use Requirements" (2017); San Mateo County Cannabis Cultivation Ordinance; Amended Project Plans.

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

**Discussion:**

2020 Initial Study

See discussion under Question 9(a).

Proposed Amendment

See discussion under Question 9.a.

**Source:**

2020 Initial Study - California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations - "Legal Pest Management Practices for Cannabis Growers in California" (2017); San Mateo County Cannabis Cultivation Ordinance; Project Plans.

Proposed Amendment - California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations, Section 8307 "Pesticide Use Requirements" (2017); San Mateo County Cannabis Cultivation Ordinance; Amended Project Plans.

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

**Discussion:**

2020 Initial Study

There are no existing or planned schools within 0.25 miles of the project site. The nearest adjacent school is Pescadero High School, which is located approximately 0.75 miles northeast of the project parcel.

Proposed Amendment

No additional schools have been constructed or proposed within a 1 mile radius of the project site since 2020; therefore, no new impacts are expected.

**Source:**

2020 Initial Study - San Mateo County GIS. Proposed Amendment – San Mateo County GIS.					
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><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>This question is in reference to the “Hazardous Waste and Substances Sites List” also known as the Cortese List which is used by the State, local agencies, and developers to comply with the California Environmental Quality Act in providing information about the location of hazardous materials release sites. The project parcel is not on said list nor is an identified site located within the vicinity of the project parcel.</p> <p><u>Proposed Amendment</u></p> <p>The project parcel has not been added to the Cortese List since 2020 nor has it been identified as a site located within the vicinity of a parcel on the Cortese list; therefore, no new impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - California Department of Toxic Substances Control “EnviroStor” website: <a href="https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115">https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115</a>.</p> <p>Proposed Amendment – Project Location; California Department of Toxic Substances Control “EnviroStor” website: <a href="https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115">https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115</a>.</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><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>There are no adopted airport safety zones within 10 miles of the project site. Furthermore, there are no known airports or airstrips within 2 miles of the project site.</p> <p><u>Proposed Amendment</u></p> <p>The 2020 initial study analysis remains appropriate for the project site; therefore, no new impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - San Mateo County GIS.</p>					

Proposed Amendment – San Mateo County GIS; Project Location.				
9.f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The project involves the utilization of existing greenhouse structures and minor site improvements. Said improvements would not impede access to existing public roads or access to the site. There is no evidence to suggest that the project will interfere with any emergency response plan.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans; San Mateo County GIS.</p> <p>Proposed Amendment – Amended Project Plans; San Mateo County GIS.</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><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>See discussion under Questions 20(a) – (d).</p> <p><u>Proposed Amendment</u></p> <p>See discussion under Questions 20(a) – (d).</p> <p><b>Source:</b></p> <p>2020 Initial Study - California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations - “Legal Pest Management Practices for Cannabis Growers in California” (2017); San Mateo County Cannabis Cultivation Ordinance; Project Plans; California Department of Toxic Substances Control “EnviroStor” website:  <a href="https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115">https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115</a>.</p> <p>Proposed Amendment - California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations, Section 8307 “Pesticide Use Requirements” (2017); San Mateo County Cannabis Cultivation Ordinance; Amended Project Plans; Proposed Amendment – Project Location; California Department of Toxic Substances Control “EnviroStor” website:  <a href="https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115">https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115</a>.</p>				
9.h.	Place housing within an existing 100-year flood hazard area as mapped			X

<p>on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</p>				
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The site is within a designated flood hazard area but no housing proposed as part of the project scope. See Section 8.f for further discussion.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not include any development; therefore, the 2020 initial study analysis remains accurate, and no additional impacts are expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans; San Mateo County GIS.</p> <p>Proposed Amendment – Amended Project Plans; San Mateo County GIS; Project Location.</p>				
<p>9.i. Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?</p>			<p>X</p>	
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>See Section 8(f) for further discussion.</p> <p><u>Proposed Amendment</u></p> <p>See Section 8(f) for further discussion.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans; San Mateo County GIS.</p> <p>Proposed Amendment – Amended Project Plans; San Mateo County GIS.</p>				
<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?</p>			<p>X</p>	
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>There are two agricultural water storage ponds to the north of the project site. These ponds are fed from Oku Farms’ points of water diversion on Butano Creek and are used for irrigation purposes. The ponds do not contain a dam or other runoff control structure, show no signs of embankment failure, nor are the soils in this area prone to liquefaction. Therefore, there is little evidence to suggest that these embankments will fail in the future.</p> <p><u>Proposed Amendment</u></p>				

The amended project scope does not include any development and there is no evidence that indicates the status of the embankments have changed since the 2020 initial study analysis; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans, San Mateo County GIS.

9.k. Inundation by seiche, tsunami, or mudflow?			X	
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**Discussion:**

2020 Initial Study

The project site is located outside of any mapped tsunami zones. The nearest mapped tsunami inundation area is located 1.40 miles to the northwest. While there are two agricultural ponds to the north on the adjacent parcel, these water bodies are too far away (over 120 feet) and too small in size to present a credible threat to inundate the project site due to seiche (a short-term standing wave or oscillation of the water level in a lake, typically caused by changes in atmospheric pressure). Though Butano Creek could potentially serve as a transportation medium for a mudflow event, the creek has several bends and is bounded by riparian vegetation which together would reduce the velocity of a mudflow event.

Proposed Amendment

The amended project scope does not include any development and there is no evidence that the parcel’s seiche, tsunami or mudflow risk has changed since the 2020 initial study analysis; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

<b>10. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a. 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		

**Discussion:**

2020 Initial Study

The State Water Resources Control Board (SWRCB) is the State agency that regulates the discharge of waste materials that could affect the quality of the waters of the state. Water Code Section 13260 requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the state must file a report of waste discharge to obtain coverage under waste discharge requirements (WDRs) or a waiver of WDRs. In establishing a regulatory program for cannabis cultivation, SWRCB has created a tiered system depending upon the type (indoor or outdoor) and size of cultivation. Commercial cannabis cultivation activities that occur within a structure with a permanent roof, a permanent impermeable floor (e.g., concrete or asphalt paved), and that discharge irrigation tail water, hydroponic wastewater, or other miscellaneous industrial wastewaters from indoor cannabis cultivation activities to an on-site wastewater treatment system (such as a septic tank and leach field), must obtain separate regulatory authorization to discharge the wastewater.

All three applicants will use drip irrigation systems which minimizes the use of water for irrigation and the production of irrigation tail water. Irrigation tail water is generated when excess water drains from the growth media. Irrigation tail water or wastewater may contain nutrients (e.g., phosphate or nitrate), salinity constituents (e.g., sodium, chloride, potassium, calcium, sulfate, magnesium), and other constituents (e.g., iron, manganese, zinc, molybdenum, boron, and silver). Other sanitation-based wastewaters containing biocides, bleach mixtures, or other chemical waste streams may also be generated at commercial cannabis cultivation sites. The proposed cultivation activities will produce relatively little wastewater. However, to the maximum extent feasible, the applicants have proposed to recycle and reuse generated irrigation wastewater. Unused and/or expired pesticides, fertilizers, fungicides, wastewater, irrigation wastewater, and other miscellaneous industrial wastewater that cannot be reused will be discharged to collection tanks. On an as needed basis, the collected wastewater will be picked up by an authorized waste hauler who will dispose of the wastewater at a licensed community sewer system treatment facility, consistent with the Water Board’s sewer system requirements and as approved by the Water Board.

In compliance with Section 5.148.160(k) of the County’s Commercial Cannabis Cultivation Ordinance which requires all *“runoff containing sediment or other waste or byproducts, including, without limitation, fertilizers and pesticides, shall not be allowed to drain to the storm drain system, waterways, or adjacent lands, and shall comply with all applicable State and federal regulations”*,

the applicants have applied for and received conditional waste discharge permits from the SWRCB as listed below.

Operation	Waste Discharge Identification (WDID) Number Permit Number
CaliDutch	WDID# 2_41CC407386
KloneCo	WDID#2_41CC407105
Ono Associates	WDID# 2_41CC410329

To ensure that all applicants comply with the Water Board’s “Cannabis Cultivation Policy” and “General Waste Discharge Requirements” and thus not violate any water quality standards or waste discharge requirements, the following mitigation measure is recommended.

**Mitigation Measure 7:** Applicants shall provide proof of a valid WDID number issued by the SWRCB prior to the issuance of a County issued cannabis license.

Proposed Amendment

The amended project scope includes 3 additional operators who have not received Waste Discharge Identification Numbers at this time. These operators will be required to provide a valid Waste Discharge Identification Number Permit Number prior to issuance of a County issued cannabis license, and the scope of operations are not expected to be significantly different than the 3 existing operations. Therefore, Mitigation Measure 7 is expected to reduce any impacts to a less than significant level.

**Source:**

2020 Initial Study - Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, October 2017; San Mateo County Cannabis Cultivation Ordinance; Project Plans.

Proposed Amendment – Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, April 16, 2019; San Mateo County Cannabis Cultivation Ordinance; Amended Project Plans.

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
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**Discussion:**

2020 Initial Study

Though there is a well on the adjacent parcel, it has not been utilized for irrigation within the greenhouses on the project parcel. Per information provided by the landowner’s representatives, this well has historically been used to irrigate the open fields on the adjacent parcel. As discussed previously, the applications will utilize surface water withdrawn the agricultural ponds located north of the project parcel which are fed from diversion points on Butano Creek as permitted by the Oku Farms historic license for diversion. Because the project will rely upon this surface water, there is no evidence to indicate that the project will utilize the groundwater to such an extent (if at all) as to substantially decrease local groundwater levels.

Proposed Amendment

The amended project scope continues to utilize surface water for all cannabis cultivation; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

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:**

2020 Initial Study

The project does not involve the alteration of a course of a stream or river. The project does not involve the construction of new greenhouse buildings as cannabis cultivation operations will occur within existing greenhouses on-site. The only new buildings that are proposed include a small storage shed (approximately 10 feet by 20 feet) and an office trailer (approximately 500 sq. ft.). Minor changes to on-site drainage patterns resulting from the addition of the accessory structures will be reviewed and addressed at the building permit stage per the County’s Stormwater Permit. No other changes to the site’s existing drainage patterns are proposed.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				X
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**Discussion:**

2020 Initial Study

The proposed project will continue to utilize the existing greenhouse structures on site. The only new buildings proposed are two small accessory structures. The construction/placement of these structures would not result in a substantial physical alteration of the project site. The project is also subject to compliance with the County's Drainage Policy and Provision C.3.i. of the San Francisco Bay Region Municipal Regional Permit which prohibits the creation of significant additional sources of runoff. Additionally, there is no evidence to conclude that the utilization of the existing greenhouse structures and/or installation of the new accessory structures will substantially increase the rate or amount of surface runoff above existing levels.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

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
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**Discussion:**

2020 Initial Study

See discussion under Question 10(c)(ii).

Proposed Amendment

See discussion under Question 10.c(ii).

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

iv. Impede or redirect flood flows?			X	
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**Discussion:**

2020 Initial Study

See discussion under Question 10(c)(i) and (ii). While the project site is within a mapped flood hazard zone (Zone A), the only new structural changes to the site will be the addition of two small accessory structures. Because the site lies within a flood hazard zone, both structures must be securely anchored with breakaway walls surrounding the foundation system in order to allow flood waters to pass through, in accordance with FEMA flood hazard regulations.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans; FEMA Community Panel Number 06081C0451E, dated October, 16, 2012; FEMA National Flood Insurance Program.

Proposed Amendment - Amended Project Plans; FEMA Panel No. 06081C0451E, effective October 16, 2012 (majority of parcel); FEMA Panel No. 06081C0432E, effective October 16, 2012.

10.d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
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**Discussion:**

2020 Initial Study

The project site is not within a tsunami or seiche hazard zone. However, as stated above, the project site is within a mapped flood hazard zone. The site has been used as an agricultural greenhouse complex since the 1960's. Over the last 60 years, pesticides and herbicides authorized for use on agricultural crops have been stored and used on the project site. The storage and use of these chemicals has been inspected and reviewed by the County's Agricultural Commissioner and will continue to be inspected. In that time, there have been several incidents of flooding on Butano Creek which have impacted the project site. There are no known incidences of accidental release of pesticides or herbicides from the site into flood waters. The proposed cannabis cultivation operations will not utilize chemicals that are not already stored and used at the site or permitted by CalCannabis Regulations. As such, there is no evidence to suggest that the project will create a new impact that must be mitigated.

Proposed Amendment

The amended project scope does not include the use of pesticides and herbicides excluded from prior analysis, and no additional development is proposed; therefore, no additional impacts are expected beyond what had already been analyzed.

**Source:**

2020 Initial Study - Project Plans; FEMA Community Panel Number 06081C0451E, dated October 16, 2012; County Agricultural Commissioner; California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations - "Legal Pest Management Practices for Cannabis Growers in California" (2017).

Proposed Amendment – Amended Project Plans; FEMA Panel No. 06081C0451E, effective October 16, 2012 (majority of parcel); FEMA Panel No. 06081C0432E, effective October 16, 2012; California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations, Section 8307 "Pesticide Use Requirements" (2017).

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

2020 Initial Study

The project site lies within the Pescadero Valley groundwater basin. This basin has been designated by the State Department of Water Resources as a “very low” priority basin. As such, no groundwater management plan is required under the State’s Sustainable Groundwater Management Act; nor has the County developed a groundwater management plan for this basin. With regard to water quality control plans, the project site lies within the San Mateo Coastal Sub-Basin as identified within the San Francisco Bay Basin Water Quality Control Plan (Basin Plan). As such, any potential discharge from a site must comply with the Basin Plan, as was discussed under Question 10(a). Compliance with the SWRCB waste discharge permit requirements will ensure that the project will not conflict with the adopted Basin Plan.

Proposed Amendment

The amended project scope will be required to be compliant with SWRCB waste discharge permit requirements and the Pescadero Valley groundwater basin continues to be designated as a “very low” priority basin by the State Department of Water Resources; therefore, no additional impacts are expected beyond what had already been analyzed.

**Source:**

2020 Initial Study - San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan), California Regional Water Quality Control Board (San Francisco Bay Region); 2019 SGMA Basin Prioritization Map, California Department of Water Resources.

Proposed Amendment – Water Quality Control Plan (Basin Plan) for the San Francisco Bay Basin (Region 2), California Regional Water Quality Control Board (San Francisco Bay Region), May 4, 2017; 2020 Sustainable Groundwater Management Act Basin Prioritization Map, California Department of Water Resources.

10.f. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide significant additional sources of polluted runoff?				X
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**Discussion:**

2020 Initial Study

See discussion under Question 10(c)(ii).

Proposed Amendment

See discussion under Question 10(c)(ii).

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

10.g. Significantly degrade surface or ground-water water quality?			X	
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**Discussion:**

2020 Initial Study

See discussion under Question 10(a).

Proposed Amendment

See discussion under Question 10(a).

**Source:**

2020 Initial Study - Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, October 2017; San Mateo County Cannabis Cultivation Ordinance; Project Plans.

Proposed Amendment – Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, April 16, 2019; San Mateo County Cannabis Cultivation Ordinance; Amended Project Plans.

10.h. Result in increased impervious surfaces and associated increased runoff?			X	
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**Discussion:**

2020 Initial Study

Cannabis cultivations activities will occur within existing greenhouse buildings. While two new small accessory structures (500 sq. ft. and 200 sq. ft. respectively) will be placed on-site, the increased impervious surface and associated runoff related to these structures will be minimal. Nevertheless, the installation of the structures is subject to compliance with the County’s Drainage Policy and Provision C.3.i. of the San Francisco Bay Region Municipal Regional Permit which prohibits the creation of significant additional sources of runoff and requires on-site storage of additional runoff. Upon compliance with these regulations there is no evidence to conclude that the structures will increase the rate or amount of surface runoff above existing levels.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

**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

**Discussion:**

2020 Initial Study

Though there is no community adjacent to the project parcel, the project does not involve a land division or development that would result in the division of an established community.

Proposed Amendment

The amended project scope does not include a land division or development that would result in the division of an established community; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

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
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**Discussion:**

2020 Initial Study

The project adheres to the County’s Cannabis Cultivation Ordinance. This Ordinance directs cannabis cultivation toward vacant/underutilized greenhouses to minimize potential land use related conflicts and revitalize the struggling greenhouse agricultural industry. As such, this application furthers the County’s goal of reusing the underutilized greenhouse market and ensuring continued employment opportunities within the County’s agricultural workforce.

Proposed Amendment

The amended project scope includes cultivation of cannabis within 140,000 sq. ft. of occupied greenhouse space. The project proposes to relocate this agricultural production to other locations identified on the parcel. Therefore, there will be no net change in the amount of non-cannabis agricultural production on the parcel and no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County Cannabis Cultivation Ordinance.

Proposed Amendment – Amended Project Plans; San Mateo County Cannabis Cultivation Ordinance.

11.c. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				X
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**Discussion:**

2020 Initial Study

The site improvements associated with the proposed cannabis operations (i.e., fire hydrants, accessory buildings, and expanded septic systems) will only serve the subject property. These

improvements will be within the boundaries of the subject property and there is no evidence to suggest that approval of the proposed project (cultivation of cannabis within existing greenhouses) will encourage off-site development of undeveloped areas, increase the development intensity of surrounding developed areas, or require the need for new or expanded public utilities.

Proposed Amendment

The amended project scope does not include any new development and continues to utilize existing structures on the parcel; therefore, no additional impacts are expected.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

<b>12. MINERAL RESOURCES.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>Known mineral resources are not located on or adjacent to the project site. Though there will be minimal site disturbance to accommodate two new accessory structures and infrastructure improvements, said improvements are not expected to result in the loss of availability of mineral resources.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not propose any additional development; therefore, no additional impact is expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans, San Mateo County General Plan, Mineral Resources Map; San Mateo County Local Coastal Program South Coast Special Features Map.</p> <p>Proposed Amendment – Amended Project Plans; San Mateo County General Plan, Mineral Resources Map; San Mateo County Location Program South Coast Special Features Map.</p>				
12.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**Discussion:**

2020 Initial Study

See discussion under Question 12(b).

Proposed Amendment

See discussion under Question 12(b).

**Source:**

2020 Initial Study - Project Plans; San Mateo County General Plan, Mineral Resources Map; San Mateo County Local Coastal Program South Coast Special Features Map.

Proposed Amendment – Amended Project Plans; San Mateo County General Plan, Mineral Resources Map; San Mateo County Local Coastal Program South Coast Special Features Map.

**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		

**Discussion:**

2020 Initial Study

There are two residences near the project site. The closest residence is located 1,300 feet southeast of the nearest greenhouse at 4301 Cloverdale Road with the other residence located 1,500 feet away from the nearest greenhouse at 4600 Cloverdale Road. The greenhouses that will be utilized for cannabis cultivation are equipped with exhaust fans which are expected to be the largest source of noise generation by the project. These exhaust fans generate an average of 80 decibel (dB) of noise when measured 10 feet from the source. As sound pressure levels decrease by 6 dB with the doubling of the distance from noise source to receptor, noise levels generated by the use of the exhaust fans in these closest greenhouses should not be audible from either residence due to their distance from the greenhouses. Consequently, the project operation is not expected to violate County noise regulations (Ordinance Code Chapter 4.88) nor conflict with EPA noise limits designed to protect hearing.

However, construction of the proposed infrastructure site improvements and placement/construction of the two new accessory structures has the potential to generate ground vibrations and/or excessive noise. The following mitigation measure is recommended to control noise emissions during construction.

**Mitigation Measure 8:** Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays

and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - San Mateo County GIS; Center for Hearing and Communication, "Common Environmental Noise Levels"; Project Plans.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

13.b. Generation of excessive ground-borne vibration or ground-borne noise levels?		X		
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**Discussion:**

2020 Initial Study

Typical sources of ground-borne vibration or noise include construction (i.e., grading of a site prior to construction) or the use of manufacturing equipment (for example a metal lathe or grinding equipment). The project would not involve the utilization of heavy industrial equipment that would generate ground-borne vibration or noise. Adherence to Mitigation Measure 9 will ensure that project construction and any associated ground borne vibration or noise resulting from project construction will be limited in time duration.

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

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
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**Discussion:**

2020 Initial Study

The Project site is not within an airport land use plan or within 2 miles of an airport or private airstrip.

Proposed Amendment

The 2020 initial study analysis remains appropriate for the project site; therefore, no new impacts are expected.

**Source:**

2020 Initial Study - Project Location; San Mateo County GIS.

Proposed Amendment – Project Location; San Mateo County GIS.

**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:**

2020 Initial Study

The proposed project involves the continued use of existing agricultural buildings. No new public infrastructure, roads, or residences are proposed. Though an expansion of existing septic facilities are proposed to accommodate additional bathroom facilities for farm hands, these facilities would be built on-site, not available for use by adjacent parcels, and would not induce development within the area or on adjacent parcels.

As discussed previously, the property owner employs 25 workers throughout the year with many of these workers living in farm labor housing units on-site. The KloneCo and CaliDutch operations will add a total of 11-18 workers per day to the site while Ono Associates operation will utilize existing on-site workers to fill the 6 employee position their operation will require. These existing workers will continue to work on-site cultivating cannabis in addition to the existing cut flowers and hot house vegetables that are currently grown on-site. Additionally, the applicants plan to hire a majority of their labor force from within the existing Coastside agricultural labor pool which will further reduce potential population growth to less than significant levels in accordance with Section 5.148.060 of the County’s Cannabis Cultivation Ordinance.

Proposed Amendment

The 3 additional cannabis cultivators each propose utilizing 6 workers for a total of 18 additional workers from what was previously evaluated. The property owners have stated that 20 workers will be needed for the non-cannabis agriculture on the parcel, but that this number would likely less overtime as cannabis is established on the parcel. However, as the applicants plan to hire the majority of their labor force from within the existing Coastside agricultural labor pool, the impacts are expected to remain less than significant.

**Source:**

2020 Initial Study - Project Plans; San Mateo County Cannabis Cultivation Ordinance.

Proposed Amendment - Amended Project Plans; San Mateo County Cannabis Cultivation Ordinance.

14.b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X
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**Discussion:**

2020 Initial Study

The project site contains several agricultural greenhouse complexes, associated road, water, and utility infrastructure, and eight farm labor housing units. The proposal to utilize existing vacant greenhouse space, install two accessory buildings, and associated utility infrastructure for cannabis cultivation activities would not result in the removal of the existing farm labor housing units on-site. There will be no change in these housing units' status.

Proposed Amendment

The amended project scope proposes to utilize both vacant and occupied greenhouse space, with the agriculture currently occupying that greenhouse space relocated to elsewhere on the property. However, it is not expected that these changes will result in impacts to existing people or housing.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

**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:**

2020 Initial Study

The proposed project does not include a new residential component nor is it anticipated that the proposed businesses will cause a significant population increase such that existing schools, parks and other public facilities would be negatively impacted. The project site lies within Cal-Fire’s service area, is already developed with fire breaks and other fire prevention measures and would not result in the fire authority (Cal-Fire) expanding their service. In addition, the property owner will be installing three additional fire hydrants adjacent to the subject greenhouses to provide extra fire suppression measures in case of emergency. The applicants have submitted detailed surveillance and security plans as required by the County’s cannabis ordinance. There is no expectation that the project will disrupt acceptable service ratios, response times or performance objectives of fire, police, schools, parks, or any other public facilities or energy supply systems. Furthermore, there is no evidence to suggest that permitting cultivation at this site will require an increase in Sheriff patrols or responses to calls such that additional Sheriff staffing would be required for this area of the County.

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - San Mateo County GIS; Project Plans.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

**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

**Discussion:**

2020 Initial Study

As discussed previously in Sections 14 and 15, the proposed project does not include a new residential component nor is it anticipated that the proposed businesses will cause a significant population increase such that existing regional parks and other public facilities would experience substantial or increased physical deterioration. As such, no impact is expected to occur.

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment - Amended Project Plans				
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><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>No new recreational facilities are proposed as part of this project, nor is it anticipated that the project will generate population growth which might require new or expanded recreational facilities. No impact is expected to occur.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans.</p> <p>Proposed Amendment – Amended Project Plans.</p>				

17. TRANSPORTATION. Would the project:				
	Potentially Significant Impacts	Significant Unless Mitigated	Less Than Significant Impact	No Impact
17.a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and parking?			X	
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>As stated previously, the proposed project will re-use existing greenhouse structures where fruit, vegetables, and flowers were historically grown. Based upon information provided by the property owner, 25 workers are currently employed (the majority of which live in farm labor housing units on-site) at different times depending upon the season and market demand for the plants and fruits grown on the site. The project will generate approximately 11-18 additional workers on-site compared to current conditions and result in an additional 1 – 4 delivery vans/trucks trips to the site on a daily basis. This activity level could result in an additional estimated 23 vehicle trips per day (i.e. personal and delivery vehicles).</p> <p>Cloverdale road is a two lane paved public road that serves the project site. The road runs in an approximate north to south direction and connects to Pescadero Creek Road to the north and Gazos Creek Road to the south. This road, located in a rural residential/agricultural area of the County,</p>				

provides dedicated bike lanes but no pedestrian facilities. There is no evidence to suggest that an increase of 23 trips per day to the project site will significantly impact the effectiveness of this road, the existing bicycle facilities, or the road network within the South-Coast area in general. While the proposed re-use of the vacant greenhouse space will increase on-site activity levels above existing levels, this increase is unlikely to generate significantly more traffic than historic levels seen on-site when all the greenhouses were in operation.

Proposed Amendment

The amended project scope includes 3 additional cannabis cultivators (Serenity Flowers, GH Science, and Whispy Flowers) operating within both vacant and currently occupied greenhouse space. While each cultivator has stated that they expect to utilize 6 workers, it is not expected that the 3 additional operators will result in an impact that is substantially greater than was previously analyzed.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

17.b. Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) <i>Criteria for Analyzing Transportation Impacts?</i>			X	
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**Discussion:**

2020 Initial Study

CEQA Guidelines Section 15064.3 establishes a new method for analyzing certain transportation impacts created by a proposed project. Under the new requirements, circulation impacts must be analyzed based on vehicle miles traveled (VMT). For a land use project, if the estimated VMT exceeds an established threshold of significance, then it could be a significant impact. Each Lead Agency is responsible for establishing their own thresholds of significance and has until July 1, 2020 to do so. At this time, San Mateo County has not adopted VMT thresholds of significance, but the responsible County departments (Public Works and Planning) are working on this threshold with the aim of adopting a threshold by the required deadline. Until such time as the required threshold is established, the County’s existing standard of analysis (Level of Service) is the applicable standard of review. As the project does not involve a change of use (i.e. the project site is still used for agriculture), and as levels of activity on site will not exceed historic levels, less than significant impacts are expected.

Proposed Amendment

The amended project includes 3 additional cannabis cultivators operating on the parcel. At this time, San Mateo County has not adopted VMT thresholds of significance, however, as the proposed use of the parcel remains agriculture and no additional development is proposed, less than significant impacts are expected.

**Source:**

2020 Initial Study - Staff Analysis.

Proposed Amendment – Staff Analysis.

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

2020 Initial Study

As stated previously, the project will re-use existing greenhouse structures on an agriculturally zoned parcel for agricultural purposes and does not involve the construction of new road infrastructure. As such, the project does not introduce an incompatible use to the area nor are there road or structural design features proposed which could create a hazard. In addition, no activities will occur off site (such as movement of farm equipment) which would conflict with local traffic patterns.

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

17.d. Result in inadequate emergency access?				X
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**Discussion:**

2020 Initial Study

Access to the project site is taken off of Cloverdale Road via a private driveway. There are no proposed changes to this existing driveway nor to its intersection with Cloverdale Road. The driveway is 16 feet wide and designed with a turnaround at its end. This driveway was designed to meet fire code requirements that were in effect at the time that the greenhouses were originally constructed. At that time the County Fire Marshal reviewed this access road and fire turnaround and approved their design. Subsequent to the construction of the access road, additional greenhouses and farm labor housing units were constructed under separate permits. These permits were also reviewed by the County Fire Marshal and no changes to the access road or fire turnaround were required. Per the California Fire Code, the change in type of plants grown in the greenhouses does not constitute a change of use or occupancy that would trigger the requirement to upgrade the access road.

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS; San Mateo County Building Regulations (Division 7, Section 9130).

Proposed Amendments – Amended Project Plans; San Mateo County GIS; San Mateo County Building Regulations (Division 7, Section 9130).

<b>18. TRIBAL CULTURAL RESOURCES.</b> 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><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The project site is not listed or eligible for listing in the California Register of Historical Resources. Furthermore, the project is not listed in a local register of historical resources, pursuant to any local ordinance or resolution as defined in Public Resources Code Section 5020.1(k). The project site has been developed with greenhouses for over 60 years and there is no evidence that the site contains historic or cultural resources.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans; California State Parks, Office of Historic Preservation, California Historical Resources Search.</p> <p>Proposed Amendments -Project Plans; California State Parks, Office of Historic Preservation, California Historical Resources, San Mateo County.</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		X		

Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)				
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**Discussion:**

2020 Initial Study

Staff requested a Sacred Lands file search of the project site and its vicinity. In a response letter dated January 22, 2020, the Native American Heritage Council (NAHC) informed staff that the Sacred Lands file search was negative and that no records were found. The project parcel is heavily developed with greenhouses, farm labor housing units, and associated infrastructure. Previous development on the project parcel did not encounter any resources which could be considered significant to a California Native American tribe. Therefore, the minimal ground disturbance necessary to accommodate two accessory buildings and infrastructure improvements in previously disturbed areas is not expected to cause a substantial adverse change to any potential tribal cultural resources.

The project is not subject to Assembly Bill 52 for California Native American tribal consultation requirements, as no traditionally or culturally affiliated tribe has requested, in writing, to be informed of proposed projects in the geographic project area. However, consistent with NAHC's recommended best practices, the following mitigation measures minimize any potential significant impacts to unknown tribal cultural resources.

**Mitigation Measure 9:** Should any traditionally or culturally affiliated Native American tribe respond to the County's project referral and requests formal consultation, such a process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.

**Mitigation Measure 10:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

**Mitigation Measure 11:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource. See discussion under Sections 5.c and 18.a.

Proposed Amendment

Since the 2020 initial study, the Tamien Nation has requested consultation to be informed of proposed project in San Mateo County. The amended project scope does not propose any additional development or ground disturbance; therefore, the Tamien Nation was not sent additional notification regarding the proposed project changes. No additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Native American Heritage Council Response Letter, dated January 22, 2020; Project Plans.

Proposed Amendment - Native American Heritage Council Response Letter, dated January 22, 2020; Amended Project Plans.

<b>19. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The proposed cultivation activities will utilize drip irrigation and produce minimal wastewater. Wastewater is generated when excess water drains from the growth media of the plant and may contain nutrients (i.e., phosphate or nitrate), salinity constituents (i.e., sodium, chloride, potassium etc.) and other constituents (i.e., iron, manganese, zinc etc.). Other sanitation-based wastewaters that are also generated by indoor cannabis cultivation operations may include biocides, bleach mixtures, or other chemical waste streams. Wastewater that cannot be reused and recycled by the applicants will be discharged into collection tanks and disposed of by an authorized waste hauler at a licensed treatment facility on an as needed basis. The applicants have not proposed to utilize or expand the existing septic systems on-site to dispose of generated wastewater.</p> <p>The SWRCB regulates the discharge of waste materials that could affect the quality of the waters of the state and requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the state obtain a permit from the SWRCB. As discussed in Section 10.a, CaliDutch and Ono Associates have received a conditional waste discharge permits from the SWRCB and mitigation measure 8 was recommended that would require KloneCo to receive a conditional waste discharge permit from the SWRCB prior to license issuance. With these permits, the project will comply with the SWRCB’s “Cannabis Cultivation Policy” and “General Waste Discharge Requirements” and would not violate wastewater treatment requirements.</p> <p>Though the project does involve the extension of several waterlines to accommodate three new fire hydrants and the construction/expansion of septic facilities to support additional bathroom facilities for farmhands and employees, these improvements are not expected to result in significant negative environmental effects. These improvements will be required to adhere to building code standards and would be reviewed by the County’s Environmental Health Services Department to ensure the septic system design is in compliance with prevailing standards and regulations to protect human health and the environment. Adherence to these standards would reduce the effects of the project to a less than significant level.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not propose any additional development and new operators (Serenity Flowers, GH Science, and Whispy Flowers) will be required to abide by the same requirements as the operators previously discussed; therefore, no additional impact beyond what was already analyzed is expected.</p>				

**Source:**

2020 Initial Study - Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, October 2017; San Mateo County Cannabis Cultivation Ordinance; Project Plans.

Proposed Amendment – Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, April 16, 2019; San Mateo County Cannabis Cultivation Ordinance; Amended Project Plans.

19.b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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**Discussion:**

2020 Initial Study

The project parcel has established water rights with the SWRCB to divert 40-acre-feet of water per year from Butano Creek, which runs along the parcel’s western and southern boundary lines.

Diversion activities are only allowed from December 1 to April 1 of each year. Water for Oku Farms is diverted from Butano Creek through two in-stream points of water diversion. Surface water from Butano Creek is diverted when stream bypass flows are greater than 3 cubic feet per second (cfs). When Creek flow rates are below 3 cfs no water is diverted by Oku Farms from Butano Creek. Water that is diverted from the Creek is pumped to the agricultural ponds (sized 30- and 10-acre-feet respectively) to an adjacent parcel north of the project parcel. Oku Farms has been diverting water and utilizing the adjacent agricultural storage ponds for over 60 years. It is estimated that the project will generate the following water demand.

CaliDutch

At maximum production, plant cultivation at CaliDutch is not expected to exceed 20,000 plants consisting of 8,000 adult, 6,000 juvenile, and 6,000 young plants. With adult plants requiring 1 gallon per day (gpd) of water and juvenile and young plants requiring 0.5 and 0.25 gpd of water respectively, cultivation activities on-site would require approximately 13,000 gpd of water. Water demand may be higher at the operation depending on the amount of adult plants present but would not exceed 20,000 gpd of water. An additional 300 gpd of water will also be used for ancillary cleaning and bathroom facilities. CaliDutch estimates its water demand would total 11.54-acre-feet of water per year.

KloneCo

KloneCo will have up to 7,500 mother plants that will utilize approximately 1 gallon of water per day and 5,000 trays of clones (containing 50 clones each) that require approximately 0.25 gallons of water every 3-4 days at maximum production. KloneCo estimates that cultivation activities would require approximately 7,850 gallons per day. An estimated 150 gallons per day will be used for ancillary activities such as cleaning and restroom use. With an approximate daily water demand of 8,000 gallons, the KloneCo operation would require 8.96-acre-feet of water per year.

Ono Associates

The Ono Associates operation will support up to 17,000 plants at maximum production. Cultivation activities are estimated to require approximately 8,400 gallons of water per day with an estimated 200 gallons per day used for ancillary activities. Combined, the Ono operation would require approximately 9.62 acre-feet of water per year.

Together, the three cultivation operations would have a water demand of 30 acre-feet per year. Based upon these estimates and a water demand of 10 acre-feet to accommodate other existing agricultural activities on-site, total water usage for Oku Farms would be 40 acre-feet per year. Resuming agricultural operations within the empty greenhouse space would bring the water usage on-site back to historic levels (i.e., when all greenhouses were occupied) does not exceed the site's water supply (i.e., 40-acre-feet). As Oku Farms is able to draw water from the existing agricultural ponds during the dry season when water supply from Butano Creek is not available the project site has a sufficient water supply to meet their demands.

Proposed Amendment

The amended project scope revises the estimated water usage for the parcel due to actual water usage observed since 2020 from the 3 existing cannabis operations. The applicant now proposes to use all 3 water sources available an appropriative water right to be used for cannabis cultivation (40 acre-feet), a riparian water right to be used to non-cannabis agriculture, and a well to be used for domestic water. Previously the parcel did not utilize its riparian water right as the appropriative water right was sufficient to serve the parcel's water needs. It is now estimated that the project will generate the following water demand:

<b>Cannabis Cultivation Operator (C)/ Non-Cannabis (NC)</b>	<b>Acre-feet per year</b>	<b>Water Source</b>
Ono Associates (C)	3.93	Appropriative Water Right
CaliDutch (C)	3.38	Appropriative Water Right
KloneCo (C)	3.30	Appropriative Water Right
Serenity Flowers (C)	3.93	Appropriative Water Right
GH Science (C)	3.22	Appropriative Water Right
Whispy Flowers (C)	3.93	Appropriative Water Right
Greenhouse Flowers (NC)	8.21	Riparian Water Right
Greenhouse Lettuce (NC)	0.50	Riparian Water Right
Displaced Agricultural Production (NC)	5.94	Riparian Water Right

Together, the six cultivation operations would have a water demand of approximately 22 acre-feet per year serviced by the parcel's existing appropriative water right, which allows 40 acre-feet. It is estimated that the non-cannabis agricultural uses on the parcel will be served by the parcel's riparian water right. CDFW staff have indicated that an amendment to the parcel's existing Lake and Streambed Alteration (LSA) will be needed and is currently in process. The operators will be required to be compliant with any amendments to the existing LSAA. Therefore, the parcel is

expected to have sufficient water supplies available to service the additional proposed uses on the parcel.

**Source:**

2020 Initial Study - Project Plans; CDFW LSAA, 2019.

Proposed Amendment – Amended Project Plans.

19.c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?				X
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**Discussion:**

2020 Initial Study

The Project site is not connected to a municipal wastewater treatment system.

Proposed Amendment

The amended project scope does not propose connection to a municipal wastewater treatment system; therefore, no additional impact is expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

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
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**Discussion:**

2020 Initial Study

For all non-cannabis waste materials, disposal shall be at the County’s only landfill – Ox Mountain, which has sufficient space to accommodate the anticipated waste stream from this site. Per the applicants, all cannabis-related plant waste (i.e., regulated material) will be stored in secured/locked receptacles and disposed of at a regulated site.

Proposed Amendment

The amended project scope does not alter this analysis; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

19.e. Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				X
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The project, as with all other development within the County is required to adhere to all County ordinances with respect to waste reduction and recycling. As a result, no impacts related to Federal, State and local management statutes governing solid waste are anticipated, and no mitigation is required.</p> <p><u>Proposed Amendment</u></p> <p>The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans.</p> <p>Proposed Amendment – Amended Project Plans.</p>				

<p><b>20. WILDFIRE.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
	<i><b>Potentially Significant Impacts</b></i>	<i><b>Significant Unless Mitigated</b></i>	<i><b>Less Than Significant Impact</b></i>	<i><b>No Impact</b></i>
20.a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>The Project site is located in an area designated as a “Moderate Fire Hazard Risk” on the State’s Fire Hazard Severity Zone maps. The project site is accessed from Cloverdale Road via an approximately 0.25-mile long 16-foot wide paved private road. This access route has been reviewed and approved by Cal-Fire at various times when reviewing building permit applications for construction of the various buildings on the project site.</p> <p>There is no component of the project that would interfere with the public’s ability to evacuate from this area nor would the project require the revision of any adopted emergency operations plans currently in effect. The project will not create new residences that could increase the number of people that might be trapped during an emergency event. The project site is set well back from Cloverdale Road and no large, slow moving vehicles that could impede traffic are proposed or needed for the proposed licenses. In addition, a new knox box will be located at the front entry of the farm to ensure emergency vehicles have access to the site at all times.</p>				

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Project Plans; San Mateo County GIS.

Proposed Amendment – Amended Project Plans; San Mateo County GIS.

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

**Discussion:**

2020 Initial Study

The project site is located on flatlands surrounded by hillsides covered with brush and low lying vegetation. It should be noted that the project site has been developed with greenhouse and other supporting structures for over 60 years. Additionally, cultivation activities will occur in existing vacant greenhouse structures and would not result in activity levels above historic norms for the site. No aspect of the project will exacerbate the existing level of fire hazard posed to the existing greenhouse structures. In fact, the construction of additional fire protection measures including the addition of three new fire hydrants will help to reduce fire risk on-site.

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Project Plans.

Proposed Amendment – Amended Project Plans.

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

**Discussion:**

2020 Initial Study

In operation for the last 60 years, the project site is developed with existing greenhouse complexes, farm labor housing units, and utility/road infrastructure. Minor changes to the existing water and septic system infrastructure are proposed to accommodate new fire hydrants and expanded bathroom facilities. There is no expectation that the new fire hydrants or septic facilities would exacerbate fire risk on the property. The fire hydrants will be located in disturbed areas adjacent to the subject greenhouse structure and would be connected to the adjacent agricultural ponds to provide a steady and ample supply of water. Additionally, the applicants will be required to maintain

the existing defensible fuel break that exists around all structures on the site as required by the California Fire Code and Public Resources Code Section 4291. These measures will reduce fire risk on the site and there is no evidence to suggest that maintaining the existing fuel breaks or installing the new fire hydrants will cause an ongoing impact to the environment.

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - California Public Resources Code Section 4291; Project Plans.

Proposed Amendment – California Public Resources Code Section 4291; Amended Project Plans.

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:**

2020 Initial Study

The slopes surrounding the greenhouse complex are covered primarily with low lying vegetation with scattered trees. If a wildfire were to burn through these hills, it could potentially leave slopes denuded and susceptible to instability if heavy rains were to occur before replacement vegetation was able to take hold. The soils on the adjacent hillsides are primarily clay and sandy loam which has a moderate rate of permeability and low erosion hazard rating. While landslide hazard cannot be ruled out, given the soil characteristics, the more likely effect of heavy rainfall on these barren slopes would be accelerated erosion of sandy material.

The existing greenhouses are non-habitable structures and the number of persons predicted to be on the project site at any time are relatively low. In terms of danger to occupants of these buildings, the risk is relatively low given the distance of the buildings to the base of the surrounding slopes (in the 600-foot range). Because of the distance of the existing buildings to the base of the surrounding slopes and the soil characteristics, risk due to post-fire landslide is less than significant.

Proposed Amendment

The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - Department of Conservation National Resources Conservation Service, Web Soil Survey; Project Plans.

Proposed Amendment – Amended Project Plans; Department of Conservation National Resources Conservation Service, Web Soil Survey.

**21. MANDATORY FINDINGS OF SIGNIFICANCE.**

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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 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?		X		
<p><b>Discussion:</b></p> <p><u>2020 Initial Study</u></p> <p>Potential impacts to salmon, fish, and other animals that rely on Butano Creek and the associated riparian habitat were discussed in the Biological Resources Section of this report. A mitigation measure requiring adherence with the terms, rates of water diversion, and avoidance measures outlined in the property's LSAA was included to address potential impacts to biological and water resources. Because the cultivation activities will occur in existing vacant greenhouse buildings, the project is not expected to degrade the quality of the environment, or substantially reduce habitat or affect populations of any wildlife, fish, or plant species. The minimal construction proposed to accommodate two small accessory structures and improved fire and septic infrastructure will not have a significant impact on the environment or California history/prehistory as the site has a low probability of containing Native American resources, does not contain a listed historic building, and will be located in previously disturbed areas where the impacts to wildlife and potential to unearth unknown resources are low. Similarly, the re-use of the existing greenhouse buildings will not have any impact on any examples of the major periods of California history/prehistory or the environment.</p> <p><u>Proposed Amendment</u></p> <p>CDFW staff have indicated that an amendment to the parcel's existing Lake and Streambed Alteration (LSA) will be needed and is currently in process. The operators will be required to be compliant with any amendments to the existing LSAA. The amended project scope does not propose any additional development; therefore, no additional impact beyond what was already analyzed is expected.</p> <p><b>Source:</b></p> <p>2020 Initial Study - Project Plans; Native American Heritage Council Comment Letter, dated January 22, 2020; California Department of Fish and Wildlife Lake and Streambed Alteration Agreement, 2019.</p> <p>Proposed Amendment – Amended Project Plans; Native American Heritage Council Comment Letter, dated January 22, 2020.</p>				
21.b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively consider-		X		

<p>able” 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.)</p>				
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**Discussion:**

2020 Initial Study

The project will not have impacts to agriculture or forestry resources, mineral resources, water resources, or population and housing that would combine with other projects. The proposed cannabis cultivation activities could have potential impacts with respect to odors. However, such impacts would be limited to the project site and, where necessary, mitigated such that they would not substantially combine with other off-site impacts.

For the reasons presented in the above document, the proposed project is not expected to result in adverse impacts to human beings, either directly or indirectly. All impacts identified in this document are less than significant or reduced to less than significant levels with implementation of mitigation measures, and the project’s incremental contribution to potential cumulative impacts will not be cumulatively considerable. Therefore, the project’s impact is considered less than significant.

Proposed Amendment

The amended project scope does not propose any additional development and no changes from the initial project scope will result in greater impacts than those already analyzed; therefore, no cumulative impact beyond what was already analyzed is expected.

**Source:**

2020 Initial Study - All applicable sources previously cited in this document.

Proposed Amendment – All applicable sources previously cited in this document.

<p>21.c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>		X		
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**Discussion:**

2020 Initial Study

Based on the discussions in the previous sections where project impacts were determined to be less than significant or mitigation measures were required to result in an overall less than significant impact, the proposed project would not cause significant adverse effects on human beings, either directly or indirectly.

Proposed Amendment

The amended project scope does not propose any additional development and no changes from the initial project scope will result in greater impacts than those already analyzed; therefore, the amended project scope is not expected to cause substantial adverse effects on human beings beyond what was already analyzed.

**Source:**

2020 Initial Study - All applicable sources previously cited in this document.

Proposed Amendment – All applicable sources previously cited in this document.

**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	
County Airport Land Use Commission (ALUC)		X	
Other: _____		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		Lake and Streambed Alteration Agreement Amendment
State Department of Public Health		X	
State Water Resources Control Board	X		Cannabis Notice of Applicability; Waste Water Discharge Identification Permit
U.S. Army Corps of Engineers (CE)		X	
U.S. Environmental Protection Agency (EPA)		X	
U.S. Fish and Wildlife Service		X	

**MITIGATION MEASURES**

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

**Mitigation Measure 1:** Pollutant Control – The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District’s Basic Construction Mitigation Measures, listed below:

- a. Water all active construction areas at least twice daily.
- b. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- c. Sweep daily all paved adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
- d. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
- e. All construction equipment shall be maintained and properly tuned in accordance with manufacturers’ specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand etc.) that can be blown by the wind.
- h. Replant vegetation in disturbed areas as quickly as possible.
- i. Install erosion control measures to prevent silt runoff to public roadway and/or into Butano Creek.
- j. All haul trucks transporting soil, sand, or other loose material on and off site shall be covered.
- k. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- l. A publicly visible sign with the telephone number and person to contact at the project site regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.

**Mitigation Measure 2:** Prior to the issuance of the requested Type 2B or 3B (Mixed Light, Cultivation) licenses, the applicants (CaliDutch, Serenity Flowers, GH Science, Whispy Flowers and Ono Associates) shall apply for building permits to install charcoal filter air-scrubber systems or other similar cannabis odor control system that has been determined to be equivalent to charcoal filter air-scrubber systems within all building that will contain flowering cannabis plants or their product. This includes the greenhouses and the drying and processing buildings. The applicant shall also submit a maintenance plan for the air scrubber or equivalent systems (which includes record keeping) for review and approval prior to issuance of the requested licenses.

**Mitigation Measure 3:** Avoidance and Minimization Measures – The applicant shall adhere to the Avoidance and Minimization Measures contained within proposed Lake and Streambed Alteration Agreement to be issued to Oku Farms by the California Department of Fish and Wildlife and any future amendments.

- a. The season of diversion shall be limited from December 1 to April 1 of each year. From April 2 to November 30, all water shall be allowed to pass the point(s) of diversion
- b. The applicant shall maintain a protection bypass flow at all times while the diversion is operating. No water shall be diverted until at least 3 cfs is allowed to bypass the existing point(s) of diversion. If a diversion event causes the stream to drop below 3 cfs as measured by installed stream gauges, diversions shall cease. Diversion events may resume once the stream has reached a flow greater than 3 cfs and bypass flows continue to be met.
- c. The applicant shall install a meter/device capable of measuring the quantity of water diverted from the point(s) of diversion. The meter shall be designed to record the cumulative diversion amounts and measurement shall begin as soon as the LSAA is approved by CDFW.
- d. A stream gauge device shall remain installed each year and maintained in working order during the diversion season
- e. Diversion structure(s) inlets and outlets and flow bypass pipe(s) shall be fitted with fish screens meeting the "fry-size" criteria of CDFW and the National Marine Fisheries Service before water is impounded or diverted. These screens shall be maintained and kept clean and free of accumulated debris.
- f. Work within the stream channel may be subject to a LSAA and shall be confined to the period of June 1 through October 31.
- g. Regular inspections of the diversion point(s) and storage infrastructure shall be made to identify any leaks or water supply inefficiencies to prevent water loss. All leaks identified during inspections shall be repaired in a timely manner.
- h. Project infrastructure shall not prevent, impeded or prevent the passage of fish and/or other aquatic wildlife up or down stream.
- i. Migratory nongame native bird species are protected under the Federal Migratory Bird Treaty Act of 1980. California Fish and Game Code prohibits the take of all birds and their active nests.
- j. The Applicant shall not disturb trees that contain active bird nests without prior consultation and approval of CDFW.
- k. Any substance used to control or restrict plants, animals, insects, fungus, or bacteria and/or surfactants shall not be used or applied where they could enter the riparian buffer area or waters of the state.
- l. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, asphalt, paint, oil or other petroleum products or any other substances which could be hazardous to aquatic life, or other project related materials shall be allowed to contaminate the soil and/or placed where it may be washed by rainfall or runoff into waters of the state.
- j. The Applicant shall submit an annual statement of water use to the State Water Resource Control Board when exercising its water right. For each year that the pending LSAA is valid the applicant shall submit a copy of the report to the CDFW.
- k. For each year that the pending LSAA is valid, the applicant shall submit to CDFW a Compliance and Effectiveness Monitoring Plan. This report shall include: a summary of flow data collected, summary of dates when water was diverted, the total volume of water diverted, a table and graph of the upstream gage, summary and photo documentation of the

bypass flow area(s), and a description of possible additional measures that could achieve resource goals if the observed flows are not meeting the criteria outlined in the plan.

**Mitigation Measure 4:** In the event that archaeological resources are inadvertently discovered during construction, work in the immediate vicinity (within 50 feet) of the find must stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas beyond the 50-foot stop work area. A qualified archaeologist is defined as someone who meets the Secretary of the Interior's Professional Qualifications Standards in archaeology. The Current Planning Section shall be notified of such findings, and no additional work shall be done in the stop work area until the archaeologist has recommended appropriate measures, and those measures have been approved by the Current Planning Section and implemented.

**Mitigation Measure 5:** If a newly discovered resource is, or is suspected to be, Native American in origin, the resource shall be treated as a significant Tribal Cultural Resource, pursuant to Public Resources Code 21074, until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative.

**Mitigation Measure 6:** Prior to the issuance of the building permit for the proposed site improvements (i.e. waterline and fire hydrant installation, renovations to the greenhouse structures, and installation of the office trailer and storage shed), the applicants shall submit an erosion control plan in compliance with the County's General Erosion and Sediment Control Plan Guidelines Checklist for review and approval.

**Mitigation Measure 7:** Applicants shall provide proof of a valid WDID number issued by the SWRCB prior to the issuance of a County issued cannabis license.

**Mitigation Measure 8:** Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).

**Mitigation Measure 9:** Should any traditionally or culturally affiliated Native American tribe respond to the County's project referral and requests formal consultation, such a process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.

**Mitigation Measure 10:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

**Mitigation Measure 11:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

**DETERMINATION** (to be completed by the Lead Agency).

On the basis of this initial evaluation:

\_\_\_\_\_ 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.

X \_\_\_\_\_ 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)

May 11, 2022

\_\_\_\_\_  
Project Planner

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Title)

**Attachments:**

- A. Ono Associates Operations Plan
- B. Serenity Flowers Operations Plan
- C. GH Science Operations Plan
- D. Whispy Flowers Operations Plan
- E. Site Plan
- F. CDFW Lake and Streambed Alteration Agreement, 2019
- G. 2020 Adopted IS/MND



**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

# **ATTACHMENT A**



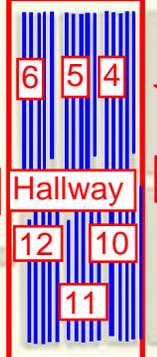
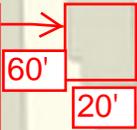
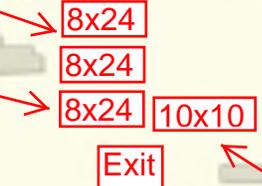
Ono Associates, LLC  
 4525 Cloverdale Rd, Pescadero, CA 94060  
 Premises Diagram, Medium Mixed Light, Tier 2  
 APN 086-061-090

Aggregate Canopy Area	
Bay 4	2432
Bay 5	2432
Bay 6	2432
Bay 10	2432
Bay 11	2432
Bay 12	2432
<b>Total Canopy</b>	<b>14592</b>

Harvest Storage and Processing Area.

Packaging and Designated Administrative Hold Area

Pesticide and Agricultural Chemical Storage Area.  
 Building: 20' x 60'



Composting Area

Medium Mixed Light Tier 2 Canopy area  
 26,000 Sqft gross

Entry and Exit road into Property

Medium Mixed Light Tier 2 Premises:  
 -immature plants obtained Off-site

Aggregate Square footage of Canopy: 14,592 sqft.







## Greenhouse Odor Control and Ventilation Plan

The greenhouses that Ono Associates currently leases is primarily located in a remote, agricultural rural area. We do not believe odor will be an issue to neighbors as they are so far away. If it can be documented that odor is an issue, we will install carbon air filters such as the ECOsorb odor neutralizing system to mitigate the odor

The greenhouse is in a nursery that has been in continuous operation since 1963 and is located in a rural area away from residences, offices and schools. The site is remote and there is no public access into the nursery and is offset from the main road by at least a quarter mile from Cloverdale road in Pescadero.

If odor becomes an issue, the greenhouse can be equipped with odor control filtration and ventilation system(s) based on current industry-specific best control technologies and best management practices. The use of ECOsorb CNB100 which is specifically made for the control of cannabis odors.

The greenhouses are equipped with top vents and roll up sides to provide good ventilation and use horizontal air movement fans. There will be limited odors from the cultivation site other than immediately before harvests.

There are NO operable windows or exhaust vents that abuts a residential use or zone. Exhaust vents on rooftops shall direct exhaust away from residential uses or zones.

## FIRE PREVENTION PLAN

Ono Associates' greenhouses are made of glass and aluminum, so they pose little fire hazard. They are a Type 2 Fire rated buildings which will either be empty or house cannabis plants. The greenhouses are plumbed with ample water and water pressure from large pumps that supply water all over the Oku Flower farm. A gravity water system supplies the nursery with roughly 3 million gallons of water when at full capacity.

Working with San Mateo County Fire Marshall, we have designed and installed over 1500 feet of 4-inch HDPE pipe throughout the nursery. These pipes terminate at multiple wharf hydrant connects, which are able to reach all greenhouses, and at an ideal distance for Fire Fighting apparatus to connect to.

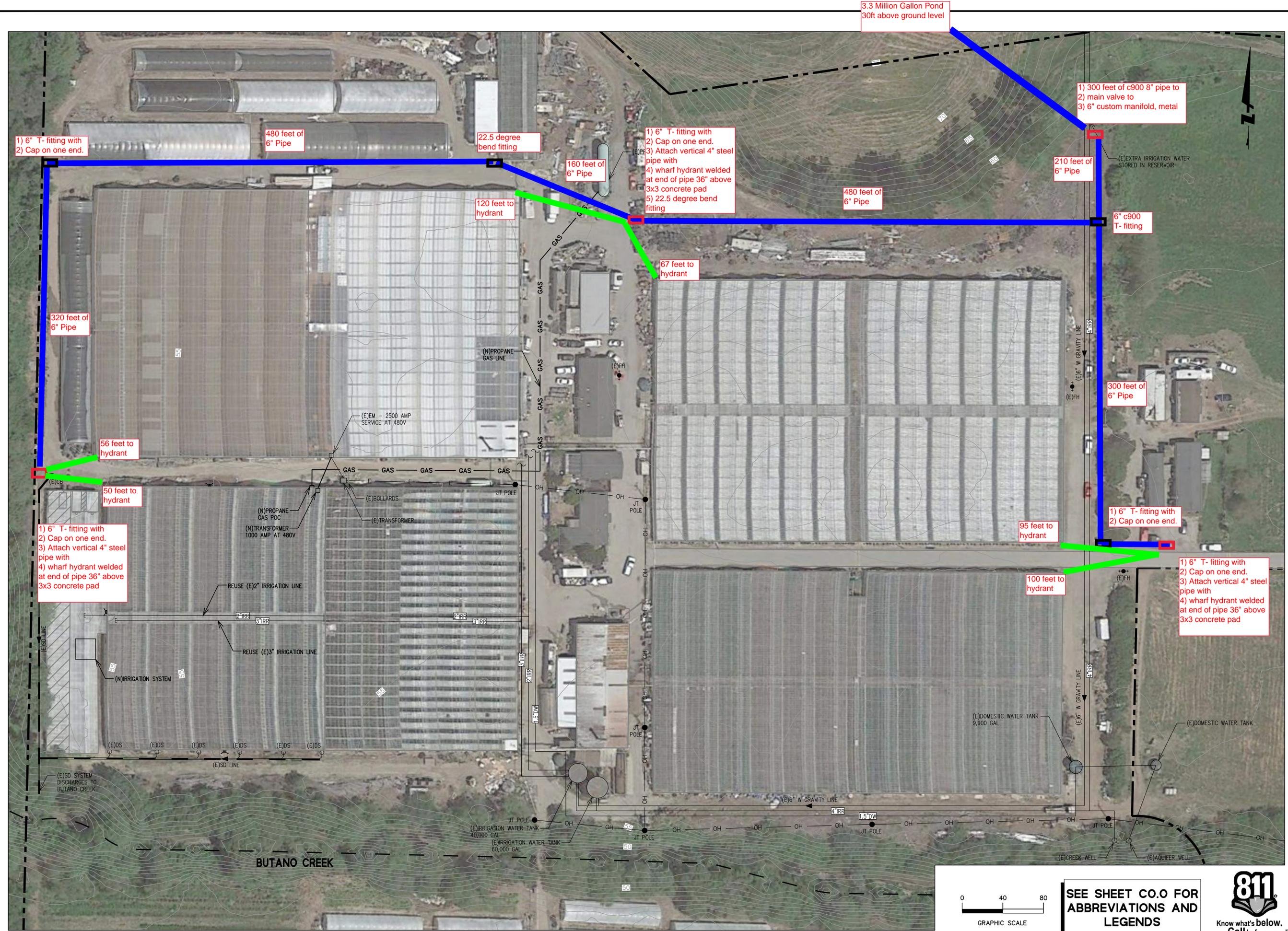
Fire extinguishers will be installed as per occupancy requirements. Additionally, redundant fire extinguishers will be made available near anything that poses a risk of fire, such as electrical panels or heaters. All employees will be trained on the proper use of fire extinguishers. We will contract with a fire prevention firm to insure all of our extinguishers are inspected and recertified annually as required. No smoking will be allowed on or near the site.

Lastly, we have a dedicated Fire Road lane for Fire Appartus to access critical areas of the nursery.



Date	Revisions	No.
11/30/2018		
Scale 1" = 40'		
Design D.L.		
Drawn D.P.		
Approved R.H.		
Drawing Number:		
Job No 2018-07-00		

DRAWING NAME: C:\Users\pooit\Desktop\Oku\_Farms\ENG\cdrsheets.dwg  
PLOT DATE: 11-30-18  
PLOTTED BY: poit



**SEE SHEET CO.0 FOR ABBREVIATIONS AND LEGENDS**



## Lighting Plan

### Ono Associates

*Lighting Plan. Please provide a detailed plan sheet that depicts the location of lights, type of light, and an elevation depicting how the lighting will be installed or has been installed. The depictions should demonstrate how the lighting is “fully shielded, downward casting, and [does] not spill over onto other structure, or properties, or the night sky” (Section 5.148.160.i).*

Ono Associates [the Company] will be using a combination of natural sunlight and low wattage 11 watt LED lighting for their cannabis cultivation.

#### Location of lights

The location of the lights will be directly above each row (bed) of the cannabis canopy. Each greenhouse peak is expected to have 5 to 6 rows of cannabis based on the greenhouse width and current planting standards.

#### Type of lights

The type of light bulbs used will be high-efficient, 11-watt LED light bulbs with downward shielding which reflects light downward toward the plants and blocking unwanted upward lighting.

#### Elevation of lights

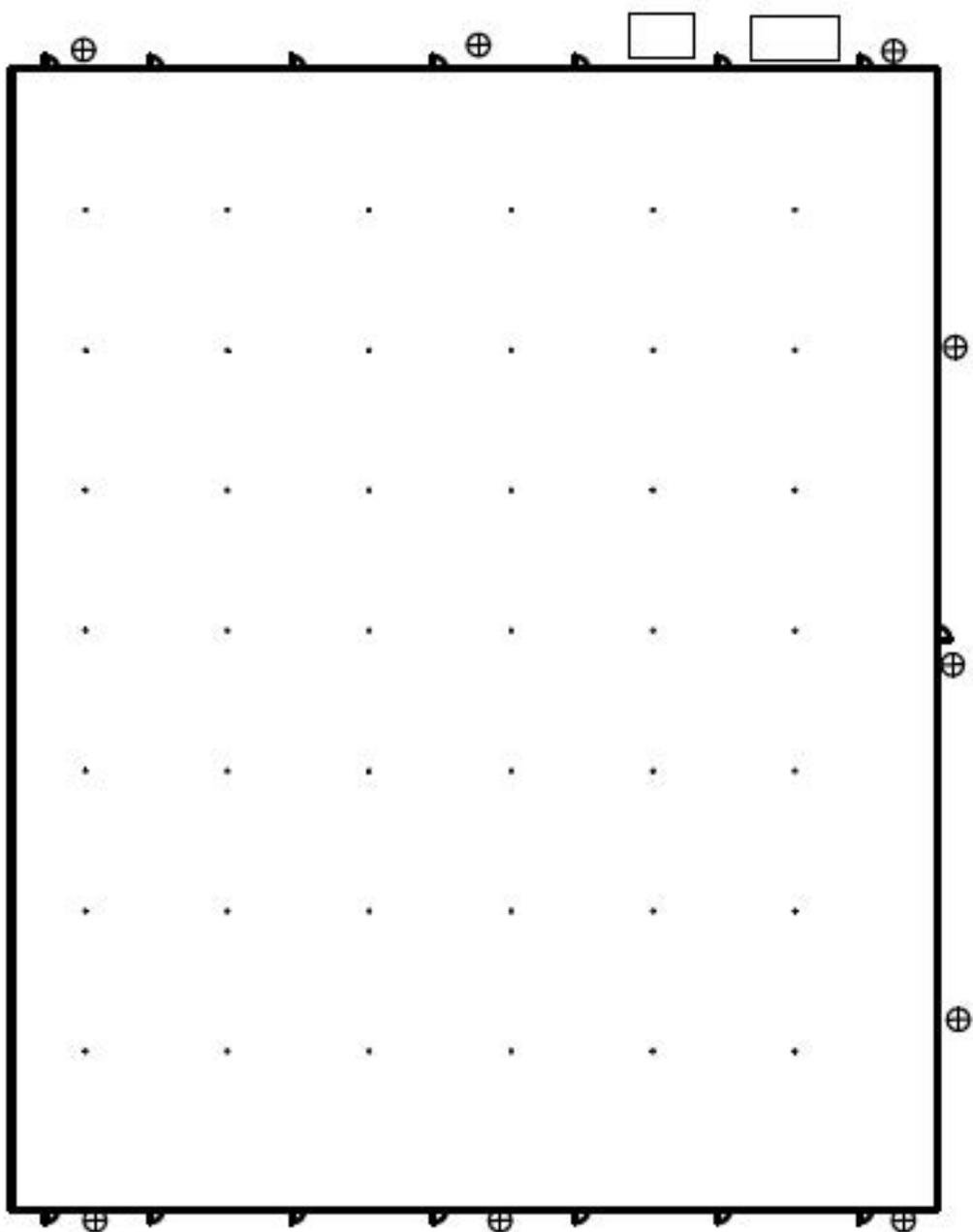
The elevation of the lights will be 8 to 10 feet above the floor dependent on plant height on string lighting. Each row will have 12 LED bulbs per string row.

#### Blackout curtains

The company will replace existing shade cloth in the greenhouse with black-out curtains to block any illumination if needed. Blackout curtain will cover the greenhouse walls, gable ends, and be a retractable overhead curtain. This will create a fully shielded, downward casting lighting environment so that illumination does not spill over onto other structure, or properties, or the night sky.

The project site is located in a rural agricultural area in Pescadero, 1225 feet from the closest road, and 4600 feet from the town center. The site is surrounded by mountains which shields any light coming from the nursery. Moreover, the LED lightbulbs used are shielded, with downward casting reflectives that minimize the light reflecting upward.

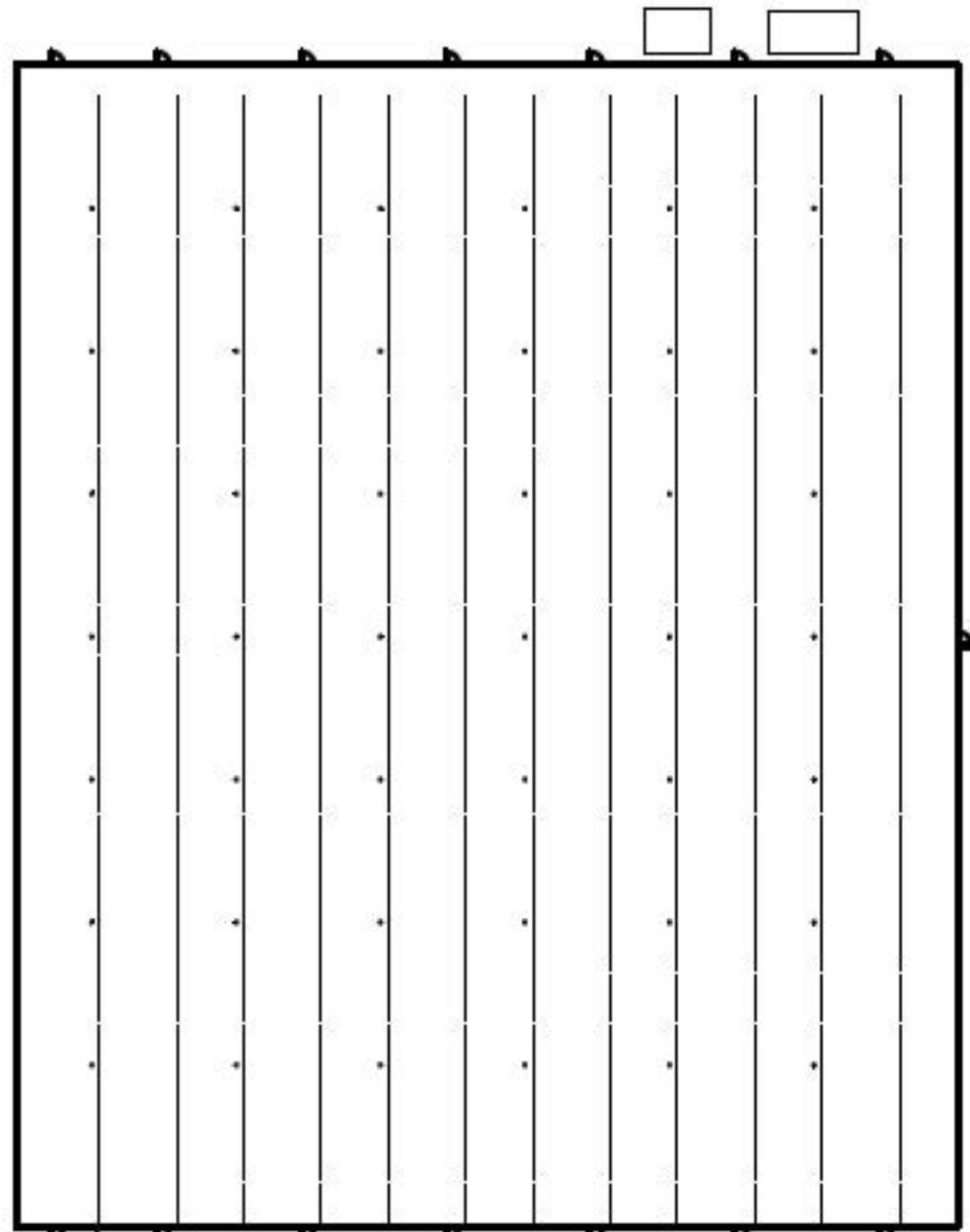
Blackout curtains will be installed so that all operations will be fully contained so that little to no light escapes. Because the greenhouses will be equipped with blackout curtains and side walls, any supplemental lighting will not spillover to any other structure, or properties, or the night sky.



INDICATES PROPOSED  
DOWNHOODED SECURITY  
LIGHTING

## EXT. LIGHTING PLAN

SCALE: 1"=50'



DASHED LINES INDICATE ROWS OF  
STRUNG LED LIGHTS. LIGHT-DEP BLACK  
OUT CURTAINS WILL BE INSTALLED TO  
PREVENT LIGHT FROM ESCAPING THE  
GREENHOUSE BUILDING AT NIGHT.

## INT. LIGHTING PLAN

SCALE: 1"=50'

## FIRE PREVENTION PLAN

Ono Associates' greenhouses are made of glass and aluminum, so they pose little fire hazard. They are a Type 2 Fire rated buildings which will either be empty or house cannabis plants. The greenhouses are plumbed with ample water and water pressure from large pumps that supply water all over the Oku Flower farm. A gravity water system supplies the nursery with roughly 3 million gallons of water when at full capacity.

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Lastly, we have a dedicated Fire Road lane for Fire Appartus to access critical areas of the nursery.



## Energy Conservation Plan

Ono Associates will be using PGE Grid power that is already installed in the Oku Nursery. The power that we will be using is PGE ECO 100 power which is 100% renewable and 100% greenhouse gas free electricity.

## SECURITY PLAN

The 4525 Cloverdale Road Site has multiple tenants that will grow flower and nursery plants. This will create a redundant and robust security system with cameras, fences, and security personnel.

Ono Associates [Company] will join in with the other tenants and have security that will meet the County and law enforcement standards. Our site will be fenced in with a gate in order to restrict outside access. Additionally, we will have a camera security system meeting all state requirements (30-days backup, DVR backup, offsite backup, etc.) Additionally, we will have bonded security personal on-site in order to prevent any authorized access to the greenhouses.

The site will have bonded private security guards who patrol the premises 12 hours each night starting at sundown.

### Security Camera

The nursery and the cultivation area shall have a complete digital video surveillance system in accordance with the approved security plan with a minimum camera resolution of 1280 x 1024 pixels. The surveillance system storage device or the cameras shall be transmission control protocol (TCP)/capable of being accessed through the internet. The video surveillance system shall be capable, at all times and in all lighting conditions, of effectively recording images.

The video surveillance system installed will have the capabilities to produce a color still photograph from any camera image, live or recorded, of the Premises. Cameras will be immobile and in a permanent location. Cameras shall be placed in a location that allows the camera to clearly record activity occurring within twenty (20) feet of all points of entry and exit on the Premises, and allows for the clear and certain identification of any Person and activities in all areas required to be filmed.

Cultivation and work areas that will be recorded on the video surveillance system include, without limitation, the following: limited access areas; areas where Cannabis or Cannabis Products are weighed, packed, stored, quarantined, loaded and unloaded for transportation, prepared, or moved within the Premises; areas where Cannabis is destroyed; security rooms; areas storing a surveillance-system storage device with at least one (1) camera recording the access points to the secured surveillance recording area; and entrances and exits to the Premises, which shall be recorded from both indoor and outdoor vantage points.

The security cameras installed will record continuously twenty-four (24) hours per day and at a minimum of twenty (20) frames per second. The physical media or storage device on which surveillance recordings are stored must be secured in a manner to protect the recording from tampering or theft.

The video surveillance equipment will have sufficient battery backup to support a minimum of four (4) hours of recording in the event of a power outage. The Company will notify the Department of any loss of video surveillance capabilities that extend beyond four (4) hours. Ono Associates surveillance recordings shall be kept for a minimum of ninety (90) days.

### Alarm System or Private Security Guards

The Company shall maintain an alarm system in accordance with the approved security plan as required by the Department and the State and will also ensure a Licensed alarm company operator or one (1) or more of its registered alarm agents installs, maintains, monitors, and responds to the alarm system.

This water usage due to location must be reported under Appropriated Right										This water can be reported under Riparian or Appropriated Right								
Cannabis Water Usage Estimate				Future Liscence Usage Estimate			Total Appropriated Right Usage	OTHER WATER USAGE				Displaced production		TOTAL				
ONO	CaliDutch	Klone Ko		Whispy	Serenity	GH Science		This Water Usage can be serviced by the Riparian Right				This Water Usage to be Serviced by the Riparian Right						
POTS				Pots			RANGE A RANGE C COLD Total											
1 GAL / POT Waterings	16000	12000	12800	1 GAL / PO' Waterings	16000	16000	13000	FLOWERS	Lettuce	FLOWERS		1 GAL / POT	FLOWERS	ACRE FT				
PER MONT	GAL	GAL	GAL	Per month				GAL	GAL	GAL		GAL	GAL	GAL	Per Month			
JAN	8	96000	82560	80640	JAN	8	96000	96000	78720	JAN	80640	21000	145152	246792	JAN	152410	929129.6	2.82
FEB	8	96000	82560	80640	FEB	8	96000	96000	78720	FEB	80640	0	145152	225792	FEB	217728	973448	2.95
MAR	8	96000	82560	80640	MAR	8	96000	96000	78720	MAR	80640	21000	145152	246792	MAR	217728	994448	3.01
APR	9	108000	92880	90720	APR	9	108000	108000	88560	APR	80640	0	145152	225792	APR	217728	1039689	3.15
MAY	10	120000	103200	100800	MAY	10	120000	120000	98400	MAY	80640	21000	145152	246792	MAY	130637	1039839	3.15
JUN	10	120000	103200	100800	JUN	10	120000	120000	98400	JUN	80640	0	145152	225792	JUN	130637	1018839	3.09
JUL	10	120000	103200	100800	JUL	10	120000	120000	98400	JUL	80640	21000	145152	246792	JUL	174182	1083384	3.28
AUG	10	120000	103200	100800	AUG	10	120000	120000	98400	AUG	80640	50000	145152	275792	AUG	174182	1112384	3.37
SEP	10	120000	103200	100800	SEP	10	120000	120000	98400	SEP	80640	0	145152	225792	SEP	174182	1062384	3.22
OCT	9	108000	92880	90720	OCT	9	108000	108000	88560	OCT	80640	10000	145152	235792	OCT	152410	984370.6	2.98
NOV	8	96000	82560	80640	NOV	8	96000	96000	78720	NOV	80640	21000	145152	246792	NOV	108864	885584	2.68
DEC	8	96000	82560	80640	DEC	8	96000	96000	78720	DEC	80640	0	145152	225792	DEC	108864	864584	2.62
		1296000	1114560	1088640			1296000	1296000	1062720			967680	165000	1741824		1959552	11987976	36.33
ACRE FEET	3.93	3.38	3.30	10.60	3.93	3.93	3.22	11.07	21.68	2.93	0.50	5.28	8.71	5.94	36.33			

Before when we were entirely in cutflowers we were reporting all usage under the Appropriated right due to our water usage not being enough to warrant the trouble of dealing with both liscences.

During the original CEQA process, we were unsure of what the water usage would be, we were concerned about using more than whatever number was originally put into the CEQA and were advised to over estimate as a precaution.

## Displaced Agriculture

### Ono Associates

***Displaced Agriculture.*** Please provide a description of the agriculture that will be displaced by the proposed cannabis and a plan to cultivate that crop elsewhere on the premises. Include in this description operational details such as water usage and employee needs. (Section 5.148.160.g)

The type of agriculture that will be displaced by the Ono Associates project location is seasonal cut flowers of different varieties. The plan is to relocate production to another area of the property where the Premises is located on a 1:1 ratio.

The project footprint will offset about 24,960 sqft of cut flower production. The cut flowers will be moved on a 1:1 sqft ratio into 1 of 3 large open areas on the property. The crop can be located on one of the available areas on the property which totals roughly 220,000 square feet. Please see Exhibit D, E, F, and G for location description.

The water usage will not exceed the current use for the cut flowers and will use and not displace any of the current employees we have.



120k Sqft flower replacement

Total 140k Sqft flower replacement offset

Calidutch

Serenity Flowers

Whispy Flowers

Ono Assoc.

KloneCo

GH Science

39k Sqft flower replacement

60k Sqft flower replacement

0.07

0.07 Miles

1:2,257



## Water Usage

4525 Cloverdale Road

***Water Usage.** Please provide information that details the estimated water usage of all current and proposed agricultural activities on the parcel. This includes the water required to cultivate the agricultural production displaced by cannabis and should differentiate between the needs of each proposed and current permit on the parcel. (Section 5.148.160.s)*

Please see attached table for the estimated water usage of all current and proposed agricultural activities on the parcel. The table includes the water required to cultivate the agricultural production displaced by cannabis, and should differentiate between the needs of each proposed and current permit on the parcel.

In terms of potential impacts of water usage as well, there are caps in the lease agreements with the landlord that prohibit excessive water usage to ensure that the property does not exceed the total acre feet allowed for its diversion.

The amount of water required to cultivate the agricultural production displaced by cannabis is 5.938 acre feet of water.

The needs of each proposed and current permit on the parcel is as follows:

Permit Holder	Acre Feet of Water
Ono Associates	3.93
Calidutch	3.38
Kloneco	3.30
Whispy Flowers	3.93
Serenity Flowers	3.93
GH Science	3.22
Total	21.69

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		1296000	1114560	1088640			1296000	1296000	1062720			967680	165000	1741824		1959552	11987976	36.33
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L7140

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

Application 17590 Permit 11364 License 7140

**ORDER AMENDING THE LICENSE BY ADDING MEASURING DEVICE  
CONDITIONS, CORRECTING THE PLACE OF USE AND POINTS OF  
DIVERSION DESCRIPTIONS, AND ADDING STANDARD LICENSE TERMS**

**WHEREAS:**

1. License 7140 was issued to Guido Bianchi on January 14, 1965 pursuant to Application 17590 and was recorded with the County Recorder of San Mateo County on January 15, 1965.
2. License 7140 was subsequently assigned to Oku Incorporated on October 14, 1966.
3. The Division of Water Rights (Division) conducted an inspection of the project covered by License 7140 on June 8, 1999. This inspection found that the licensee has no satisfactory means to confirm or ensure compliance with the existing license amounts or with the term requiring bypass of stream flow for the protection of fish.
4. The State Water Resources Control Board (SWRCB) has determined that in order to ensure continued compliance with existing conditions of the license, additional terms and conditions to License 7140 are necessary.
5. The SWRCB has determined that corrections in the descriptions of the place of use and points of diversion are required for License 7140.
6. The SWRCB will also add its standard continuing authority term, water quality objective term and a term to prevent any act which results in the taking of a threatened or endangered species that has been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act.

**NOW, THEREFORE, IT IS ORDERED THAT:**

The following terms and conditions be added to License 7140:

1. The Point of Diversion to Offstream Storage is corrected as follows:  
(1) By California Coordinates System of 1927, Zone 3, North 273,542 feet and East 1,455,477 feet, being within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
2. The Point of Diversion, Rediversion and Storage is corrected as follows:  
(2) By California Coordinates System of 1927, Zone 3, North 274,643 feet and East 1,454,876 feet, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
3. A Place of Storage is added as follows:  
At Reservoir No. 2 being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
4. The place of use authorized by this license will be corrected as follows:  
8 acres within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
17 acres within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
13 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
19 acres within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
57 acres total, as shown on map on file with the State Water Resources Control Board
5. A term requiring a device to measure the diversions under this license from Butano Creek is added as follows:  
  
No water shall be diverted under this license until the licensee installs and maintains an in-line flow meter, acceptable to the Division, that is capable of measuring the instantaneous diversion rate and the cumulative amount diverted to storage under this license. Licensee shall maintain a record of the end-of-the-month meter readings and of the days of actual diversion, and shall submit these monthly records with the triennial report of licensee, or whenever requested by the Division.  
  
(0100900)
6. A term requiring a measuring device to ensure compliance with the bypass condition of this license is added as follows:  
  
Licensee shall install a device, satisfactory to the State Water Resources Control Board, which is capable of measuring the flow required by the

conditions of this permit. Said measuring device shall be properly maintained. However, a single measuring device, installed and maintained jointly by all water users on Lower Butano Creek, located at a position on the creek acceptable to the Department of Fish and Game and the State Water Resources Control Board may be substituted.

(0060062)

7. The term requiring bypass of water for the protection of fish in Butano Creek is corrected as follows:

Licensee shall during the period from December 1 to about April 1, bypass a minimum of 3 cubic feet per second or the natural flow of the stream whenever it is less than 3 cubic feet per second at the point of diversion. If the joint streamflow measuring site operated by the Butano Creek Users Group is used to satisfy this flow condition, a minimum of 3.78 cubic feet per second must exist at this measuring site before diverting water under this license.

(0140060)

8. The continuing authority condition, is updated to read as follows:

Pursuant to California Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

9. The water quality objectives condition, is updated to read as follows:

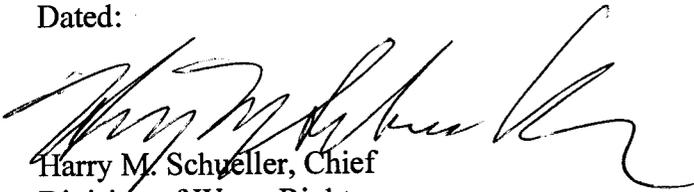
The quantity of water diverted under this license is subject to modification by the SWRCB if, after notice to the licensee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the California Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

10. An endangered Species term is added to read as follows:

This license does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (California Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

**OCT 26 2000**

Dated:



Harry M. Schueller, Chief  
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 17590

PERMIT 11364

LICENSE 7140

THIS IS TO CERTIFY, That

Guido Bianchi  
P. O. Box 234  
Pescadero, California

has made proof as of June 27, 1963,  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of

(1) Big Butano Creek (2) an unnamed stream in San Mateo County  
tributary to (1) Pescadero Creek thence Pacific Ocean  
(2) Big Butano Creek thence Pescadero Creek thence Pacific Ocean

for the purpose of irrigation use  
under Permit 11364 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from May 9, 1957, and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed forty (40) acre-feet per annum to be collected from about December 1 of each year to about April 1 of the succeeding year.

The maximum rate of diversion to off-stream storage has been 350 gallons per minute.

The points of diversion of such water are located :

- (1) North two hundred thirty (230) feet and west one thousand six hundred (1600) feet from center of projected Section 14, T8S, R5W, MDB&M, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 14.
- (2) South one thousand four hundred (1400) feet and west two thousand two hundred (2200) feet from NE $\frac{1}{4}$  corner of projected Section 14, T8S, R5W, MDB&M, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 14.

A description of the lands or the place where such water is put to beneficial use is as follows:

21 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M.  
36 acres within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M.  
57 acres total

Licensee shall during the period from about December 1 to about April 1 bypass a minimum of three (3) cubic feet per second or the natural flow of the stream whenever it is less than three (3) cubic feet per second at the point of diversion to maintain fishlife.

0140060

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

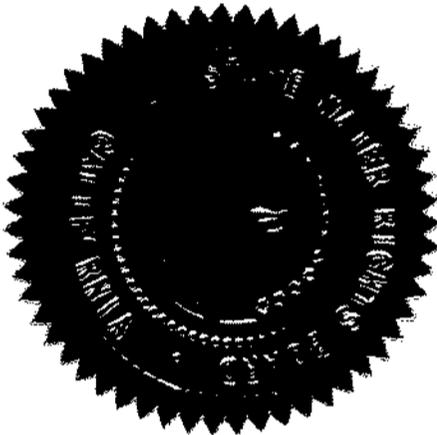
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licenses or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 14 1965



*L. K. Hill*  
L. K. Hill  
Executive Officer

*10-3-66* RECEIVED NOTICE OF ASSIGNMENT TO *the Incorporated*  
*ated*

LICENSE 7140  
STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Guido Bianchi

DATED JAN 14 1965

MAR 2 1965

47885 8-51 3M (1) SPO

2

## STAFFING PLAN AND LOCAL HIRING PLAN

Ono Associates [company] plans to have 6 employees with 2 managers and 4 farm labor which are locally available. Oku nursery has a farm labor housing facility that is inspected yearly by state and county officials. If the company finds itself needing additional employees, we will work with the county and local community to hire locally at job conventions and other hiring opportunities.



**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

# **ATTACHMENT B**



# San Mateo County

Office and Administrative Area

Serenity Flowers LLC  
4525 Cloverdale Rd, Pescadero, CA 94060  
Premises Diagram, Medium Mixed Light, Tier 2  
APN 086-061-090

Packaging and Designated Administrative Hold Area

Harvest Storage and Processing Area

Greenhouse #2  
175x35 = 6125 gross sqft  
4200 sqft canopy

	Sqft
Bay 1	3052
Bay 2	3052
Bay 3	4600
Bay 4	4600
Bay 5	4600
Bay 6	4600
Bay 7	4600
Bay 8	4600
Bay 9	4600
Bay 10	4600
<b>total</b>	<b>42904</b>
<b>Building 2</b>	<b>4200</b>
<b>Total Canopy</b>	<b>47104</b>

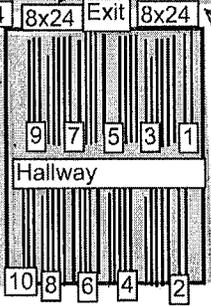
Greenhouse #1  
Medium Mixed Light  
Tier 2 Canopy area  
42,904 Sqft

Composting Area

10x10

Pesticide and Agricultural Chemical Storage Area

264 ft



Aggregate Square footage of greenhouse = 53,928 sqft.

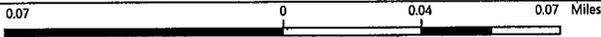
210 ft

4525

Entry and Exit road into Property

Medium Mixed Light Tier 2 premises:  
-immature plants obtained Off-site

54 ft



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

1:2,257

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**





## Hiring and Staffing Plan

### *Serenity Flowers*

*Hiring and Staffing. Please provide a detailed plan for hiring local residents as specified in section 5.148.060.b.14. The submitted hiring plan is very limited in detail. Additionally, please provide a staffing plan and information as described in Section 5.148.060.b.15.*

#### Local Hiring Plan

##### Section 5.148.060.b.14. – Local Hiring Plan

The Applicant must provide a detailed description and plan for hiring local residents and affirm that Applicant will comply with all applicable federal, state, and local wage and labor requirements. GH Science is dedicated to hiring local residents and affirms that the company will comply with all applicable federal, state and local wage & labor requirements. All new hires will be vetted and show evidence to verify age and work status that applies to all federal, state, and local laws.

All local hiring applicants shall provide written proof of ID that they are twenty-one (21) years of age or older. Written proof of ID includes, but are not limited to a California driver's License, California identification card, or certified copy of birth certificate.

As a locally formed San Mateo company, GH Science is targeting 50% local hiring, if feasible. Because of the soaring rental and real estate prices in San Mateo county, many farm laborers have been priced out of the market and have left San Mateo County. As per San Mateo County's Daily Journal newspaper dated July 12, 2021, "Rents in San Mateo County return close to pre-pandemic levels." This has historically made it difficult for all agricultural businesses to find local labor.

As staffing levels increase, Serenity will give priority to all San Mateo County applicants. The company will also work with county and local community groups to hire at job fairs, events, and other hiring opportunities. The company will consider residency when making hiring decisions, and use contacts in the community to discover new local talent.

#### Staffing Plan

The company plans to have 6 employees with 2 managers and 4 farm laborers with preference given to San Mateo County residents. All GH Science employees will be listed on an employee register containing all required information which will be updated periodically as required by local, state, and federal agencies. Staff will receive thorough training on workplace safety, operations, track and trace, and security protocols. There will be a mix of part- and full-time employees.

All employees will be periodically required to go through training pertaining to safety, applicable cannabis law, specific job duties, OSHA law, sexual harassment law, record keeping and security procedures. All required training will be done in accordance to each specific agency.

All staff members shall provide written proof of ID that they are twenty-one (21) years of age or older. Written proof of ID includes, but are not limited to, a California driver's License, California identification card, or certified copy of birth certificate. A copy of this ID will be kept in their file for reference, if needed.

## Lighting Plan

### Serenity Flowers

*Lighting Plan. Please provide a detailed plan sheet that depicts the location of lights, type of light, and an elevation depicting how the lighting will be installed or has been installed. The depictions should demonstrate how the lighting is “fully shielded, downward casting, and [does] not spill over onto other structure, or properties, or the night sky” (Section 5.148.160.i).*

Serenity Flowers [the Company] will be using a combination of natural sunlight and low wattage 11 watt LED lighting for their cannabis cultivation.

#### Location of lights

The location of the lights will be directly above each row (bed) of the cannabis canopy. Each greenhouse peak is expected to have 5 to 6 rows of cannabis based on the greenhouse width and current planting standards.

#### Type of lights

The type of light bulbs used will be high-efficient, 11-watt LED light bulbs with downward shielding which reflects light downward toward the plants and blocking unwanted upward lighting.

#### Elevation of lights

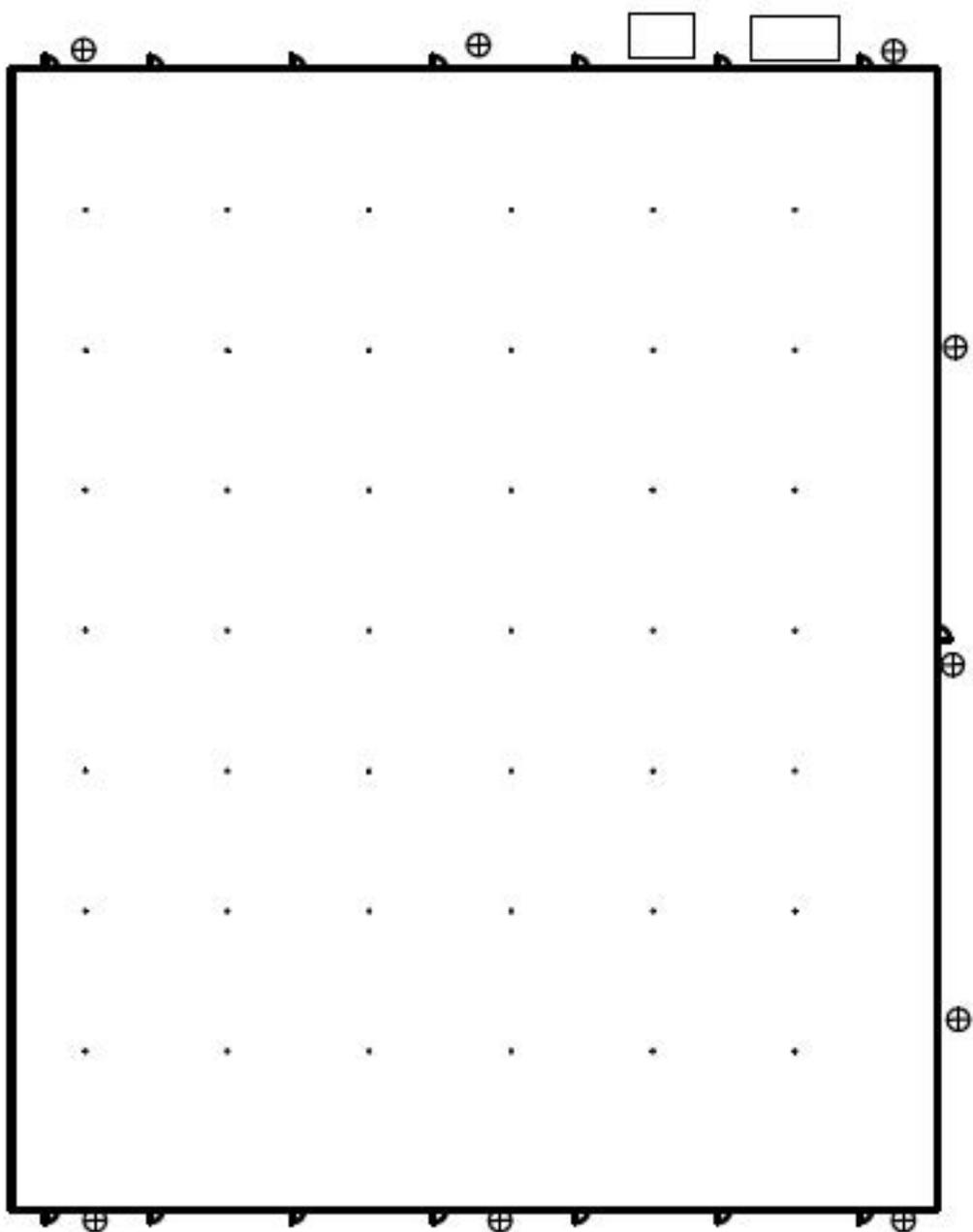
The elevation of the lights will be 8 to 10 feet above the floor dependent on plant height on string lighting. Each row will have 12 LED bulbs per string row.

#### Blackout curtains

The company will replace existing shade cloth in the greenhouse with black-out curtains to block any illumination if needed. Blackout curtain will cover the greenhouse walls, gable ends, and be a retractable overhead curtain. This will create a fully shielded, downward casting lighting environment so that illumination does not spill over onto other structure, or properties, or the night sky.

The project site is located in a rural agricultural area in Pescadero, 1225 feet from the closest road, and 4600 feet from the town center. The site is surrounded by mountains which shields any light coming from the nursery. Moreover, the LED lightbulbs used are shielded, with downward casting reflectives that minimize the light reflecting upward.

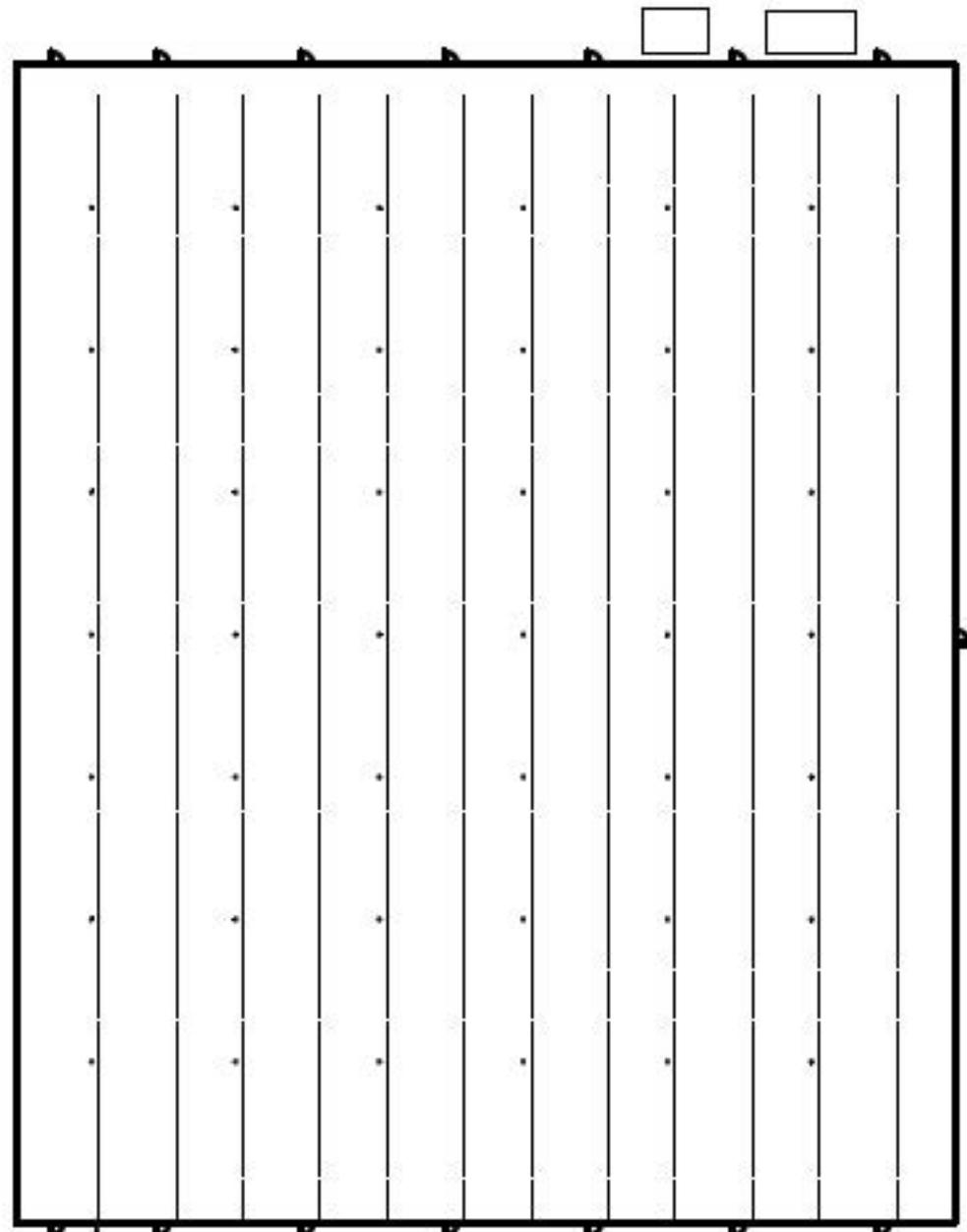
Blackout curtains will be installed so that all operations will be fully contained so that little to no light escapes. Because the greenhouses will be equipped with blackout curtains and side walls, any supplemental lighting will not spillover to any other structure, or properties, or the night sky.



INDICATES PROPOSED  
DOWNHOODED SECURITY  
LIGHTING

## EXT. LIGHTING PLAN

SCALE: 1"=50'



DASHED LINES INDICATE ROWS OF  
STRUNG LED LIGHTS. LIGHT-DEP  
BLACK OUT CURTAINS WILL BE  
INSTALLED TO PREVENT LIGHT  
FROM ESCAPING THE  
GREENHOUSE BUILDING AT NIGHT.

## INT. LIGHTING PLAN

SCALE: 1"=50'

## Serenity Flowers Greenhouse Odor Control and Ventilation Plan

Serenity Flower's greenhouses shall be equipped with odor control filtration and ventilation system(s) based on current industry-specific best control technologies and best management practices. The use of ECOsorb CNB100 which is specifically made for the control of cannabis odors.

The greenhouse is in a nursery that has been in continuous operation since 1963 and is located in a rural area away from residences, offices and schools. The site is remote and there is no public access into the nursery and is offset from the main road by at least a quarter mile from Cloverdale road in Pescadero.

The greenhouse is equipped with top vents and roll up sides to provide good ventilation and use horizontal air movement fans. There will be limited odors from the cultivation site other than immediately before harvests.

We do not believe odor will be an issue to neighbors as they are so far away. If it can be documented that odor is an issue we will install carbon air filters or the ECOsorb odor neutralizing system to mitigate the problem.

There are NO operable windows or exhaust vents shall be located on any building façade that abuts a residential use or zone. Exhaust vents on rooftops shall direct exhaust away from residential uses or zones.

## FIRE PREVENTION PLAN

Serenity Flowers greenhouses are made of glass and aluminum, so they pose little fire hazard. They are a Type 2 Fire rated building will either be empty or house cannabis plants. The greenhouses are plumbed with ample water and water pressure from large pumps that supply water all over the Oku Flower farm. A gravity water system supplies the nursery with roughly 3 million gallons of water when at full capacity.

Working with San Mateo County Fire Marshall, we have designed and installed over 1500 feet of 4-inch HDPE pipe throughout the nursery. These pipes terminate at multiple wharf hydrant connects which are able to reach all greenhouses, and at ideal distances for Fire Fighting apparatus to connect to.

Fire extinguishers will be installed as per occupancy requirements. Additionally, redundant fire extinguishers will be made available near anything that poses a risk of fire, such as electrical panels or boilers. All employees will be trained on the proper use of fire extinguishers. We will contract with a fire prevention firm to insure all of our extinguishers are inspected and recertified as required. No smoking will be allowed on or near the site.

Lastly, we have also designed and installed a dedicated Fire Road lane to help Fire Engine traffic around the nursery.



### Security plan

The site has multiple tenants that will grow flower and nursery plants which will create a redundant and robust security system with cameras, fences, and security personnel.

We will join in with the other tenants and have security that will meet the County and law enforcement standards. Our site will be fenced in with a gate in order to restrict outside access. Additionally, we will have a camera security system meeting all state requirements (30-days backup, DVR backup, offsite backup, etc.) Additionally, we will have security personal on-site 24/7 in order to prevent any authorized access to the greenhouses.

The site will have bonded private security guards who patrol the premises 12 hours each night starting at sundown.

### Security Camera

The nursery and the cultivation area shall have a complete digital video surveillance system in accordance with the approved security plan with a minimum camera resolution of 1280 x 1024 pixels. The surveillance system storage device or the cameras shall be transmission control protocol (TCP)/capable of being accessed through the internet. The video surveillance system shall be capable, at all times and in all lighting conditions, of effectively recording images.

The video surveillance system installed will have the capabilities to produce a color still photograph from any camera image, live or recorded, of the Premises. Cameras will be immobile and in a permanent location. Cameras shall be placed in a location that allows the camera to clearly record activity occurring within twenty (20) feet of all points of entry and exit on the Premises, and allows for the clear and certain identification of any Person and activities in all areas required to be filmed.

Cultivation and work areas that will be recorded on the video surveillance system include, without limitation, the following: limited access areas; areas where Cannabis or Cannabis Products are weighed, packed, stored, quarantined, loaded and unloaded for transportation, prepared, or moved within the Premises; areas where Cannabis is destroyed; security rooms; areas storing a surveillance-system storage device with at least one (1) camera recording the access points to the secured surveillance recording area; and entrances and exits to the Premises, which shall be recorded from both indoor and outdoor vantage points.

The security cameras installed will record continuously twenty-four (24) hours per day and at a minimum of twenty (20) frames per second. The physical media or storage device on which surveillance recordings are stored must be secured in a manner to protect the recording from tampering or theft.

The video surveillance equipment will have sufficient battery backup to support a minimum of four (4) hours of recording in the event of a power outage. Serenity Flowers will notify the Department of any loss of video surveillance capabilities that extend beyond four (4) hours. Ono Associates surveillance recordings shall be kept for a minimum of ninety (90) days.

### Alarm System or Private Security Guards

Serenity Flowers shall maintain an alarm system in accordance with the approved security plan as required by the Department and the State and will also ensure a Licensed alarm company operator or one (1) or more of its registered alarm agents installs, maintains, monitors, and responds to the alarm system.

## Displaced Agriculture

### Serenity Flowers

***Displaced Agriculture.*** Please provide a description of the agriculture that will be displaced by the proposed cannabis and a plan to cultivate that crop elsewhere on the premises. Include in this description operational details such as water usage and employee needs. (Section 5.148.160.g)

The Oku Nursery sits on 60 acres of agricultural land and has enough area to relocate agricultural production on the property. The type of agriculture that will be displaced by the proposed cannabis project location is leafy green vegetables. Due to the high cost and difficulty to make a profit in growing leafy greens, we plan to replace the leafy greens with other cut flower varieties that we have grown in the past.

The plan is to relocate production to another area of the property where the Premises is located on a 1:1 ratio. The project footprint will offset about 31,920 sqft of leafy greens production which will be moved into 1 of 3 large areas on the property. The crop can be located on one of the available areas on the property which totals roughly 220,000 square feet. Please see attached pictures for location description.

The water usage will not exceed the current use for the leafy greens and will use and not displace any of the current employees we have.



120k Sqft flower replacement

Total 140k Sqft flower replacement offset

Calidutch

Serenity Flowers

Whispy Flowers

Ono Assoc.

KloneCo

GH Science

39k Sqft flower replacement

60k Sqft flower replacement

0.07

0.07 Miles

1:2,257



## Water Usage

4525 Cloverdale Road

***Water Usage.** Please provide information that details the estimated water usage of all current and proposed agricultural activities on the parcel. This includes the water required to cultivate the agricultural production displaced by cannabis and should differentiate between the needs of each proposed and current permit on the parcel. (Section 5.148.160.s)*

Please see attached table for the estimated water usage of all current and proposed agricultural activities on the parcel. The table includes the water required to cultivate the agricultural production displaced by cannabis, and should differentiate between the needs of each proposed and current permit on the parcel.

In terms of potential impacts of water usage as well, there are caps in the lease agreements with the landlord that prohibit excessive water usage to ensure that the property does not exceed the total acre feet allowed for its diversion.

The amount of water required to cultivate the agricultural production displaced by cannabis is 5.938 acre feet of water.

The needs of each proposed and current permit on the parcel is as follows:

Permit Holder	Acre Feet of Water
Ono Associates	3.93
Calidutch	3.38
Kloneco	3.30
Whispy Flowers	3.93
Serenity Flowers	3.93
GH Science	3.22
Total	21.69

This water usage due to location must be reported under Appropriated Right										This water can be reported under Riparian or Appropriated Right								
Cannabis Water Usage Estimate				Future Liscence Usage Estimate			Total Appropriated Right Usage	OTHER WATER USAGE				Displaced production		TOTAL				
ONO	CaliDutch	Klone Ko		Whispy	Serenity	GH Science		This Water Usage can be serviced by the Riparian Right				This Water Usage to be Serviced by the Riparian Right						
POTS				Pots			RANGE A RANGE C COLD Total											
1 GAL / POT Waterings	16000	12000	12800	1 GAL / PO' Waterings	16000	16000	13000	FLOWERS	Lettuce	FLOWERS		1 GAL / POT	FLOWERS	GAL	ACRE FT			
PER MONT	GAL	GAL	GAL	Per month				GAL	GAL	GAL		GAL	GAL		Per Month			
JAN	8	96000	82560	80640	JAN	8	96000	96000	78720	JAN	80640	21000	145152	246792	JAN	152410	929129.6	2.82
FEB	8	96000	82560	80640	FEB	8	96000	96000	78720	FEB	80640	0	145152	225792	FEB	217728	973448	2.95
MAR	8	96000	82560	80640	MAR	8	96000	96000	78720	MAR	80640	21000	145152	246792	MAR	217728	994448	3.01
APR	9	108000	92880	90720	APR	9	108000	108000	88560	APR	80640	0	145152	225792	APR	217728	1039689	3.15
MAY	10	120000	103200	100800	MAY	10	120000	120000	98400	MAY	80640	21000	145152	246792	MAY	130637	1039839	3.15
JUN	10	120000	103200	100800	JUN	10	120000	120000	98400	JUN	80640	0	145152	225792	JUN	130637	1018839	3.09
JUL	10	120000	103200	100800	JUL	10	120000	120000	98400	JUL	80640	21000	145152	246792	JUL	174182	1083384	3.28
AUG	10	120000	103200	100800	AUG	10	120000	120000	98400	AUG	80640	50000	145152	275792	AUG	174182	1112384	3.37
SEP	10	120000	103200	100800	SEP	10	120000	120000	98400	SEP	80640	0	145152	225792	SEP	174182	1062384	3.22
OCT	9	108000	92880	90720	OCT	9	108000	108000	88560	OCT	80640	10000	145152	235792	OCT	152410	984370.6	2.98
NOV	8	96000	82560	80640	NOV	8	96000	96000	78720	NOV	80640	21000	145152	246792	NOV	108864	885584	2.68
DEC	8	96000	82560	80640	DEC	8	96000	96000	78720	DEC	80640	0	145152	225792	DEC	108864	864584	2.62
		1296000	1114560	1088640			1296000	1296000	1062720			967680	165000	1741824		1959552	11987976	36.33
ACRE FEET	3.93	3.38	3.30	10.60	3.93	3.93	3.22	11.07	21.68	2.93	0.50	5.28	8.71	ACRE FEET	5.94	36.33		

Before when we were entirely in cutflowers we were reporting all usage under the Appropriated right due to our water usage not being enough to warrant the trouble of dealing with both liscences.

During the original CEQA process, we were unsure of what the water usage would be, we were concerned about using more than whatever number was originally put into the CEQA and were advised to over estimate as a precaution.

L7140

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

Application 17590 Permit 11364 License 7140

**ORDER AMENDING THE LICENSE BY ADDING MEASURING DEVICE  
CONDITIONS, CORRECTING THE PLACE OF USE AND POINTS OF  
DIVERSION DESCRIPTIONS, AND ADDING STANDARD LICENSE TERMS**

**WHEREAS:**

1. License 7140 was issued to Guido Bianchi on January 14, 1965 pursuant to Application 17590 and was recorded with the County Recorder of San Mateo County on January 15, 1965.
2. License 7140 was subsequently assigned to Oku Incorporated on October 14, 1966.
3. The Division of Water Rights (Division) conducted an inspection of the project covered by License 7140 on June 8, 1999. This inspection found that the licensee has no satisfactory means to confirm or ensure compliance with the existing license amounts or with the term requiring bypass of stream flow for the protection of fish.
4. The State Water Resources Control Board (SWRCB) has determined that in order to ensure continued compliance with existing conditions of the license, additional terms and conditions to License 7140 are necessary.
5. The SWRCB has determined that corrections in the descriptions of the place of use and points of diversion are required for License 7140.
6. The SWRCB will also add its standard continuing authority term, water quality objective term and a term to prevent any act which results in the taking of a threatened or endangered species that has been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act.

**NOW, THEREFORE, IT IS ORDERED THAT:**

The following terms and conditions be added to License 7140:

1. The Point of Diversion to Offstream Storage is corrected as follows:  
(1) By California Coordinates System of 1927, Zone 3, North 273,542 feet and East 1,455,477 feet, being within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
2. The Point of Diversion, Rediversion and Storage is corrected as follows:  
(2) By California Coordinates System of 1927, Zone 3, North 274,643 feet and East 1,454,876 feet, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
3. A Place of Storage is added as follows:  
At Reservoir No. 2 being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
4. The place of use authorized by this license will be corrected as follows:  
8 acres within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
17 acres within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
13 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
19 acres within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
57 acres total, as shown on map on file with the State Water Resources Control Board
5. A term requiring a device to measure the diversions under this license from Butano Creek is added as follows:  
  
No water shall be diverted under this license until the licensee installs and maintains an in-line flow meter, acceptable to the Division, that is capable of measuring the instantaneous diversion rate and the cumulative amount diverted to storage under this license. Licensee shall maintain a record of the end-of-the-month meter readings and of the days of actual diversion, and shall submit these monthly records with the triennial report of licensee, or whenever requested by the Division.  
  
(0100900)
6. A term requiring a measuring device to ensure compliance with the bypass condition of this license is added as follows:  
  
Licensee shall install a device, satisfactory to the State Water Resources Control Board, which is capable of measuring the flow required by the

conditions of this permit. Said measuring device shall be properly maintained. However, a single measuring device, installed and maintained jointly by all water users on Lower Butano Creek, located at a position on the creek acceptable to the Department of Fish and Game and the State Water Resources Control Board may be substituted.

(0060062)

7. The term requiring bypass of water for the protection of fish in Butano Creek is corrected as follows:

Licensee shall during the period from December 1 to about April 1, bypass a minimum of 3 cubic feet per second or the natural flow of the stream whenever it is less than 3 cubic feet per second at the point of diversion. If the joint streamflow measuring site operated by the Butano Creek Users Group is used to satisfy this flow condition, a minimum of 3.78 cubic feet per second must exist at this measuring site before diverting water under this license.

(0140060)

8. The continuing authority condition, is updated to read as follows:

Pursuant to California Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

9. The water quality objectives condition, is updated to read as follows:

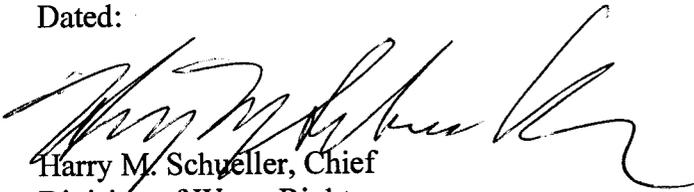
The quantity of water diverted under this license is subject to modification by the SWRCB if, after notice to the licensee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the California Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

10. An endangered Species term is added to read as follows:

This license does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (California Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

**OCT 26 2000**

Dated:



Harry M. Schueller, Chief  
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 17590

PERMIT 11364

LICENSE 7140

THIS IS TO CERTIFY, That

Guido Bianchi  
P. O. Box 234  
Pescadero, California

has made proof as of June 27, 1963,  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of

(1) Big Butano Creek (2) an unnamed stream in San Mateo County  
tributary to (1) Pescadero Creek thence Pacific Ocean  
(2) Big Butano Creek thence Pescadero Creek thence Pacific Ocean

for the purpose of irrigation use  
under Permit 11364 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from May 9, 1957, and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed forty (40) acre-feet per annum to be collected from about December 1 of each year to about April 1 of the succeeding year.

The maximum rate of diversion to off-stream storage has been 350 gallons per minute.

The points of diversion of such water are located :

- (1) North two hundred thirty (230) feet and west one thousand six hundred (1600) feet from center of projected Section 14, T8S, R5W, MDB&M, being within  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of said Section 14.
- (2) South one thousand four hundred (1400) feet and west two thousand two hundred (2200) feet from  $N\frac{1}{4}$  corner of projected Section 14, T8S, R5W, MDB&M, being within  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of said Section 14.

A description of the lands or the place where such water is put to beneficial use is as follows:

21 acres within  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M.  
36 acres within  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M.  
57 acres total

Licensee shall during the period from about December 1 to about April 1 bypass a minimum of three (3) cubic feet per second or the natural flow of the stream whenever it is less than three (3) cubic feet per second at the point of diversion to maintain fishlife.

0140060

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

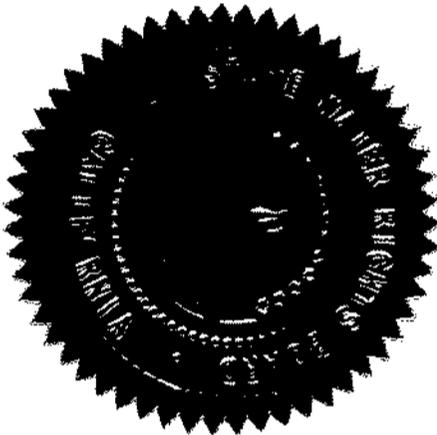
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licenses or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 14 1965



*L. K. Hill*  
L. K. Hill  
Executive Officer

10-3-66  
ated

RECORDED NOTICE OF ASSIGNMENT TO

*Ch. Imperia*

LICENSE 7140

STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Guido Bianchi

DATED JAN 14 1965

MAR 2 1965

47585 8-51 3M (1) SPO

2



**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

# **ATTACHMENT C**



GH Science LLC  
 4525 Cloverdale Rd, Pescadero, CA 94060  
 Premises Diagram,  
 Cultivation Mixed Light, Tier 2  
 Nursery  
 APN 086-061-090



Mixed Light Tier 2  
 Canopy area  
 32,000 Sqft

Aggregate Canopy Area	
Bay 1	3413
Bay 2	3413
Bay 3	3413
Bay 4	3413
Bay 5	3413
Bay 6	3413
Bay 7	3413
Bay 8	3413
Bay 9	3413
Bay 10	1287
Flower Cultivation	32000

Composting Area  
 10x10

Pesticide and  
 Agricultural Chemical  
 Storage Area.

Aggregate Square footage of  
 greenhouse = 42,735 sqft.

407 ft width

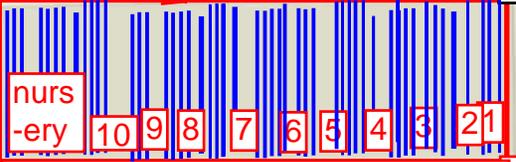
Entry and Exit road into Property

105 ft  
 length

Nursery Area  
 10,000 Sqft

Harvest Storage and  
 Processing Area.

Exit



Packaging and  
 Designated  
 Administrative  
 Hold Area

Office and  
 Administrative  
 Area







## **Greenhouse Odor Control and Ventilation Plan**

### ***GH Science***

The greenhouse shall be equipped with odor control filtration and ventilation system(s) based on current industry-specific best control technologies and best management practices. The use of ECOsorb CNB100 which is specifically made for the control of cannabis odors.

The greenhouse is in a nursery that has been in continuous operation since 1963 and is located in a rural area away from residences, offices and schools. The site is remote and there is no public access into the nursery and is offset from the main road by at least a quarter mile from Cloverdale road in Pescadero.

The greenhouse is equipped with top vents and roll up sides to provide good ventilation and use horizontal air movement fans. There will be limited odors from the cultivation site other than immediately before harvests.

We do not believe odor will be an issue to neighbors as they are so far away. If it can be documented that odor is an issue we will install carbon air filters or the ECOsorb odor neutralizing system to mitigate the problem.

There are NO operable windows or exhaust vents shall be located on any building façade that abuts a residential use or zone. Exhaust vents on rooftops shall direct exhaust away from residential uses or zones.

## **FIRE PREVENTION PLAN**

### ***GH Science***

GH Science's greenhouses are made of glass and aluminum, so they pose little fire hazard. They are a Type-2 Fire rated building will either be empty or house cannabis plants, and will be a very low fuel load. The greenhouses are plumbed with ample water and water pressure from large pumps that supply water all over the Oku Flower farm. A gravity water system supplies the nursery with roughly 3 million gallons of water when at full capacity.

Working with San Mateo County Fire Marshall, we have designed and installed over 1500 feet of 4-inch HDPE pipe throughout the nursery. These pipes terminate at multiple wharf hydrant connects which are able to reach all greenhouses, and at ideal distances for Fire Fighting apparatus to connect to.

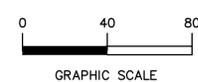
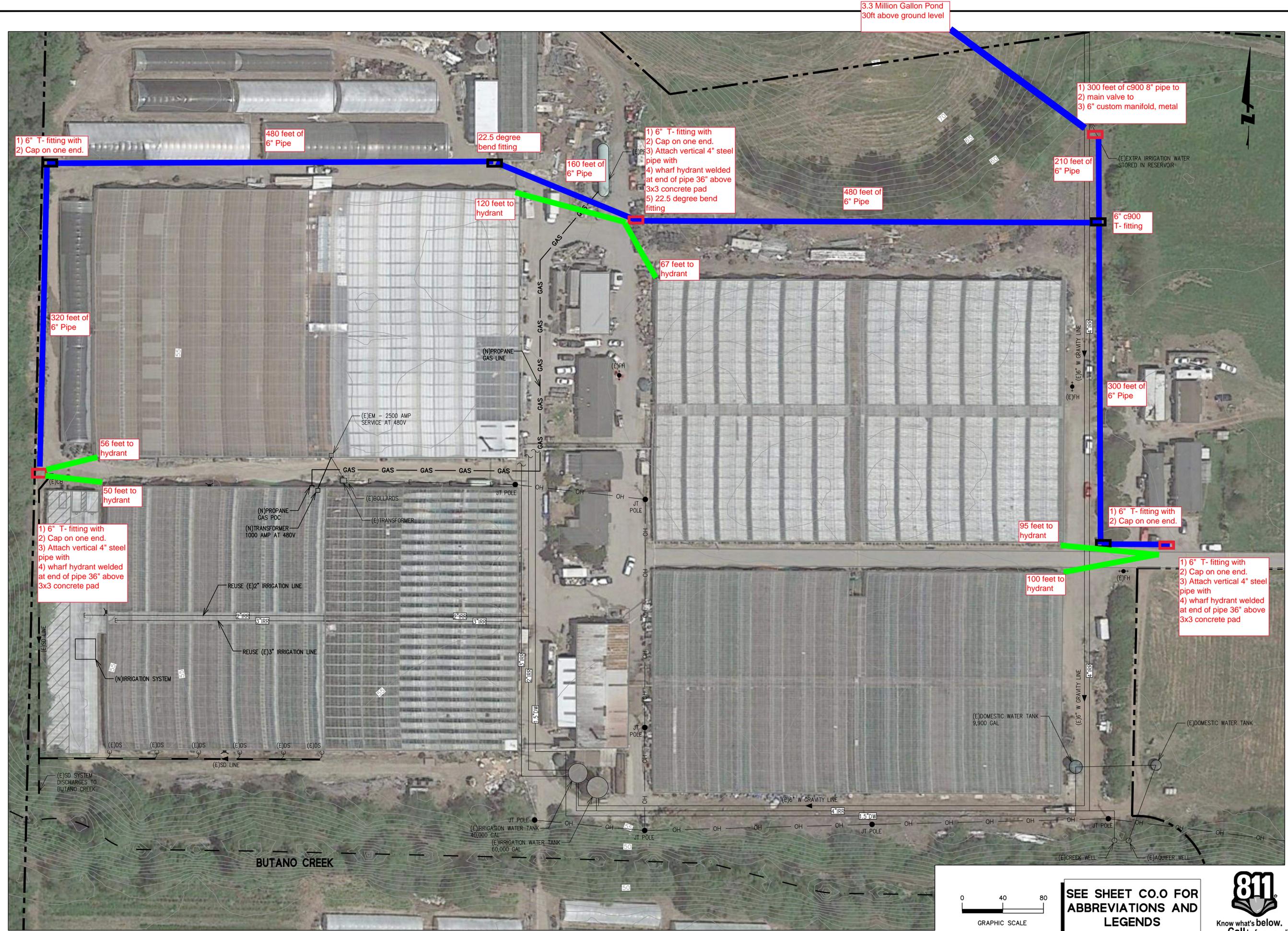
Fire extinguishers will be installed as per occupancy requirements. Additionally, redundant fire extinguishers will be made available near anything that poses a risk of fire, such as electrical panels or boilers. All employees will be trained on the proper use of fire extinguishers. We will contract with a fire prevention firm to insure all of our extinguishers are inspected and recertified as required. No smoking will be allowed on or near the site.

Lastly, we have also designed and installed a dedicated Fire Road lane to help Fire Engine traffic around the nursery.



Date	Revisions	No.
11/30/2018		
Scale 1" = 40'		
Design D.L.		
Drawn D.P.		
Approved R.H.		
Drawing Number:		
Job No 200067-00		

DRAWING NAME: C:\Users\pooit\Desktop\Oku\_Farms\ENG\cdrsheets.dwg  
PLOT DATE: 11-30-18  
PLOTTED BY: poit



**SEE SHEET CO.0 FOR ABBREVIATIONS AND LEGENDS**



## Lighting Plan

### GH Science

*Lighting Plan. Please provide a detailed plan sheet that depicts the location of lights, type of light, and an elevation depicting how the lighting will be installed or has been installed. The depictions should demonstrate how the lighting is “fully shielded, downward casting, and [does] not spill over onto other structure, or properties, or the night sky” (Section 5.148.160.i).*

GH Science [the Company] will be using a combination of natural sunlight and low wattage 11 watt LED lighting for their cannabis cultivation.

#### Location of lights

The location of the lights will be directly above each row (bed) of the cannabis canopy. Each greenhouse peak is expected to have 5 to 6 rows of cannabis based on the greenhouse width and current planting standards.

#### Type of lights

The type of light bulbs used will be high-efficient, 11-watt LED light bulbs with downward shielding which reflects light downward toward the plants and blocking unwanted upward lighting.

#### Elevation of lights

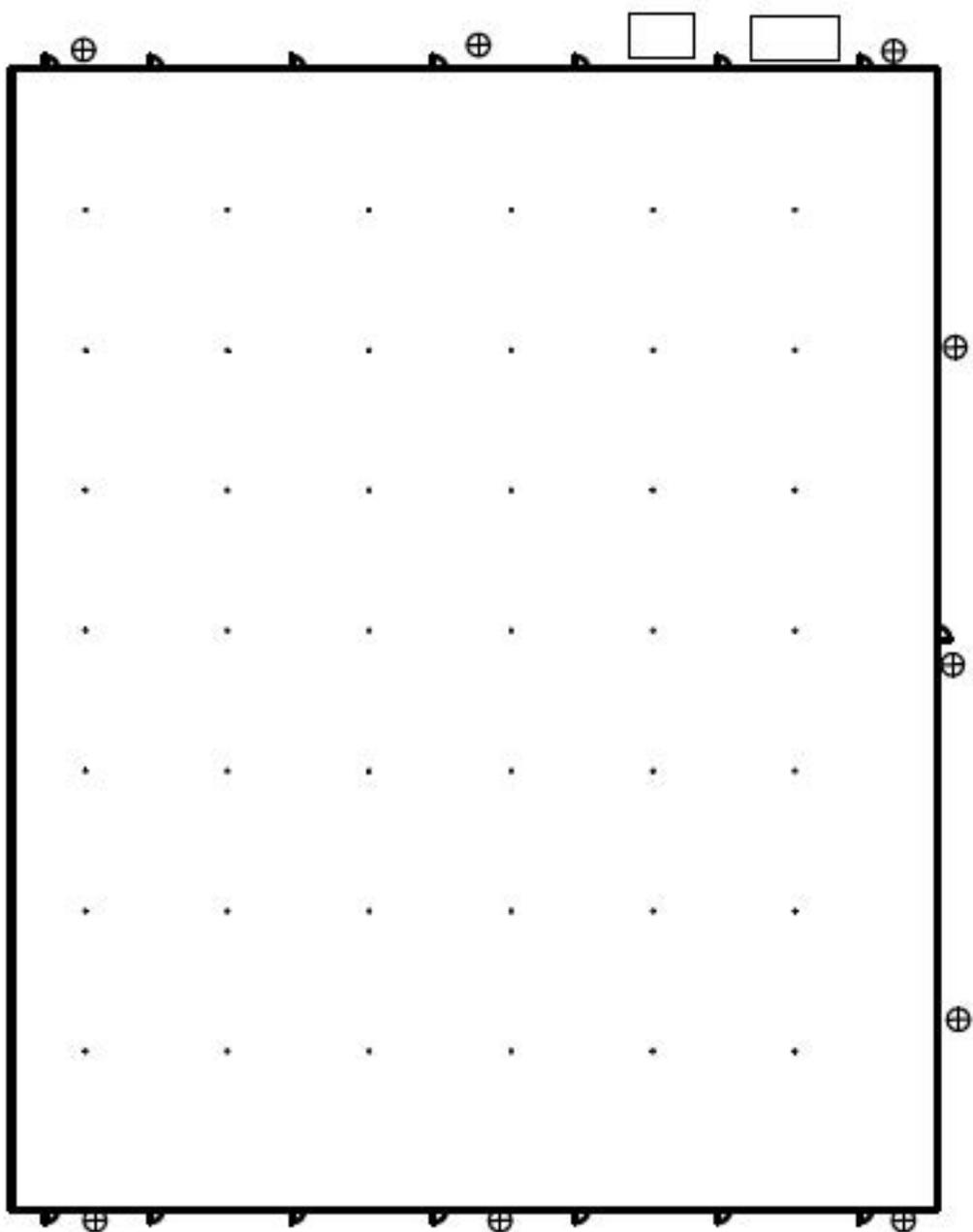
The elevation of the lights will be 8 to 10 feet above the floor dependent on plant height on string lighting. Each row will have 12 LED bulbs per string row.

#### Blackout curtains

The company will replace existing shade cloth in the greenhouse with black-out curtains to block any illumination if needed. Blackout curtain will cover the greenhouse walls, gable ends, and be a retractable overhead curtain. This will create a fully shielded, downward casting lighting environment so that illumination does not spill over onto other structure, or properties, or the night sky.

The project site is located in a rural agricultural area in Pescadero, 1225 feet from the closest road, and 4600 feet from the town center. The site is surrounded by mountains which shields any light coming from the nursery. Moreover, the LED lightbulbs used are shielded, with downward casting reflectives that minimize the light reflecting upward.

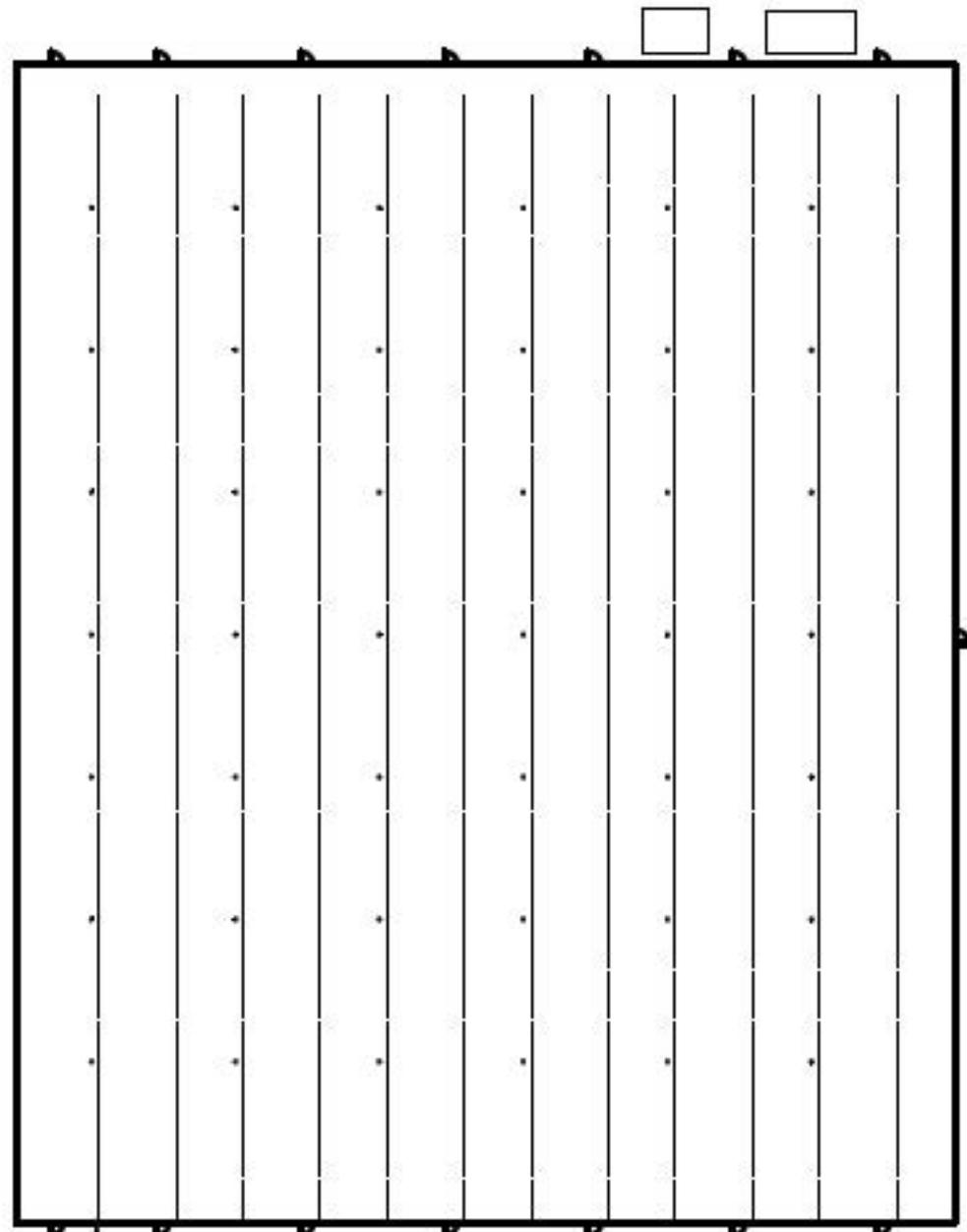
Blackout curtains will be installed so that all operations will be fully contained so that little to no light escapes. Because the greenhouses will be equipped with blackout curtains and side walls, any supplemental lighting will not spillover to any other structure, or properties, or the night sky.



INDICATES PROPOSED  
DOWNHOODED SECURITY  
LIGHTING

## EXT. LIGHTING PLAN

SCALE: 1"=50'



DASHED LINES INDICATE ROWS OF  
STRUNG LED LIGHTS. LIGHT-DEP  
BLACK OUT CURTAINS WILL BE  
INSTALLED TO PREVENT LIGHT  
FROM ESCAPING THE  
GREENHOUSE BUILDING AT NIGHT.

## INT. LIGHTING PLAN

SCALE: 1"=50'

## **WASTE MANAGEMENT PLAN**

### ***GH Science***

GH Science will contract with a Debris Box company to haul everyday refuse away. All waste refuse will be stored under lock and key to insure waste is not stolen or disturbed. Additionally, the waste refuse will be covered by 24-hour security cameras and guard personnel.

All Cannabis waste will be properly stored and secured to prevent access by the public. All garbage and refuse on the Cultivation Site shall be accumulated or stored in nonabsorbent, water-tight, vector resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight fitting lids. No refuse container shall be filled beyond the capacity to completely close the lid.

All garbage and refuse on the Cultivation Site shall not be accumulated or stored for more than seven (7) calendar days, and shall be properly disposed of before the end of the seventh (7) day. All non-Cannabis waste, including, without limitation, refuse, garbage, green waste, and recyclables, must be disposed of in accordance with County and State codes, laws and regulations.

There will be designated holding area(s) for Cannabis waste, and operational measures will be created to manage, track/identify, and dispose of Cannabis waste in compliance with County and State standards.

## **Energy Conservation Plan**

### ***GH Science***

GH Science LLC will be using PGE Grid power that is already installed in the Oku Nursery. The power that we will be using is PGE ECO 100 power which is 100% renewable and 100% greenhouse gas free electricity.

## Security plan

GH Science

***Security Plan.** Please provide a detailed security plan sheet that depicts the location of fences, locked doors, camera placement, an elevation describing how the cameras will be placed, and a detailed description of the security cameras to be used. Additionally, please depict where vehicle access is fenced with locking gates. (Section 5.148.060.b.20)*

Please see Exhibit B that shows the location of the fence around the property, and where vehicle access is fenced with a locking gate.

Please see Exhibit C for premises locked doors, camera placement, and the elevation of the placed cameras.

### Detailed Description of Security Cameras Used

The site has multiple tenants that will grow flower and nursery plants which will create a Redundant, and robust, security system with cameras, fences, and security personnel. We will join in with the other tenants and have security that will meet the County and law enforcement standards. Our site will be fenced in with a gate in order to restrict outside access. The site will have bonded private security guards who patrol the premises 12 hours each night starting at sundown in order to prevent any unauthorized access to the greenhouses.

The cultivation area shall have a complete digital video surveillance system in accordance with the approved security plan with a minimum camera resolution of 1280 x 1024 pixels. The surveillance system storage device or the cameras shall be transmission control protocol (TCP)/capable of being accessed through the internet. The video surveillance system shall be capable, at all times and in all lighting conditions, of effectively recording images.

The video surveillance system installed will have the capabilities to produce a color still photograph from any camera image, live or recorded, of the Premises. Cameras will be immobile and mounted in a permanent location. Cameras shall be placed in a location that allows the camera to clearly record activity occurring within twenty (20) feet of all points of entry and exit on the Premises, and allows for the clear and certain identification of any Person and activities in all areas required to be filmed. Each main entrance and emergency exit will have a camera within 20 feet to record any entry or exit from the premises.

Cultivation and work areas will also be recorded on the video surveillance system which include the following: limited access areas; areas where Cannabis or Cannabis Products are weighed, packed, stored, quarantined, loaded and unloaded for transportation, prepared, or moved within the Premises; areas where Cannabis is destroyed; security rooms; areas storing a surveillance-system storage device with at least one (1) camera recording the access points to the secured surveillance recording

area; and entrances and exits to the Premises, which shall be recorded from both indoor and outdoor vantage points.

The security cameras installed will record continuously twenty-four (24) hours per day and at a minimum of twenty (20) frames per second. The physical media or storage device on which surveillance recordings are stored must be secured in a manner to protect the recording from tampering or theft.

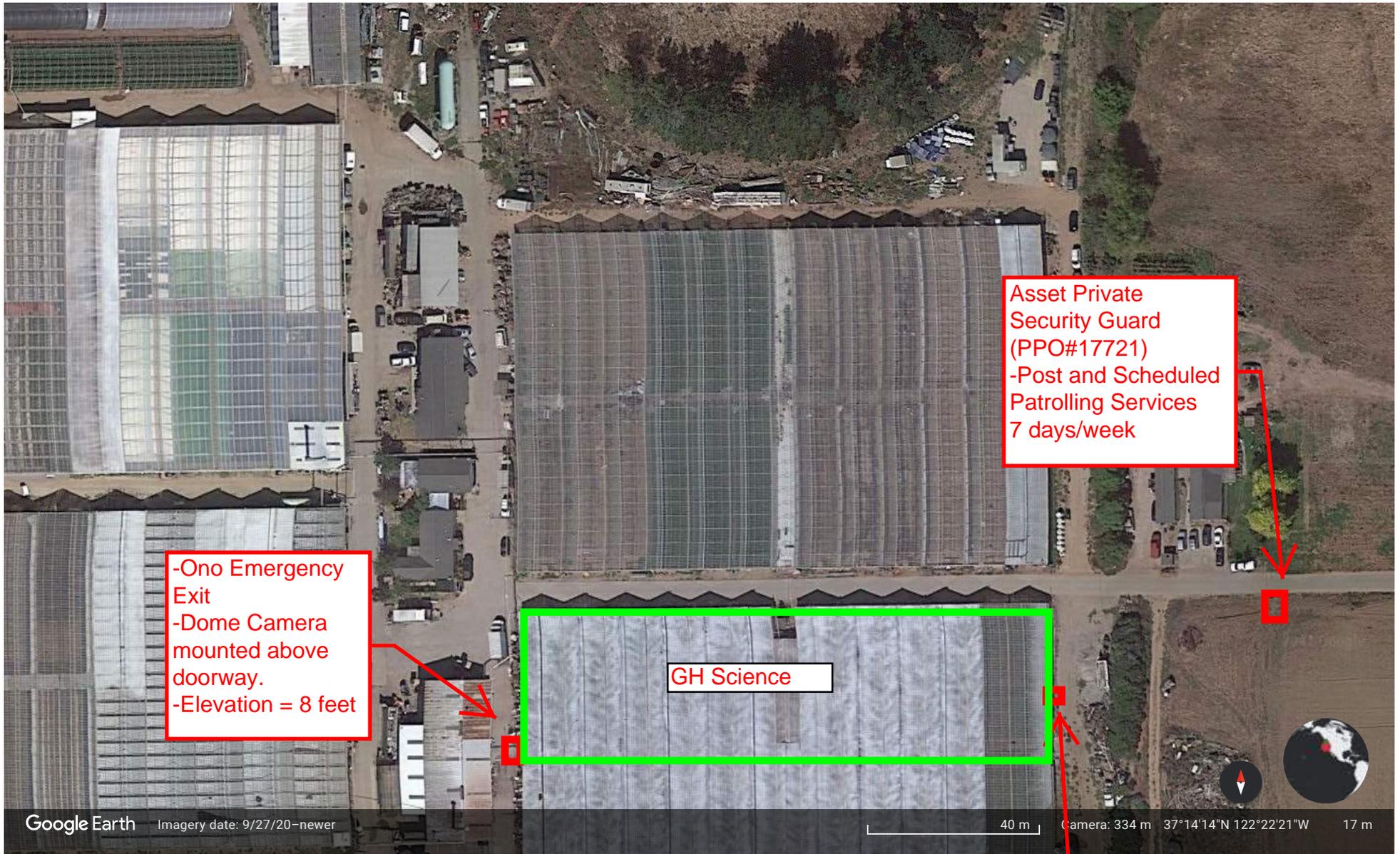
The video surveillance equipment will have sufficient battery backup to support a minimum of four (4) hours of recording in the event of a power outage. We will notify the Department of any loss of video surveillance capabilities that extend beyond four (4) hours. Surveillance recordings shall be kept for a minimum of ninety (90) days.

### DVR Specifications

<b>Channels</b>	32-ch
<b>2 Way Audio</b>	1-ch, RCA (2.0 Vp-p, 1 kΩ)
<b>Incoming Bandwidth</b>	256 Mbps
<b>Outgoing Bandwidth</b>	256 Mbps
<b>Recording Resolution</b>	12 MP/8 MP/6 MP/5 MP/4 MP/3 MP/1080p/UXGA/720p/VGA /4CIF/DCIF/2CIF/CIF/QCIF
<b>Video Interface</b>	HDMI, VGA
<b>Audio Out</b>	1-ch, RCA (Linear, 1 KΩ)
<b>System Compression</b>	H.265/H.265+/H.264/H.264+/MPEG4
<b>Video Resolution</b>	4K (3840 × 2160)/60Hz
<b>Decoding Capability</b>	2-ch @ 12 MP (20fps) / 4-ch @ 8 MP (25fps) / 8-ch @ 4MP (30fps) / 16-ch @ 1080p (30fps)
<b>Playback Channels</b>	16-ch
<b>Internal HDD</b>	4 SATA interfaces for 4HDDs, Up to 8 TB capacity for each HDD
<b>e-SATA</b>	1 × eSATA interface
<b>Network Interface</b>	2, RJ-45 10/100/1000 Mbps self-adaptive Ethernet interface
<b>Network Protocol</b>	TCP/IP, DHCP, Hik-Connect, DNS, DDNS, NTP, SADP, SMTP, NFS, iSCSI, UPnP™, HTTPS
<b>RS485</b>	1 x RS-485
<b>RS232</b>	1 x RS-232
<b>USB</b>	Front panel: 2 × USB 2.0; Rear panel: 1 × USB 3.0
<b>Alarm In</b>	16
<b>Alarm Out</b>	4
<b>Power Supply</b>	100 to 240 VAC
<b>Power Consumption</b>	≤ 20 W (without hard disk)
<b>Working Conditions</b>	-10 °C to 55 °C (14 °F to 131 °F)
<b>Storage Conditions</b>	-10 °C to 55 °C (14 °F to 131 °F)
<b>Dimensions</b>	445 × 400 × 71 mm ( 17.5"× 15.7" × 2.8")
<b>Weight</b>	≤ 5 kg (11 lb)



- wire fencing
- trees and native vegetation fencing



-Ono Emergency Exit  
-Dome Camera mounted above doorway.  
-Elevation = 8 feet

GH Science

Asset Private Security Guard (PPO#17721)  
-Post and Scheduled Patrolling Services 7 days/week

-Ono Associates Locked/Secured Main Entrance, Receiving Area  
-Dome Camera mounted above doorway.  
-Elevation = 8 feet

## Displaced Agriculture

### *GH Science*

***Displaced Agriculture.*** Please provide a description of the agriculture that will be displaced by the proposed cannabis and a plan to cultivate that crop elsewhere on the premises. Include in this description operational details such as water usage and employee needs. (Section 5.148.160.g)

The type of agriculture that will be displaced by the GH Science project location is seasonal cut flowers of different varieties. The plan is to relocate production to another area of the property where the Premises is located on a 1:1 ratio.

The project footprint will offset about 27,95 sqft of cut flower production. The cut flowers will be moved on a 1:1 sqft ratio into 1 of 3 large open areas on the property. The crop can be located on one of the available areas on the property which totals roughly 220,000 square feet. Please see Exhibit D, E, F, and G for location description.

The water usage will not exceed the current use for the cut flowers and will use and not displace any of the current employees we have.



120k Sqft flower replacement

Total 140k Sqft flower replacement offset

Calidutch

Serenity Flowers

Whispy Flowers

Ono Assoc.

KloneCo

GH Science

39k Sqft flower replacement

60k Sqft flower replacement

0.07

0.07 Miles

1:2,257



## Hiring and Staffing Plan

### ***GH Science***

*Hiring and Staffing. Please provide a detailed plan for hiring local residents as specified in section 5.148.060.b.14. The submitted hiring plan is very limited in detail. Additionally, please provide a staffing plan and information as described in Section 5.148.060.b.15.*

#### Local Hiring Plan

GH Science LLC [the Company] is dedicated to hiring local residents and affirms that the company will comply with all applicable federal, state and local wage & labor requirements. All new hires will be vetted and show evidence to verify age and work status that applies to all federal, state, and local laws.

All local hiring applicants shall provide written proof of ID that they are twenty-one (21) years of age or older. Written proof of ID includes, but are not limited to a California driver's License, California identification card, or certified copy of birth certificate.

As a locally formed San Mateo company, the company is targeting 50% local hiring, if feasible. Because of the soaring rental and real estate prices in San Mateo county, many farm laborers have been priced out of the market and have left San Mateo County. As per San Mateo County's Daily Journal newspaper dated July 12, 2021, "Rents in San Mateo County return close to pre-pandemic levels." This has historically made it difficult for all agricultural businesses to find local labor.

As staffing levels increase, the Company will give priority to all San Mateo County applicants. The company will also work with county and local community groups, such as PUENTE, to hire at job fairs, events, and other hiring opportunities. The company will consider residency when making hiring decisions, and use contacts in the community to discover new local talent.

#### Staffing Plan

The Company plans to have 6 employees with 2 managers and 4 farm laborers with preference given to San Mateo County residents. All company employees will be listed on an employee register containing all required information which will be updated periodically as required by local, state, and federal agencies. Staff will receive thorough training on workplace safety, operations, track and trace, and security protocols. There will be a mix of part- and full-time employees.

All employees will be periodically required to go through training pertaining to safety, applicable cannabis law, specific job duties, OSHA law, sexual harassment law, record keeping and security procedures. All required training will be done in accordance to each specific agency.

All staff members shall provide written proof of ID that they are twenty-one (21) years of age or older. Written proof of ID includes, but are not limited to, a California driver's License, California identification card, or certified copy of birth certificate. A copy of this ID will be kept in their file for reference, if needed.

## Water Usage

4525 Cloverdale Road

***Water Usage.** Please provide information that details the estimated water usage of all current and proposed agricultural activities on the parcel. This includes the water required to cultivate the agricultural production displaced by cannabis and should differentiate between the needs of each proposed and current permit on the parcel. (Section 5.148.160.s)*

Please see attached table for the estimated water usage of all current and proposed agricultural activities on the parcel. The table includes the water required to cultivate the agricultural production displaced by cannabis, and should differentiate between the needs of each proposed and current permit on the parcel.

In terms of potential impacts of water usage as well, there are caps in the lease agreements with the landlord that prohibit excessive water usage to ensure that the property does not exceed the total acre feet allowed for its diversion.

The amount of water required to cultivate the agricultural production displaced by cannabis is 5.938 acre feet of water.

The needs of each proposed and current permit on the parcel is as follows:

Permit Holder	Acre Feet of Water
Ono Associates	3.93
Calidutch	3.38
Kloneco	3.30
Whispy Flowers	3.93
Serenity Flowers	3.93
GH Science	3.22
Total	21.69

This water usage due to location must be reported under Appropriated Right										This water can be reported under Riparian or Appropriated Right								
Cannabis Water Usage Estimate				Future Liscence Usage Estimate			Total Appropriated Right Usage	OTHER WATER USAGE				Displaced production		TOTAL				
ONO	CaliDutch	Klone Ko		Whispy	Serenity	GH Science		This Water Usage can be serviced by the Riparian Right				This Water Usage to be Serviced by the Riparian Right						
POTS				Pots			RANGE A RANGE C COLD Total											
1 GAL / POT Waterings	16000	12000	12800	1 GAL / PO' Waterings	16000	16000	13000	FLOWERS	Lettuce	FLOWERS		1 GAL / POT	FLOWERS	GAL	ACRE FT			
PER MONT	GAL	GAL	GAL	Per month				GAL	GAL	GAL		GAL	GAL		Per Month			
JAN	8	96000	82560	80640	JAN	8	96000	96000	78720	JAN	80640	21000	145152	246792	JAN	152410	929129.6	2.82
FEB	8	96000	82560	80640	FEB	8	96000	96000	78720	FEB	80640	0	145152	225792	FEB	217728	973448	2.95
MAR	8	96000	82560	80640	MAR	8	96000	96000	78720	MAR	80640	21000	145152	246792	MAR	217728	994448	3.01
APR	9	108000	92880	90720	APR	9	108000	108000	88560	APR	80640	0	145152	225792	APR	217728	1039689	3.15
MAY	10	120000	103200	100800	MAY	10	120000	120000	98400	MAY	80640	21000	145152	246792	MAY	130637	1039839	3.15
JUN	10	120000	103200	100800	JUN	10	120000	120000	98400	JUN	80640	0	145152	225792	JUN	130637	1018839	3.09
JUL	10	120000	103200	100800	JUL	10	120000	120000	98400	JUL	80640	21000	145152	246792	JUL	174182	1083384	3.28
AUG	10	120000	103200	100800	AUG	10	120000	120000	98400	AUG	80640	50000	145152	275792	AUG	174182	1112384	3.37
SEP	10	120000	103200	100800	SEP	10	120000	120000	98400	SEP	80640	0	145152	225792	SEP	174182	1062384	3.22
OCT	9	108000	92880	90720	OCT	9	108000	108000	88560	OCT	80640	10000	145152	235792	OCT	152410	984370.6	2.98
NOV	8	96000	82560	80640	NOV	8	96000	96000	78720	NOV	80640	21000	145152	246792	NOV	108864	885584	2.68
DEC	8	96000	82560	80640	DEC	8	96000	96000	78720	DEC	80640	0	145152	225792	DEC	108864	864584	2.62
		1296000	1114560	1088640			1296000	1296000	1062720			967680	165000	1741824		1959552	11987976	36.33
ACRE FEET	3.93	3.38	3.30	10.60	3.93	3.93	3.22	11.07	21.68	2.93	0.50	5.28	8.71	ACRE FEET	5.94	36.33		

Before when we were entirely in cutflowers we were reporting all usage under the Appropriated right due to our water usage not being enough to warrant the trouble of dealing with both liscences.

During the original CEQA process, we were unsure of what the water usage would be, we were concerned about using more than whatever number was originally put into the CEQA and were advised to over estimate as a precaution.

L7140

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

Application 17590 Permit 11364 License 7140

**ORDER AMENDING THE LICENSE BY ADDING MEASURING DEVICE  
CONDITIONS, CORRECTING THE PLACE OF USE AND POINTS OF  
DIVERSION DESCRIPTIONS, AND ADDING STANDARD LICENSE TERMS**

**WHEREAS:**

1. License 7140 was issued to Guido Bianchi on January 14, 1965 pursuant to Application 17590 and was recorded with the County Recorder of San Mateo County on January 15, 1965.
2. License 7140 was subsequently assigned to Oku Incorporated on October 14, 1966.
3. The Division of Water Rights (Division) conducted an inspection of the project covered by License 7140 on June 8, 1999. This inspection found that the licensee has no satisfactory means to confirm or ensure compliance with the existing license amounts or with the term requiring bypass of stream flow for the protection of fish.
4. The State Water Resources Control Board (SWRCB) has determined that in order to ensure continued compliance with existing conditions of the license, additional terms and conditions to License 7140 are necessary.
5. The SWRCB has determined that corrections in the descriptions of the place of use and points of diversion are required for License 7140.
6. The SWRCB will also add its standard continuing authority term, water quality objective term and a term to prevent any act which results in the taking of a threatened or endangered species that has been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act.

**NOW, THEREFORE, IT IS ORDERED THAT:**

The following terms and conditions be added to License 7140:

1. The Point of Diversion to Offstream Storage is corrected as follows:  
(1) By California Coordinates System of 1927, Zone 3, North 273,542 feet and East 1,455,477 feet, being within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
2. The Point of Diversion, Rediversion and Storage is corrected as follows:  
(2) By California Coordinates System of 1927, Zone 3, North 274,643 feet and East 1,454,876 feet, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
3. A Place of Storage is added as follows:  
At Reservoir No. 2 being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
4. The place of use authorized by this license will be corrected as follows:  
8 acres within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
17 acres within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
13 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
19 acres within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
57 acres total, as shown on map on file with the State Water Resources Control Board
5. A term requiring a device to measure the diversions under this license from Butano Creek is added as follows:  
  
No water shall be diverted under this license until the licensee installs and maintains an in-line flow meter, acceptable to the Division, that is capable of measuring the instantaneous diversion rate and the cumulative amount diverted to storage under this license. Licensee shall maintain a record of the end-of-the-month meter readings and of the days of actual diversion, and shall submit these monthly records with the triennial report of licensee, or whenever requested by the Division.  
  
(0100900)
6. A term requiring a measuring device to ensure compliance with the bypass condition of this license is added as follows:  
  
Licensee shall install a device, satisfactory to the State Water Resources Control Board, which is capable of measuring the flow required by the

conditions of this permit. Said measuring device shall be properly maintained. However, a single measuring device, installed and maintained jointly by all water users on Lower Butano Creek, located at a position on the creek acceptable to the Department of Fish and Game and the State Water Resources Control Board may be substituted.

(0060062)

7. The term requiring bypass of water for the protection of fish in Butano Creek is corrected as follows:

Licensee shall during the period from December 1 to about April 1, bypass a minimum of 3 cubic feet per second or the natural flow of the stream whenever it is less than 3 cubic feet per second at the point of diversion. If the joint streamflow measuring site operated by the Butano Creek Users Group is used to satisfy this flow condition, a minimum of 3.78 cubic feet per second must exist at this measuring site before diverting water under this license.

(0140060)

8. The continuing authority condition, is updated to read as follows:

Pursuant to California Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

9. The water quality objectives condition, is updated to read as follows:

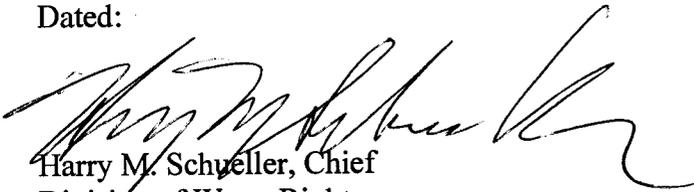
The quantity of water diverted under this license is subject to modification by the SWRCB if, after notice to the licensee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the California Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

10. An endangered Species term is added to read as follows:

This license does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (California Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

**OCT 26 2000**

Dated:

  
Harry M. Schueller, Chief  
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 17590

PERMIT 11364

LICENSE 7140

THIS IS TO CERTIFY, That

Guido Bianchi  
P. O. Box 234  
Pescadero, California

has made proof as of June 27, 1963,  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of

(1) Big Butano Creek (2) an unnamed stream in San Mateo County  
tributary to (1) Pescadero Creek thence Pacific Ocean  
(2) Big Butano Creek thence Pescadero Creek thence Pacific Ocean

for the purpose of irrigation use  
under Permit 11364 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from May 9, 1957, and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed forty (40) acre-feet per annum to be collected from about December 1 of each year to about April 1 of the succeeding year.

The maximum rate of diversion to off-stream storage has been 350 gallons per minute.

The points of diversion of such water are located :

- (1) North two hundred thirty (230) feet and west one thousand six hundred (1600) feet from center of projected Section 14, T8S, R5W, MDB&M, being within  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of said Section 14.
- (2) South one thousand four hundred (1400) feet and west two thousand two hundred (2200) feet from  $N\frac{1}{4}$  corner of projected Section 14, T8S, R5W, MDB&M, being within  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of said Section 14.

A description of the lands or the place where such water is put to beneficial use is as follows:

21 acres within  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M.  
36 acres within  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M.  
57 acres total

Licensee shall during the period from about December 1 to about April 1 bypass a minimum of three (3) cubic feet per second or the natural flow of the stream whenever it is less than three (3) cubic feet per second at the point of diversion to maintain fishlife.

0140060

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

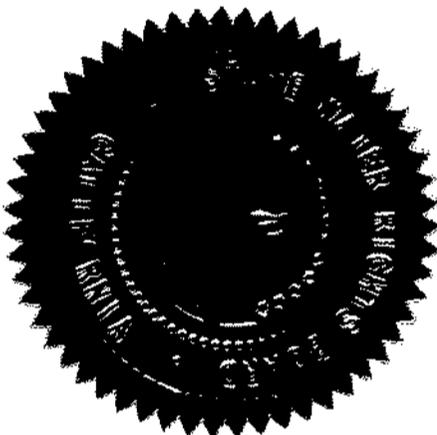
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licenses or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 14 1965



*L. K. Hill*  
L. K. Hill  
Executive Officer

*10-3-66* RECORDED NOTICE OF ASSIGNMENT TO *the Incorporated*  
*ated*

LICENSE 7140  
STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Guido Bianchi

DATED JAN 14 1965

REC-2 1965

47885 8-51 2M (1) SPO

2



**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

**ATTACHMENT D**



# San Mateo County

Whispy Flowers LLC  
 4525 Cloverdale Rd, Pescadero, CA 94060  
 Premises Diagram, Medium Mixed Light, Tier 2  
 APN 086-061-090

Aggregate Canopy Area	
Bay 1	5000
Bay 2	5000
Bay 3	5000
Bay 4	5000
Bay 5	5000
Bay 6	5800
Bay 7	5800
Bay 8	5800
Bay 9	5800
Bay 10	5800
Bay 11	6000
<b>Total Canopy</b>	<b>60000</b>

Harvest Storage and Processing Area.

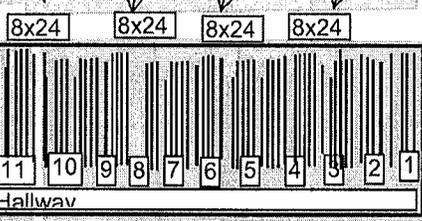
Packaging and Designated Administrative Hold Area

Office and Administrative Area

Pesticide and Agricultural Chemical Storage Area.

Composting Area

10x10



4525

Entry and Exit road into Property

Medium Mixed Light Tier 2 premises:  
 -immature plants obtained Off-site

Aggregate Square footage of greenhouse = 76,125 sqft.

Medium Mixed Light Tier 2 Canopy area 60,000 Sqft

0.07 0 0.04 0.07 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 © Latitude Geographics Group Ltd.

1:2,257

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
 THIS MAP IS NOT TO BE USED FOR NAVIGATION





## Security plan

Whispy Flowers

***Security Plan.** Please provide a detailed security plan sheet that depicts the location of fences, locked doors, camera placement, an elevation describing how the cameras will be placed, and a detailed description of the security cameras to be used. Additionally, please depict where vehicle access is fenced with locking gates. (Section 5.148.060.b.20)*

Please see Exhibit B that shows the location of the fence around the property, and where vehicle access is fenced with a locking gate.

Please see Exhibit C for premises locked doors, camera placement, and the elevation of the placed cameras.

### Detailed Description of Security Cameras Used

The site has multiple tenants that will grow flower and nursery plants which will create a Redundant, and robust, security system with cameras, fences, and security personnel. We will join in with the other tenants and have security that will meet the County and law enforcement standards. Our site will be fenced in with a gate in order to restrict outside access. The site will have bonded private security guards who patrol the premises 12 hours each night starting at sundown in order to prevent any authorized access to the greenhouses.

The cultivation area shall have a complete digital video surveillance system in accordance with the approved security plan with a minimum camera resolution of 1280 x 1024 pixels. The surveillance system storage device or the cameras shall be transmission control protocol (TCP)/capable of being accessed through the internet. The video surveillance system shall be capable, at all times and in all lighting conditions, of effectively recording images.

The video surveillance system installed will have the capabilities to produce a color still photograph from any camera image, live or recorded, of the Premises. Cameras will be immobile and mounted in a permanent location. Cameras shall be placed in a location that allows the camera to clearly record activity occurring within twenty (20) feet of all points of entry and exit on the Premises, and allows for the clear and certain identification of any Person and activities in all areas required to be filmed. Each main entrance and emergency exit will have a camera within 20 feet to record any entry or exit from the premises.

Cultivation and work areas will also be recorded on the video surveillance system which include the following: limited access areas; areas where Cannabis or Cannabis Products are weighed, packed, stored, quarantined, loaded and unloaded for transportation, prepared, or moved within the Premises; areas where Cannabis is destroyed; security rooms; areas storing a surveillance-system storage device with at least one (1) camera recording the access points to the secured surveillance recording

area; and entrances and exits to the Premises, which shall be recorded from both indoor and outdoor vantage points.

The security cameras installed will record continuously twenty-four (24) hours per day and at a minimum of twenty (20) frames per second. The physical media or storage device on which surveillance recordings are stored must be secured in a manner to protect the recording from tampering or theft.

The video surveillance equipment will have sufficient battery backup to support a minimum of four (4) hours of recording in the event of a power outage. We will notify the Department of any loss of video surveillance capabilities that extend beyond four (4) hours. Surveillance recordings shall be kept for a minimum of ninety (90) days.

### DVR Specifications

<b>Channels</b>	32-ch
<b>2 Way Audio</b>	1-ch, RCA (2.0 Vp-p, 1 k Ω)
<b>Incoming Bandwidth</b>	256 Mbps
<b>Outgoing Bandwidth</b>	256 Mbps
<b>Recording Resolution</b>	12 MP/8 MP/6 MP/5 MP/4 MP/3 MP/1080p/UXGA/720p/VGA /4CIF/DCIF/2CIF/CIF/QCIF
<b>Video Interface</b>	HDMI, VGA
<b>Audio Out</b>	1-ch, RCA (Linear, 1 KΩ)
<b>System Compression</b>	H.265/H.265+/H.264/H.264+/MPEG4
<b>Video Resolution</b>	4K (3840 × 2160)/60Hz
<b>Decoding Capability</b>	2-ch @ 12 MP (20fps) / 4-ch @ 8 MP (25fps) / 8-ch @ 4MP (30fps) / 16-ch @ 1080p (30fps)
<b>Playback Channels</b>	16-ch
<b>Internal HDD</b>	4 SATA interfaces for 4HDDs, Up to 8 TB capacity for each HDD
<b>e-SATA</b>	1 × eSATA interface
<b>Network Interface</b>	2, RJ-45 10/100/1000 Mbps self-adaptive Ethernet interface
<b>Network Protocol</b>	TCP/IP, DHCP, Hik-Connect, DNS, DDNS, NTP, SADP, SMTP, NFS, iSCSI, UPnP™, HTTPS
<b>RS485</b>	1 x RS-485
<b>RS232</b>	1 x RS-232
<b>USB</b>	Front panel: 2 × USB 2.0; Rear panel: 1 × USB 3.0
<b>Alarm In</b>	16
<b>Alarm Out</b>	4
<b>Power Supply</b>	100 to 240 VAC
<b>Power Consumption</b>	≤ 20 W (without hard disk)
<b>Working Conditions</b>	-10 °C to 55 °C (14 °F to 131 °F)
<b>Storage Conditions</b>	-10 °C to 55 °C (14 °F to 131 °F)
<b>Dimensions</b>	445 × 400 × 71 mm ( 17.5"× 15.7" × 2.8")
<b>Weight</b>	≤ 5 kg (11 lb)

# EXHIBIT C

-Whispy Emergency Exit  
Receiving Area  
-Dome Camera mounted  
above doorway.  
-Elevation = 8 feet

Asset Private  
Security Guard  
(PPO#17721)  
-Post and Scheduled  
Patrolling Services  
7 days/week



Whispy Flowers

- Whispy Locked/Secured  
Main Entrance, Receiving  
-Dome Camera mounted  
above doorway.  
-Elevation = 8 feet

Butano Creek

Butano Creek

## Greenhouse Odor Control and Ventilation Plan

The greenhouses that Whsipy Flowers currently leases is primarily located in a remote, agricultural rural area. We do not believe odor will be an issue to neighbors as they are so far away. If it can be documented that odor is an issue, we will install carbon air filters such as the ECOsorb odor neutralizing system to mitigate the odor

The greenhouse is in a nursery that has been in continuous operation since 1963 and is located in a rural area away from residences, offices and schools. The site is remote and there is no public access into the nursery and is offset from the main road by at least a quarter mile from Cloverdale road in Pescadero.

If odor becomes an issue, the greenhouse can be equipped with odor control filtration and ventilation system(s) based on current industry-specific best control technologies and best management practices. The use of ECOsorb CNB100 which is specifically made for the control of cannabis odors.

The greenhouses are equipped with top vents and roll up sides to provide good ventilation and use horizontal air movement fans. There will be limited odors from the cultivation site other than immediately before harvests.

There are NO operable windows or exhaust vents that abuts a residential use or zone. Exhaust vents on rooftops shall direct exhaust away from residential uses or zones.

## FIRE PREVENTION PLAN

Whispy Flowers greenhouses are made of glass and aluminum, so they pose little fire hazard. They are a Type 2 Fire rated building will either be empty or house cannabis plants. The greenhouses are plumbed with ample water and water pressure from large pumps that supply water all over the Oku Flower farm. A gravity water system supplies the nursery with roughly 3 million gallons of water when at full capacity.

Working with San Mateo County Fire Marshall, we have designed and installed over 1500 feet of 4-inch HDPE pipe throughout the nursery. These pipes terminate at multiple wharf hydrant connects which are able to reach all greenhouses, and at ideal distances for Fire Fighting apparatus to connect to.

Fire extinguishers will be installed as per occupancy requirements. Additionally, redundant fire extinguishers will be made available near anything that poses a risk of fire, such as electrical panels or boilers. All employees will be trained on the proper use of fire extinguishers. We will contract with a fire prevention firm to insure all of our extinguishers are inspected and recertified as required. No smoking will be allowed on or near the site.

Lastly, we have also designed and installed a dedicated Fire Road lane to help Fire Engine traffic around the nursery.



## Lighting Plan

### Whispy Flowers

*Lighting Plan. Please provide a detailed plan sheet that depicts the location of lights, type of light, and an elevation depicting how the lighting will be installed or has been installed. The depictions should demonstrate how the lighting is “fully shielded, downward casting, and [does] not spill over onto other structure, or properties, or the night sky” (Section 5.148.160.i).*

Whispy Flowers [the Company] will be using a combination of natural sunlight and low wattage 11 watt LED lighting for their cannabis cultivation.

#### Location of lights

The location of the lights will be directly above each row (bed) of the cannabis canopy. Each greenhouse peak is expected to have 5 to 6 rows of cannabis based on the greenhouse width and current planting standards.

#### Type of lights

The type of light bulbs used will be high-efficient, 11-watt LED light bulbs with downward shielding which reflects light downward toward the plants and blocking unwanted upward lighting.

#### Elevation of lights

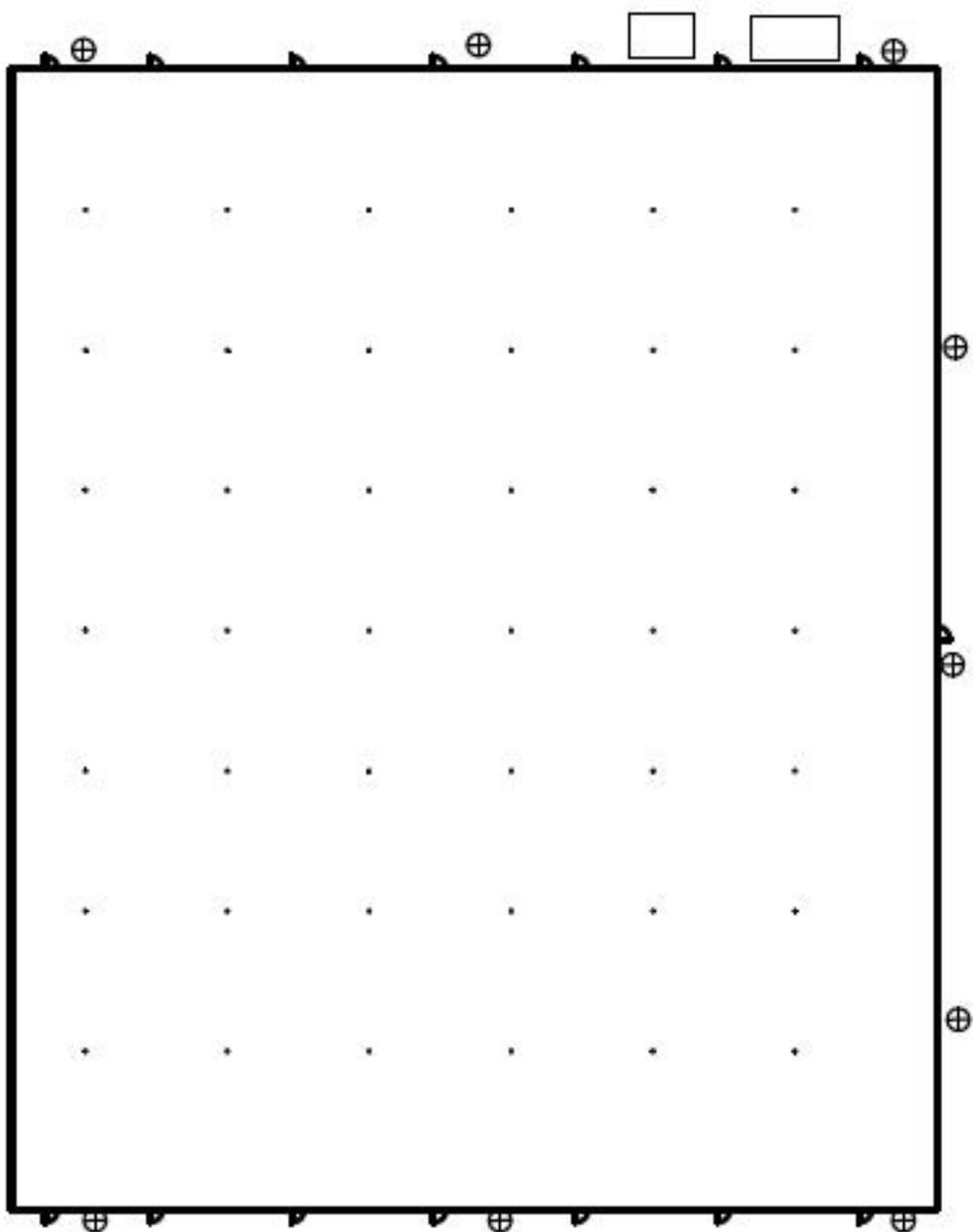
The elevation of the lights will be 8 to 10 feet above the floor dependent on plant height on string lighting. Each row will have 12 LED bulbs per string row.

#### Blackout curtains

The company will replace existing shade cloth in the greenhouse with black-out curtains to block any illumination if needed. Blackout curtain will cover the greenhouse walls, gable ends, and be a retractable overhead curtain. This will create a fully shielded, downward casting lighting environment so that illumination does not spill over onto other structure, or properties, or the night sky.

The project site is located in a rural agricultural area in Pescadero, 1225 feet from the closest road, and 4600 feet from the town center. The site is surrounded by mountains which shields any light coming from the nursery. Moreover, the LED lightbulbs used are shielded, with downward casting reflectives that minimize the light reflecting upward.

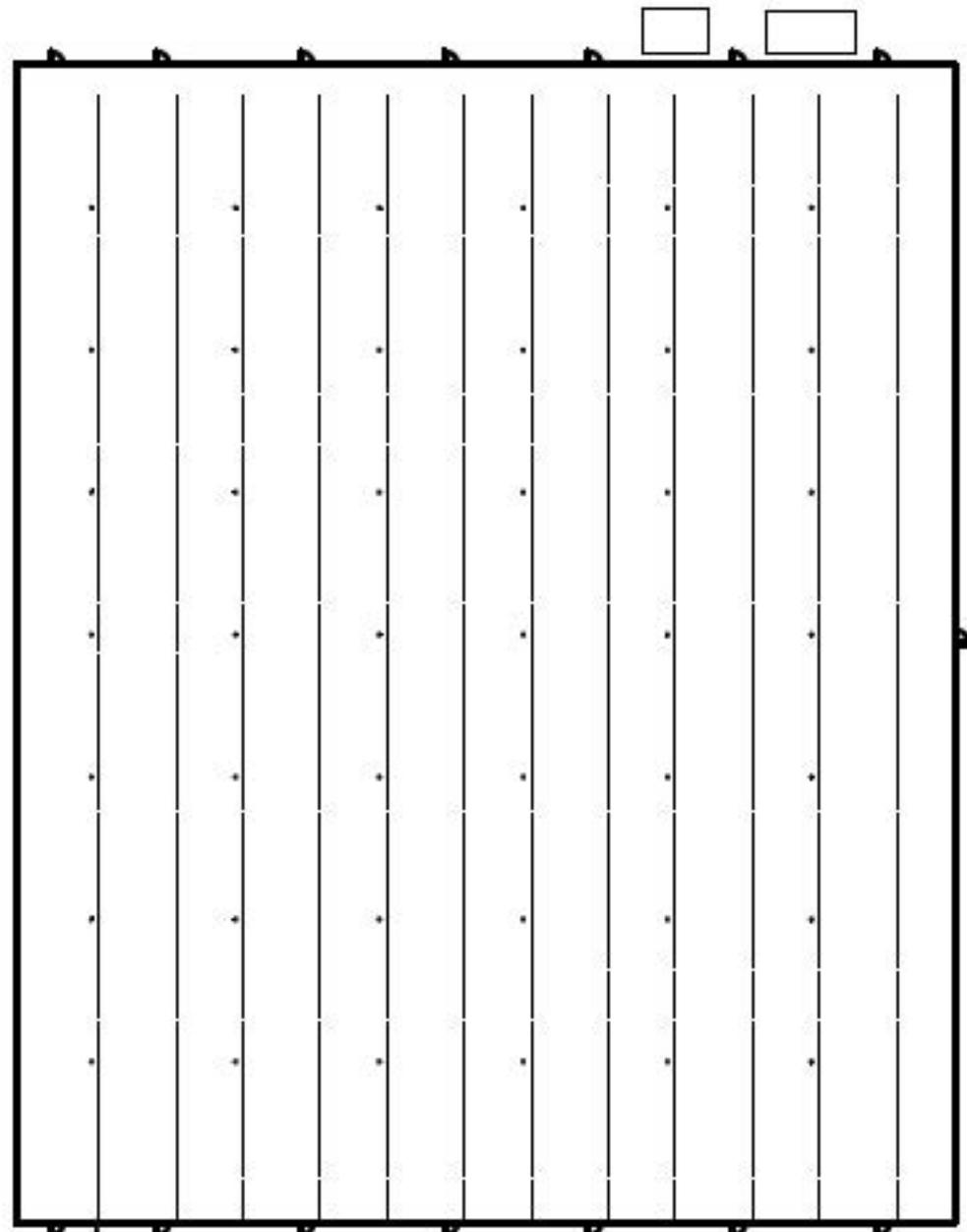
Blackout curtains will be installed so that all operations will be fully contained so that little to no light escapes. Because the greenhouses will be equipped with blackout curtains and side walls, any supplemental lighting will not spillover to any other structure, or properties, or the night sky.



INDICATES PROPOSED  
DOWNHOODED SECURITY  
LIGHTING

## EXT. LIGHTING PLAN

SCALE: 1"=50'



DASHED LINES INDICATE ROWS OF  
STRUNG LED LIGHTS. LIGHT-DEP  
BLACK OUT CURTAINS WILL BE  
INSTALLED TO PREVENT LIGHT  
FROM ESCAPING THE  
GREENHOUSE BUILDING AT NIGHT.

## INT. LIGHTING PLAN

SCALE: 1"=50'

## Displaced Agriculture

### *Whispy Flowers*

***Displaced Agriculture.*** Please provide a description of the agriculture that will be displaced by the proposed cannabis and a plan to cultivate that crop elsewhere on the premises. Include in this description operational details such as water usage and employee needs. (Section 5.148.160.g)

The type of agriculture that will be displaced by the Whispy Flowers project location is seasonal cut flowers of different varieties. The plan is to relocate production to another area of the property where the Premises is located on a 1:1 ratio.

The project footprint will offset about 24,617 sqft of cut flower production. The cut flowers will be moved on a 1:1 sqft ratio into 1 of 3 large open areas on the property. The crop can be located on one of the available areas on the property which totals roughly 220,000 square feet. Please see Exhibit D, E, F, and G for location description.

The water usage will not exceed the current use for the cut flowers and will use and not displace any of the current employees we have.



-Vehicle access fenced with Locking Security Gate and CCTV cameras  
-Only 1 entrance into nursery from cloverdale road

--- wire fencing

--- trees and native vegetation fencing



120k Sqft flower replacement

Total 140k Sqft flower replacement offset

Calidutch

Serenity Flowers

Whispy Flowers

Ono Assoc.

KloneCo

GH Science

39k Sqft flower replacement

60k Sqft flower replacement

0.07

0.07 Miles

1:2,257



## Water Usage

4525 Cloverdale Road

***Water Usage.** Please provide information that details the estimated water usage of all current and proposed agricultural activities on the parcel. This includes the water required to cultivate the agricultural production displaced by cannabis and should differentiate between the needs of each proposed and current permit on the parcel. (Section 5.148.160.s)*

Please see attached table for the estimated water usage of all current and proposed agricultural activities on the parcel. The table includes the water required to cultivate the agricultural production displaced by cannabis, and should differentiate between the needs of each proposed and current permit on the parcel.

In terms of potential impacts of water usage as well, there are caps in the lease agreements with the landlord that prohibit excessive water usage to ensure that the property does not exceed the total acre feet allowed for its diversion.

The amount of water required to cultivate the agricultural production displaced by cannabis is 5.938 acre feet of water.

The needs of each proposed and current permit on the parcel is as follows:

Permit Holder	Acre Feet of Water
Ono Associates	3.93
Calidutch	3.38
Kloneco	3.30
Whispy Flowers	3.93
Serenity Flowers	3.93
GH Science	3.22
Total	21.69

This water usage due to location must be reported under Appropriated Right										This water can be reported under Riparian or Appropriated Right								
Cannabis Water Usage Estimate				Future Liscence Usage Estimate			Total Appropriated Right Usage	OTHER WATER USAGE				Displaced production		TOTAL				
ONO	CaliDutch	Klone Ko		Whispy	Serenity	GH Science		This Water Usage can be serviced by the Riparian Right				This Water Usage to be Serviced by the Riparian Right						
POTS				Pots			RANGE A RANGE C COLD Total											
1 GAL / POT Waterings	16000	12000	12800	1 GAL / PO' Waterings	16000	16000	13000	FLOWERS	Lettuce	FLOWERS		1 GAL / POT	FLOWERS	GAL	ACRE FT			
PER MONT	GAL	GAL	GAL	Per month				GAL	GAL	GAL		GAL	GAL		Per Month			
JAN	8	96000	82560	80640	JAN	8	96000	96000	78720	JAN	80640	21000	145152	246792	JAN	152410	929129.6	2.82
FEB	8	96000	82560	80640	FEB	8	96000	96000	78720	FEB	80640	0	145152	225792	FEB	217728	973448	2.95
MAR	8	96000	82560	80640	MAR	8	96000	96000	78720	MAR	80640	21000	145152	246792	MAR	217728	994448	3.01
APR	9	108000	92880	90720	APR	9	108000	108000	88560	APR	80640	0	145152	225792	APR	217728	1039689	3.15
MAY	10	120000	103200	100800	MAY	10	120000	120000	98400	MAY	80640	21000	145152	246792	MAY	130637	1039839	3.15
JUN	10	120000	103200	100800	JUN	10	120000	120000	98400	JUN	80640	0	145152	225792	JUN	130637	1018839	3.09
JUL	10	120000	103200	100800	JUL	10	120000	120000	98400	JUL	80640	21000	145152	246792	JUL	174182	1083384	3.28
AUG	10	120000	103200	100800	AUG	10	120000	120000	98400	AUG	80640	50000	145152	275792	AUG	174182	1112384	3.37
SEP	10	120000	103200	100800	SEP	10	120000	120000	98400	SEP	80640	0	145152	225792	SEP	174182	1062384	3.22
OCT	9	108000	92880	90720	OCT	9	108000	108000	88560	OCT	80640	10000	145152	235792	OCT	152410	984370.6	2.98
NOV	8	96000	82560	80640	NOV	8	96000	96000	78720	NOV	80640	21000	145152	246792	NOV	108864	885584	2.68
DEC	8	96000	82560	80640	DEC	8	96000	96000	78720	DEC	80640	0	145152	225792	DEC	108864	864584	2.62
		1296000	1114560	1088640			1296000	1296000	1062720			967680	165000	1741824		1959552	11987976	36.33
ACRE FEET	3.93	3.38	3.30	10.60	3.93	3.93	3.22	11.07	21.68	2.93	0.50	5.28	8.71	ACRE FEET	5.94	36.33		

Before when we were entirely in cutflowers we were reporting all usage under the Appropriated right due to our water usage not being enough to warrant the trouble of dealing with both liscences.

During the original CEQA process, we were unsure of what the water usage would be, we were concerned about using more than whatever number was originally put into the CEQA and were advised to over estimate as a precaution.

L7140

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

Application 17590 Permit 11364 License 7140

**ORDER AMENDING THE LICENSE BY ADDING MEASURING DEVICE  
CONDITIONS, CORRECTING THE PLACE OF USE AND POINTS OF  
DIVERSION DESCRIPTIONS, AND ADDING STANDARD LICENSE TERMS**

**WHEREAS:**

1. License 7140 was issued to Guido Bianchi on January 14, 1965 pursuant to Application 17590 and was recorded with the County Recorder of San Mateo County on January 15, 1965.
2. License 7140 was subsequently assigned to Oku Incorporated on October 14, 1966.
3. The Division of Water Rights (Division) conducted an inspection of the project covered by License 7140 on June 8, 1999. This inspection found that the licensee has no satisfactory means to confirm or ensure compliance with the existing license amounts or with the term requiring bypass of stream flow for the protection of fish.
4. The State Water Resources Control Board (SWRCB) has determined that in order to ensure continued compliance with existing conditions of the license, additional terms and conditions to License 7140 are necessary.
5. The SWRCB has determined that corrections in the descriptions of the place of use and points of diversion are required for License 7140.
6. The SWRCB will also add its standard continuing authority term, water quality objective term and a term to prevent any act which results in the taking of a threatened or endangered species that has been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act.

**NOW, THEREFORE, IT IS ORDERED THAT:**

The following terms and conditions be added to License 7140:

1. The Point of Diversion to Offstream Storage is corrected as follows:  
(1) By California Coordinates System of 1927, Zone 3, North 273,542 feet and East 1,455,477 feet, being within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
2. The Point of Diversion, Rediversion and Storage is corrected as follows:  
(2) By California Coordinates System of 1927, Zone 3, North 274,643 feet and East 1,454,876 feet, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
3. A Place of Storage is added as follows:  
At Reservoir No. 2 being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M
4. The place of use authorized by this license will be corrected as follows:  
8 acres within NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
17 acres within NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
13 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
19 acres within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Projected Section 14, T8S, R5W, MDB&M  
57 acres total, as shown on map on file with the State Water Resources Control Board
5. A term requiring a device to measure the diversions under this license from Butano Creek is added as follows:  
  
No water shall be diverted under this license until the licensee installs and maintains an in-line flow meter, acceptable to the Division, that is capable of measuring the instantaneous diversion rate and the cumulative amount diverted to storage under this license. Licensee shall maintain a record of the end-of-the-month meter readings and of the days of actual diversion, and shall submit these monthly records with the triennial report of licensee, or whenever requested by the Division.  
  
(0100900)
6. A term requiring a measuring device to ensure compliance with the bypass condition of this license is added as follows:  
  
Licensee shall install a device, satisfactory to the State Water Resources Control Board, which is capable of measuring the flow required by the

conditions of this permit. Said measuring device shall be properly maintained. However, a single measuring device, installed and maintained jointly by all water users on Lower Butano Creek, located at a position on the creek acceptable to the Department of Fish and Game and the State Water Resources Control Board may be substituted.

(0060062)

7. The term requiring bypass of water for the protection of fish in Butano Creek is corrected as follows:

Licensee shall during the period from December 1 to about April 1, bypass a minimum of 3 cubic feet per second or the natural flow of the stream whenever it is less than 3 cubic feet per second at the point of diversion. If the joint streamflow measuring site operated by the Butano Creek Users Group is used to satisfy this flow condition, a minimum of 3.78 cubic feet per second must exist at this measuring site before diverting water under this license.

(0140060)

8. The continuing authority condition, is updated to read as follows:

Pursuant to California Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the SWRCB in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the SWRCB may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this paragraph unless the SWRCB determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

9. The water quality objectives condition, is updated to read as follows:

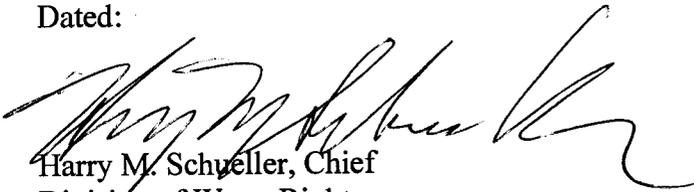
The quantity of water diverted under this license is subject to modification by the SWRCB if, after notice to the licensee and an opportunity for hearing, the SWRCB finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to division 7 of the California Water Code. No action will be taken pursuant to this paragraph unless the SWRCB finds that: (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

10. An endangered Species term is added to read as follows:

This license does not authorize any act which results in the taking of a threatened or endangered species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (California Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). If a "take" will result from any act authorized under this water right, the licensee shall obtain authorization for an incidental take prior to construction or operation of the project. Licensee shall be responsible for meeting all requirements of the applicable Endangered Species Act for the project authorized under this license.

**OCT 26 2000**

Dated:

  
Harry M. Schueller, Chief  
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 17590

PERMIT 11364

LICENSE 7140

THIS IS TO CERTIFY, That

Guido Bianchi  
P. O. Box 234  
Pescadero, California

has made proof as of June 27, 1963,  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of

(1) Big Butano Creek (2) an unnamed stream in San Mateo County  
tributary to (1) Pescadero Creek thence Pacific Ocean  
(2) Big Butano Creek thence Pescadero Creek thence Pacific Ocean

for the purpose of irrigation use  
under Permit 11364 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from May 9, 1957, and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed forty (40) acre-feet per annum to be collected from about December 1 of each year to about April 1 of the succeeding year.

The maximum rate of diversion to off-stream storage has been 350 gallons per minute.

The points of diversion of such water are located :

- (1) North two hundred thirty (230) feet and west one thousand six hundred (1600) feet from center of projected Section 14, T8S, R5W, MDB&M, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 14.
- (2) South one thousand four hundred (1400) feet and west two thousand two hundred (2200) feet from NE $\frac{1}{4}$  corner of projected Section 14, T8S, R5W, MDB&M, being within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 14.

A description of the lands or the place where such water is put to beneficial use is as follows:

21 acres within SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M.  
36 acres within SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of projected Section 14, T8S, R5W, MDB&M.  
57 acres total

Licensee shall during the period from about December 1 to about April 1 bypass a minimum of three (3) cubic feet per second or the natural flow of the stream whenever it is less than three (3) cubic feet per second at the point of diversion to maintain fishlife.

0140060

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

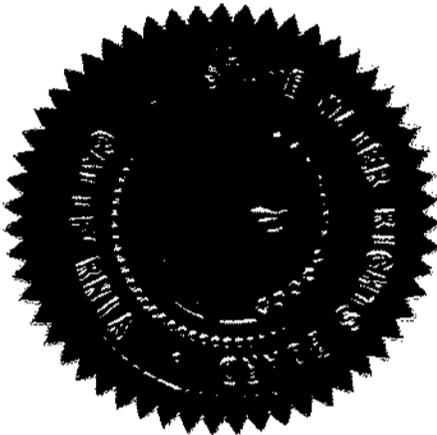
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licenses or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 14 1965



*L. K. Hill*  
L. K. Hill  
Executive Officer

10-3-66  
ated  
RECORDED NOTICE OF ASSIGNMENT TO *Ch. Incipera*

LICENSE 7140  
STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Guido Bianchi

DATED JAN 14 1965

MAR 2 1965

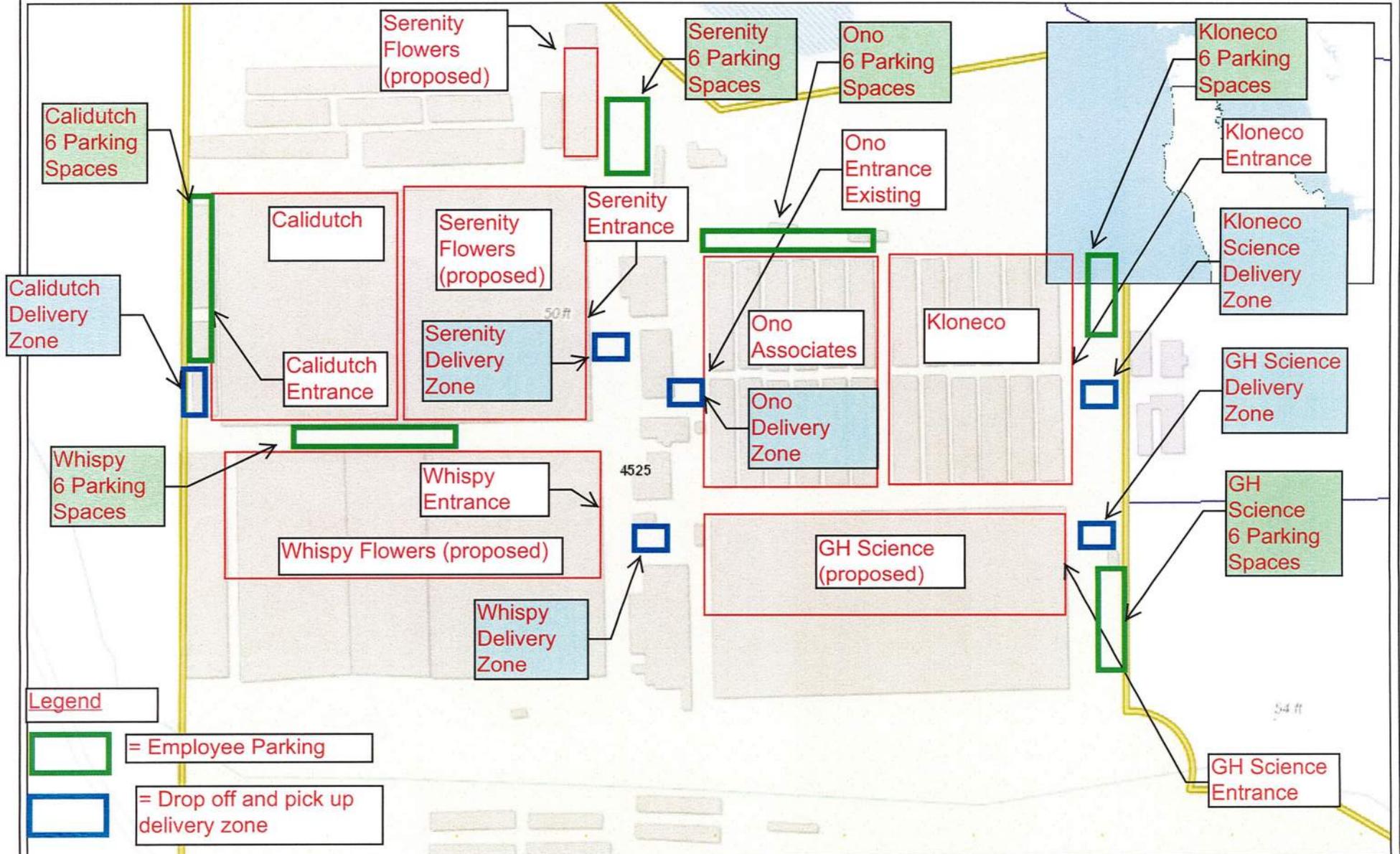
47885 8-51 3M ① SPO

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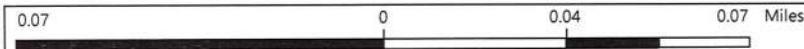
**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

**ATTACHMENT E**



Legend

- = Employee Parking
- = Drop off and pick up delivery zone



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 © Latitude Geographics Group Ltd.

1:2,257

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



120k Sqft flower replacement

Total 140k Sqft flower replacement offset

Calidutch

Serenity Flowers

Whispy Flowers

Ono Assoc.

KloneCo

GH Science

39k Sqft flower replacement

60k Sqft flower replacement

0.07

0.07 Miles

1:2,257





**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

**ATTACHMENT F**

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

BAY-DELTA REGION  
2825 CORDELIA ROAD, SUITE 100  
FAIRFIELD, CA, 94534



**STREAMBED ALTERATION AGREEMENT**

EPIMS NOTIFICATION No. 06735-R3  
Ono Associates

STEPHEN OKU  
ONO ASSOCIATES

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Stephen Oku (Permittee).

**RECITALS**

WHEREAS, pursuant to Fish and Game Code section 1602, Permittee notified CDFW on August 7, 2019 that Permittee intends to complete the project described herein.

WHEREAS, pursuant to Fish and Game Code section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the project in accordance with the Agreement.

**PROJECT LOCATION**

The project is located at Butano Creek, which is a tributary to Pescadero Creek, in the County of San Mateo, State of California; Latitude 37.237426, Longitude -122.374850; 4525 Cloverdale Road, Pescadero, CA, 94060; Assessors Parcel Number [086061090].

**PROJECT DESCRIPTION**

The project includes the cultivation of cannabis within existing greenhouses, utilizing an existing in-stream surface water diversion and infrastructure, an existing pond for water storage, and existing water tanks for water storage. No new construction will occur on the project site, however, leaking water storage infrastructure will be repaired at a later date. All existing greenhouses contain permeable floors and meet the requirements for an outdoor cannabis cultivation site. The project is located on an existing flowery nursery site and farm, which will be still be used for those purposes. There will be three different tenants on the property engaged in cannabis cultivation, including Ono Associates, Cali Dutch, and KloneCO. The property is a 30-acre parcel with six main

sections of greenhouses, as well as farm labor housing, supplies warehouses, and a cut flower production area. The cannabis cultivation will occur in two different areas, approximately 150,000 square feet in size. Water will be diverted from Butano Creek via an existing in-stream water diversion pump. The property owner has riparian rights and a water right #7140, dated June 27<sup>th</sup>, 1963, for 40-acre feet per annum, with a maximum rate of diversion to off-stream storage of 350 gallons per minute and with a minimum bypass flow of three cubic feet per second (cfs). There is an existing stream gauge upstream of the point of diversion that will continue to be used. Water may be diverted from December 1 to April 1.

## **PROJECT IMPACTS**

Existing fish or wildlife resources the project could substantially adversely affect include: California red-legged frog (CRLF) (*Rana draytonii*), San Francisco garter snake (SFGS) (*Thamnophis sirtalis tetrataenia*), California roach (*Hesperoleucus symmetricus*), steelhead (*Oncorhynchus mykiss irideus pop. 8*), coastal threespine stickleback (*Gasterosteus aculeatus aculeatus*), coho salmon (*Oncorhynchus kisuth*), roosting bats, nesting birds, and all other aquatic and wildlife species and resources in the area, including the riparian vegetation, which provides habitat for such species in the area.

The adverse effects the project could have on the fish or wildlife resources identified above include: disturbance from project activity; loss or decline of aquatic species' habitat: migration corridors, spawning, or rearing areas; change in hydrology below diversion; habitat fragmentation below intake; change (increase or decrease) in sediment delivery below intake; alterations in water quality, such as turbidity, dissolved oxygen, and temperature; restriction and/or alteration in channel composition due to lowered streamflow; change in flow depth, width or velocity; flow restriction; flow deflection; cumulative effect when other diversions on the same watercourse are considered; obstruction of flow; change in stream flow; loss or decline of instream channel vegetation due to lowered water levels; dewatering; impediment to migration of aquatic and terrestrial species; direct take of aquatic species from pump; and direct loss of resources for aquatic organisms.

## **MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES**

### **1. Administrative Measures**

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.

- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the project site with 48 hour notice to verify compliance with the Agreement.
- 1.5 Personnel Compliance On Site. If the Permittee or any employees, agents, contractors and/or subcontractors violate any of the terms or conditions of this agreement, all work shall terminate immediately and shall not proceed until CDFW has taken all legal actions.
- 1.6 Work Allowed. Permittee shall work according to supporting materials, including the Mitigated Negative Declaration, unless as otherwise specified in these conditions.

## **2. Avoidance and Minimization Measures**

To avoid or minimize adverse impacts to fish and wildlife resources identified above, Permittee shall implement each measure listed below.

- 2.1 Existing Facilities. Prior to making project changes, CDFW shall be notified to determine if additional conditions or an amendment will be necessary to protect fish and wildlife resources. Changes include but are not limited to expansion of diversion operations, construction of additional buildings or demolishing existing buildings, clearing riparian vegetation, stabilizing river or streambank(s) and/or modifying pond infrastructure.
- 2.2 Leave Wildlife Unharmd. If any wildlife is encountered, said wildlife shall be allowed to leave the area unharmed.
- 2.3 Protected Species. This Agreement does not authorize take, incidental or otherwise, of any protected species. For the purpose of this Agreement, "protected species" means the following: a species fully protected under state law; a candidate species or species listed as threatened or endangered under the California Endangered Species Act (CESA; Fish & G. Code § 2050 et seq.) and/or Endangered Species Act (ESA; 16 U.S.C. § 1531 et seq.); a species identified by CDFW as a species of special concern; or any other species for which take is prohibited under state or federal law. No

direct or indirect impacts shall occur to any protected species, except as may be authorized by a Natural Community Conservation Plan or one or more individual permits that authorize such impacts.

2.4 Incidental Take Permit. An Incidental Take Permit (ITP) from CDFW may be required if the project, project construction, or any project-related activity during the life of the project will result in "take," as defined by the Fish and Game Code, of any species protected by CESA [Fish & G. Code, §§86, 2080, 2081, subd. (b) (c)]. This Agreement does not authorize take of any rare, threatened or endangered species that may occur within or adjacent to the proposed work area. If there is a potential for take, the Permittee shall immediately consult CDFW and obtain the necessary state permits and/or submit plans to avoid any impacts to the species. Consultation with U.S. Fish and Wildlife Service or National Ocean and Atmospheric Administration would be required to receive take authority for federal threatened and endangered species

2.5 Cannabis Cultivation Policy. Permittee shall comply with the State Water Resource Control Board's (SWRCB's) Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation ([Cannabis Policy](#)), dated October 17, 2017.

## **Water Diversion and Bypass Flows**

2.6 State Water Code. This Agreement does not constitute a valid water right. The Permittee shall comply with State Water Code as appropriate for water diversion and water storage.

2.7 Season of Diversion. The season of diversion shall be limited from December 1 to April 1 of each year. From April 2 to November 30, all water shall be allowed to pass the point of diversion.

2.8 Bypass Flow. Permittee shall maintain a protective bypass flow at all times while the diversion is operating. Under all basis of right, no water shall be diverted until at least 3 cfs is allowed to bypass the existing point of diversion. If a diversion event causes the stream to drop below 3 cfs as measured by installed stream gauge, diversions shall cease and CDFW shall be contacted immediately. Diversion events may resume once the stream has reached a flow greater than 3 cfs and bypass flows continue to be met.

2.9 Flow Meter. The Permittee shall install a meter/device capable of measuring the quantity of water diverted from the project point of diversion. The meter shall be designed to record the cumulative diversion amount. Calibration, maintenance and replacement of the meter shall be the responsibility of the Permittee. Measurement shall begin as soon as this Agreement is signed by the Permittee.

2.10 Use of Stream Gauge. The stream gauge device shall remain installed each year and maintained in working order during the diversion season.

2.11 Compliance and Effectiveness Monitoring Plan. The Permittee shall submit to CDFW a Compliance and Effectiveness Monitoring Plan (Plan) within 45 days of finalization of this Agreement. The Plan shall describe how project operations will be monitored, including the bypass flows authorized in this Agreement. The Plan shall also describe how the Permittee will evaluate whether the bypass flows are achieving the stated resource goals, providing sufficient water to maintain resources downstream of the diversion facility in good condition. An annual report shall be prepared for each water year and submitted to CDFW by June 1st of each year following the December 1 to April 1 diversion season. The report shall also include the following:

2.11.1 Summary of the flow data collected and a discussion of whether the flow and diversion rate conditions of this Agreement were met.

2.11.2 Summary of the dates when water was diverted.

2.11.3 The total volume of water diverted.

2.11.1 A table and graph of upstream gage.

2.11.2 Summary and photo documentation of the bypass flow study areas.

2.11.3 A description of possible additional measures that could achieve resource goals if the observed flows are not meeting criteria outlined in the plan.

2.12 Screen According to Existing Standards. The inlets and outlets of the diversion structure and flow bypass pipe structure shall be fitted with fish screens meeting the "fry-size" criteria of CDFW and the National Marine Fisheries Service before water is impounded or diverted (e.g., screen mesh size of 3/32"). The screen shall prevent wildlife from entering the diversion intake and become entrapped. Points of re-diversion from off-stream storage facilitates that are open to the environment, such as ponds, shall also have a water intake screen.

2.13 Screen Maintenance. Diversion screens shall be maintained, and kept clean and free of accumulated algae, leaves or other debris, which could block portions of the screen surface and increase approach velocities at any point on the screen.

2.14 Instream Work Periods. Work in the stream channel shall be confined to the period of June 1 through October 31.

2.15 No Storage Over-Flow. To prevent storage overflow, and avoid diversion of water from a project point of diversion when not needed to fill storage, a float valve or other device shall be installed on the diversion system to shut-off the diversion when storage is full.

2.16 Leak Inspections. Regular inspection of the diversion and storage infrastructure shall be made to identify any leaks or water supply inefficiencies. Routine pipeline and tank inspections and maintenance shall be made to prevent water loss.

2.17 Leak Repairs. All leaks identified during regular inspections of the diversion and storage infrastructure shall be repaired in a timely manner.

2.18 Wildlife Movement. Project infrastructure shall not prevent, impede, or tend to prevent or impede the passing of fish up- and downstream, in compliance with Fish and Game Code Section 5901.

2.19 Intake Shall Not Impede Fish Passage. The water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life. This includes but is not limited to the supply of water at an appropriate depth, temperature, and velocity to facilitate upstream and downstream fish movement and migration.

2.20 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information becoming available that indicates that the bypass flows and diversion rates provided in this agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid “take” or “incidental take” of federal or State listed species.

### **Water Storage**

2.21 Storage Tanks. Permittee shall repair leaking storage tanks before use for cannabis cultivation.

2.22 On-site Pond. The on-site pond shall not be used for cannabis cultivation until the leaks are repaired. Repair of the pond may be subject to future Notification.

2.23 No Stocking of Pond. Permittee shall not stock the pond with non-native fish, fish, amphibians, vertebrates, etc.

### **Nesting Birds and Raptors Protection**

2.24 Migratory Birds. Be advised, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code that prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

2.25 Take of Bird Nests. Permittee shall not take or destroy nests (or eggs) of birds that are designated under Federal and California State laws, MBTA and Fish and Game code sections 3503, 3503.5, 3511, and 3513.

2.26 Trees with Active Nests. Permittee shall not disturb trees that contain active bird nests without prior consultation and approval of CDFW.

### **Exotic Species Removal and Control**

2.27 Determining Bullfrog Presence. If applicant is unsure of bullfrog presence, biological monitor(s) shall determine presence of bullfrogs or other invasive species within the storage pond. A minimum of three surveys shall be conducted prior to determining bullfrog presence.

2.27.1 A biological monitor is an individual who shall have academic and professional experience in biological sciences and related resource management activities as it pertains to this project, experience with construction-level biological monitoring, be able to recognize species that may be present within the project area, and be familiar with the habits and behavior of those species.

2.28 Invasive Species Avoidance. Permittee shall conduct project activities in a manner that prevents the introduction, transfer, and spread of invasive species, including plants, animals, and microbes (e.g., algae, fungi, parasites, bacteria, etc.), from one project site and/or waterbody to another. Prevention BMPs and guidelines for invasive plants can be found on the California Invasive Plant Council's website at: <http://www.cal-ipc.org/ip/prevention/index.php> and for invasive mussels and aquatic species can be found at the Stop Aquatic Hitchhikers website: <http://www.protectyourwaters.net/>.

2.29 Invasive Species. Permittee shall not stock and shall not allow others to stock fish in the pond. Permittee shall monitor on a yearly basis to make sure that no fish, non-native, or other exotic aquatic predators such as bullfrogs are present.

### **Pesticide Use**

2.30 Pesticides Outside of Riparian Buffer. Any substance used to control or restrict plants, animals, insects, fungus or bacteria life (e.g., pesticides, herbicides, insecticides, rodenticides, fungicides) and/or surfactants shall not be used or applied where they could enter the riparian buffer or waters of the state or otherwise cause "take" of a state-listed, threatened, or endangered species.

### **Pollution, Litter and Cleanup**

2.31 No Dumping. Permittee, contractors, subcontractors, and/or employees shall not dump any litter or construction debris within the stream, or where it may pass into the stream.

2.32 Pollutants and Debris. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, asphalt, paint, oil or other petroleum products or any other substances which could be hazardous to aquatic life, or other organic or earthen material from any logging, construction, or other associated

project-related activity shall be allowed to contaminate the soil and/or enter into or be placed where it may be washed by rainfall or runoff into, waters of the State. Any of these materials, placed within or where they may enter a stream, by the Permittee or any party working under contract, or with the permission of the Permittee, shall be removed immediately. When project-related activities are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream or lake.

2.33 Spill of Material Deleterious to Fish and Wildlife. In the event of a hazardous materials spill into a stream (e.g., concrete or bentonite), Permittee shall immediately notify the California Office of Emergency Services State Warning Center by calling 1-800-852-7550 and immediately provide written notification to CDFW by email at [R31600Program@wildlife.ca.gov](mailto:R31600Program@wildlife.ca.gov). Permittee shall take all reasonable measures to document the extent of the impacts and affected areas including photographic documentation of affected areas, injured fish and wildlife. If dead fish or wildlife are found in the affected area, Permittee shall collect carcasses and immediately deliver them to CDFW. Permittee shall meet with CDFW within ten (10) days of the reported spill to develop a resolution including: site clean-up, site remediation and compensatory mitigation for the harm caused to fish, wildlife and the habitats on which they depend because of the spill. The Permittee shall be responsible for all spill clean-up, site remediation and compensatory mitigation costs. Spill of materials to waters of the state that are deleterious to fish and wildlife are in violation of Fish and Game Code section 5650 et. seq. and are subject to civil penalties for each person responsible. CDFW reserves the right to refer the matter to the District Attorney's Office if a resolution cannot be agreed upon and achieved within a specified timeframe, generally six months from the date of the incident.

2.34 Pollution Compliance. The Permittee shall comply with all litter and pollution laws. All contractors, subcontractors and employees shall also obey these laws and it shall be the responsibility of the Permittee to ensure compliance.

2.35 Mud, Silt and Other Pollutants. Permittee shall prevent water containing mud, silt or other pollutants from grading, aggregate washing, equipment washing, or other activities to enter a lake or stream or to be placed in locations that may be subjected to high storm flows

2.36 Trash Receptacles. The Permittee shall use fully covered trash receptacles with secure lids (wildlife proof) that contain all food, food scrapes, food wrappers, beverage and other miscellaneous trash generated by work force personnel.

2.37 Trash Removal. The Permittee shall clean up trash around all waterways, including the pond and keep these areas free of trash.

### 3. Reporting Measures

Permittee shall meet each reporting requirement described below.

3.1 Compliance and Effectiveness Monitoring Plan. The Permittee shall submit to CDFW a Compliance and Effectiveness Monitoring Plan (Plan) within 45 days of finalization of this Agreement. The Plan shall describe how project operations will be monitored, including the bypass flows authorized in this Agreement. The Plan shall also describe how the Permittee will evaluate whether the bypass flows are achieving the stated resource goals, providing sufficient water to maintain resources downstream of the diversion facility in good condition. An annual report shall be prepared for each water year and submitted to CDFW by June 1st of each year following the December 1 to April 1 diversion season. The report shall include the following:

- 3.1.1 Summary of the flow data collected and a discussion of whether the flow and diversion rate conditions of this Agreement were met.
- 3.1.2 Summary of the dates when water was diverted.
- 3.1.3 The total volume of water diverted.
- 3.1.4 A table and graph of the upstream gage.
- 3.1.5 Summary and photo documentation of the bypass flow study areas.
- 3.1.6 A description of possible additional measures that could achieve resource goals if the observed flows are not meeting criteria outlined in the plan.

The plan shall be submitted to Stephanie Holstege, Environmental Scientist, for approval by email at [stephanie.holstege@wildlife.ca.gov](mailto:stephanie.holstege@wildlife.ca.gov).

3.2 Provide Copy of Annual Statement of Water Use. Under existing law, the Permittee is required to submit an annual statement of water use to the State Water Resources Control Board when exercising its water right. For each year that this Agreement is valid, the Permittee shall submit a copy of this annual report to CDFW within one calendar month of the SWRCB filing deadline (currently July 1<sup>st</sup>). The report shall follow the reporting format, timing and methods specified on the SWRCB website at the date of submittal:

[http://www.waterboards.ca.gov/waterrights/water\\_issues/programs/diversion\\_use/water\\_use.shtml](http://www.waterboards.ca.gov/waterrights/water_issues/programs/diversion_use/water_use.shtml)

The plan shall be submitted to Stephanie Holstege, Environmental Scientist, for approval by email at [stephanie.holstege@wildlife.ca.gov](mailto:stephanie.holstege@wildlife.ca.gov).

If the Permittee fails to provide CDFW with a copy of its annual statement of use, CDFW may suspend or revoke this Agreement

3.3 Bullfrog Management Plan. If bullfrogs are found within the storage pond, Permittee shall provide a bullfrog management plan for CDFW approval. The

permittee shall provide two or more removal methods for controlling bullfrogs and any other invasive species within the pond. Removal methods may include direct manual removal and pond dewatering. In general, bullfrog tadpoles require two years to develop into frogs, whereas native amphibians only require one year. Therefore, draining a reservoir every two years (or less) is intended to interrupt bullfrog tadpole development, dramatically decrease bullfrog populations and allow for reduced efforts as a measure of adaptive management. Additionally, for most successful results, ponds should be dewatered for no less than two consecutive weeks per year. The plan shall be submitted to Stephanie Holstege, Environmental Scientist, for approval by email at [stephanie.holstege@wildlife.ca.gov](mailto:stephanie.holstege@wildlife.ca.gov).

- 3.4 Notification to the California Natural Diversity Database (CNDDDB). If any listed, rare, or special status species are detected during project surveys or on or around the project site during project activities, the Permittee shall submit CNDDDB Field Survey Forms to CDFW in the manner described at the CNDDDB website ([http://www.dfg.ca.gov/biogeodata/cnddb/submitting\\_data\\_to\\_cnddb.asp](http://www.dfg.ca.gov/biogeodata/cnddb/submitting_data_to_cnddb.asp)) within 14 working days of the sightings. Copies of such submittals shall also be submitted to the CDFW regional office as specified below.

## **CONTACT INFORMATION**

Any communication that Permittee or CDFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail or email, or to such other address as Permittee or CDFW specifies by written notice to the other.

### To Permittee:

Stephen Oku  
4525 Cloverdale Road  
Pescadero, CA 94060  
[Onoassociates2019@gmail.com](mailto:Onoassociates2019@gmail.com)

### To CDFW:

Department of Fish and Wildlife  
BAY-DELTA REGION  
2825 CORDELIA ROAD, Suite 100  
FAIRFIELD, CA, 94534  
Attn: Lake and Streambed Alteration Program – Stephanie Holstege  
EPIMS Notification #06735-R3  
[epims.r3@wildlife.ca.gov](mailto:epims.r3@wildlife.ca.gov)

## **LIABILITY**

Permittee shall be solely liable for any violations of the Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require Permittee to proceed with the project. The decision to proceed with the project is Permittee's alone.

## **SUSPENSION AND REVOCATION**

CDFW may suspend or revoke in its entirety the Agreement if it determines that Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

## **ENFORCEMENT**

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

## **OTHER LEGAL OBLIGATIONS**

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with, or obtaining any other permits or authorizations that might be required under, other federal, state, or local laws or regulations before beginning the project or an activity related to it. For example, if the project causes take of a species listed as threatened or endangered under the Endangered Species Act (ESA), such take will be unlawful under the ESA absent a permit or other form of authorization from the U.S. Fish and Wildlife Service or National Marine Fisheries Service.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the Fish and Game Code including, but not limited to, Fish and Game Code sections 2050 *et seq.* (threatened and endangered species), section 3503 (bird nests and eggs), section 3503.5 (birds of prey), section 5650 (water pollution), section 5652 (refuse disposal into water), section 5901 (fish passage), section 5937 (sufficient water for fish), and section 5948 (obstruction of stream).

Nothing in the Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

### **AMENDMENT**

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

### **TRANSFER AND ASSIGNMENT**

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

### **EXTENSIONS**

In accordance with Fish and Game Code section 1605, subdivision (b), Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's

current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with Fish and Game Code section 1605, subdivisions (b) through (e).

If Permittee fails to submit a request to extend the Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (Fish & G. Code § 1605, subd. (f)).

## **EFFECTIVE DATE**

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable Fish and Game Code section 711.4 filing fee listed at <https://www.wildlife.ca.gov/Conservation/CEQA/Fees>.

## **TERM**

This Agreement shall expire on August 31, 2024, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as Fish and Game Code section 1605, subdivision (a)(2) requires.

## **EXHIBITS**

The documents listed below are included as exhibits to the Agreement and incorporated herein by reference.

- A. Notification of Lake or Streambed Alteration #1600-2019-06735-R3

## **AUTHORITY**

If the person signing the Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

## **AUTHORIZATION**

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project the Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with Fish and Game Code section 1602.

## **CONCURRENCE**

Through the electronic signature by the permittee or permittee's representative as evidenced by the attached concurrence from CDFW's Environmental Permit Information Management System (EPIMS), the permittee accepts and agrees to comply with all provisions contained herein.

**The EPIMS concurrence page containing electronic signatures must be attached to this agreement to be valid.**



[Menu](#) | [Help](#) | [Log Out](#) [Back](#) | [Print](#) | [Add](#) | [Delete](#) | [Edit](#) | [Save](#)

### Application

**Application: 06034 - Ono associates**

**Region:** Region 3

**Opportunities:** 01448 - Standard Agreement

**Application Deadline:** Deadline Not Applicable

### Instructions

1. To enter your electronic signature, select "Edit" at the top of the screen.
2. When you have completed your entry for each open field, select "Save".
3. When you have completed the entire form, be sure to "Mark as Complete".

**IMPORTANT: ALL FIELDS MARKED WITH A RED ASTERISK (\*) MUST BE COMPLETED BEFORE SUBMITTING APPLICATION.**

<b>Need EPIMS Help? Call 1 (833) 303-7467</b>	
EPIMS Questions?	EPIMSHelp@wildlife.ca.gov
Project Specific Questions?	CDFW Regional Offices

### Acknowledgement and Signature

[Go to Application Forms](#)

Read each statement below carefully and check the "I Understand" OR "I Certify" boxes before signing.

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant.

**I Certify:\*** Yes

I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification.

**I Understand:\*** Yes

I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution.

**I Understand:\*** Yes

I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

**I Understand:\*** Yes

**Electronic Signature:\*** Stephen Oku  
First and Last Name

**Date:\*** 07/29/2021

Last Edited By: Stephen Oku, 07/29/2021



**COUNTY OF SAN MATEO - PLANNING AND BUILDING DEPARTMENT**

# **ATTACHMENT G**

County of San Mateo  
Planning and Building Department

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

1. **Project Title:** 4525 Cloverdale Road Cannabis Cultivation License Applications
2. **County File Number:** MNA 2018-00028, MNA 2018-00029 and MNA 2018-00030
3. **Lead Agency Name and Address:** County of San Mateo Planning and Building Department  
455 County Center, 2nd Floor, Redwood City, CA
4. **Contact Person and Phone Number:** Laura Richstone, Project Planner, 650/363-1829
5. **Project Location:** 4525 Cloverdale Road, Pescadero
6. **Assessor's Parcel Number and Size of Parcel:** 086-061-090 (27.35 acres)
7. **Project Sponsor's Name and Address:**

MNA 2018-00028	MNA 2018-00029	MNA 2018-00030
CaliDutch, Inc.	KloneCo, Inc.	Ono Associates
2801 Atadero Court	88 Tully Road, Suite 114	4525 Cloverdale Road
Carlsbad, CA 92009	San Jose, CA 95111	Pescadero, CA 94060

8. **Name of Person Undertaking the Project or Receiving the Project Approval (if different from Project Sponsor):** Same as above.
9. **General Plan Designation:** Agriculture (Rural)
10. **Zoning:** Planned Agricultural District/Coastal Development (PAD/CD)
11. **Description of the Project:** *(Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)*

The Project consists of three proposed commercial cannabis operations for three separate growers (CaliDutch Inc., KloneCo Inc., and Ono Associates) on one project site, Oku Flower Farm.

Project Background

Established in the early 1900's, Oku Flower Farm (Oku Farms) is located on a 27.35-acre parcel, consists of a hydroponic vegetable growing and ornamental cut flower agricultural operation, and contains approximately 45 greenhouses, eight farm labor housing units, and associated storage buildings located throughout the property. Oku Farms has ceased utilizing several of the existing greenhouses and currently has 185,000 sq. ft. of vacant greenhouse

space. The applicants have proposed to operate three separate cannabis growing operations within the vacant greenhouse space. Associated roadways, parking areas, bathroom facilities, irrigation systems, and other related infrastructure are already present on-site, as the empty greenhouses have historically been used to grow ornamental flowers. The proposed cannabis operations would not remove, displace, or hinder existing agricultural activities on-site.

Project Description

CaliDutch Inc.

The CaliDutch operation proposes to lease an existing 55,650 sq. ft. greenhouse, of which 52,000 sq. ft. of the structure would be utilized to cultivate cannabis. The operation would require 5 – 12 employees, involve the cultivation of up to 20,000 plants of varying life stages (i.e., young, juvenile, and adult plants), and would require minor renovations to the existing structure to include new exterior siding, doors, the installation of security features (i.e., exterior lighting and cameras), new ventilation systems, and interior light deprivation curtains. CaliDutch has applied for three County cannabis licenses as outlined below.

License Type	State License Number	Canopy Size
Nursery	LCA19-0003883	22,000 sq. ft.
Cultivation, Small Mixed Light	LCA19-0003884	10,000 sq. ft.
Cultivation, Small Mixed Light	LCA19-0003885	10,000 sq. ft.

KloneCo Inc.

KloneCo Inc. has proposed to lease an existing 55,120 sq. ft. greenhouse to operate a cannabis nursery. The facility would house 30,000 sq. ft. of “mother plants” (i.e., plants used to make clones) and 10,000 sq. ft. of clone propagation plants. The KloneCo operation proposes up to six employees and includes the addition of a 500 sq. ft. office trailer, installation of security fencing, exterior lights and cameras for security, interior lights for supplemental lighting, installation of blackout curtains, and additional bathroom facility with associated new waterlines and septic system, and general renovations to include: replacement of glass windows, adding diving walls, and upgrades to the existing ventilation/air circulation system. KloneCo Inc. has applied for one County cannabis license as identified below:

License Type	State License Number	Canopy Size
Nursery	LCA19-0003129	40,000 sq. ft.

Ono Associates

Ono Associates has proposed to lease an existing 53,000 sq. ft. greenhouse to ultimately cultivate approximately 52,000 sq. ft. of cannabis. However, as of the date of this report, Ono Associates has only applied for and received one state provisional license to cultivate up to 22,000 sq. ft. of cannabis. Ono Associates intends to apply for three 10,000 sq. ft. small mixed light licenses in the near future to bring total cultivation to 52,000 sq. ft. For the purposes of this document, environmental evaluation will be conducted on the maximum proposed project of 52,000 sq. ft. of cultivation (operation). Prior to the expansion of facilities beyond 22,000 sq. ft. of cannabis, Ono Associates will be required to apply for additional cannabis licenses from the State and County.

The operation proposes up to six employees and includes the installation of security fencing, exterior lights and cameras for security, interior lights for supplemental lighting, interior blackout curtains, modifications to the existing ventilation system, and the installation of three new exterior fire hydrants and associated piping infrastructure to connect to an existing 3.3 million gallon (10 acre-feet) agricultural pond for fire suppression purposes. Ono Associates has applied for one County cannabis license as identified below.

License Type	State License Number	Canopy Size
Cultivation, Medium Mixed Light	LCA19-0005102	22,000 sq. ft.
<i>Potential Future Licenses</i>		
<i>Cultivation, Small Mixed Light</i>	<i>n/a</i>	<i>10,000 sq. ft.</i>
<i>Cultivation, Small Mixed Light</i>	<i>n/a</i>	<i>10,000 sq. ft.</i>
<i>Cultivation, Small Mixed Light</i>	<i>n/a</i>	<i>10,000 sq. ft.</i>

Parcel Water Rights

Butano Creek (Creek) is the primary source of water for Oku Farms. Oku Farms has existing water rights (see table below) to the Creek that permits a diversion of up to 40 acre-feet of water per year, and the utilization of two large agricultural ponds (sized at 10 and 30 acre-feet respectively) located north of the project parcel. Oku Farms has two in-stream points of water diversion and no alteration to these structures are proposed. A new California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreement (LSAA) to evaluate the proposed cannabis operations on-site is pending approval from CDFW (Permit No. EPIMS-06735-R3). Diversion under the proposed LSAA is confined to December 1 to April 1 of each year. During this period, a minimum in-stream bypass flow rate of 3 cubic feet per second (cfs) of water is required by the LSAA before diversion activities occur.

State Water Resources Control Board - Parcel Water Rights			
Permit Number	License Number	Source	Amount Per Annum
11364	7140	Butano Creek	40 acre-feet

Water calculations were provided by the applicants to illustrate that the total annual water diversion for the cannabis operations and other agricultural operations on-site would not exceed the allowable water diversion authorized under the existing State license and water diversions historically conducted by Oku Farms. Two existing agricultural ponds containing approximately 40 acre-feet of water in addition to the water rights of 40 acre-feet to serve the site. Total water usage from the three cannabis operators is not expected to cause Oku Farms to exceed their maximum allowed water usage of 40 acre-feet per year accounting for both the banked water in the agricultural ponds and water diverted from Butano Creek.

Expected Water Usage	
User	Approximate Water Usage Per Annum
CaliDutch Inc.	11.5 acre-feet
KloneCo Inc.	8.96 acre-feet
Ono Associates	9.62 acre-feet

Other Agricultural Practices On-site	10 acre-feet
--------------------------------------	--------------

Parcel Energy

Documentation from Oku Farms verifies that the property has enrolled in Peninsula Clean Energy’s Eco100 clean energy program and provides electricity from 100% renewable resources. In addition, the applicants have stated that they intend to utilize energy efficient LED lights to reduce their energy costs and meet the County’s energy requirements.

12. **Surrounding Land Uses and Setting:** The project site consists of a 27.35-acre agricultural parcel developed with numerous greenhouses, agricultural storage sheds, eight farm labor housing units, and associated road, water, and septic infrastructure. The project parcel is accessed via a paved private driveway off of Cloverdale Road, is relatively flat, and is bounded by Butano Creek to the south and two large agriculture impoundment ponds to the north. Surrounding parcels are designated for agricultural or open space use and contain relatively minor tree cover. With the exception of the farm labor housing on the project parcel, the residences in closest proximity to the proposed cannabis growing operations include a residence located 1,300 feet due east of the project parcel, on the other side of Cloverdale Road and another residence located approximately 1,200 feet to the southeast. Pescadero High School is located approximately 4,000 feet northeast of the project site and represents the nearest school in vicinity to the project site. This exceeds the 600-foot buffer required by State and County regulations. There are no other known protected sites (i.e., day care centers, youth centers or playgrounds, drug or alcohol treatment centers, residentially-designated properties) within 600 feet of the project parcel.
  
13. **Other Public Agencies Whose Approval is Required:** CalCannabis Cultivation Licensing, (a division of the California Department of Food and Agriculture); Regional Water Quality Control Board; California Department of Fish and Wildlife.
  
14. **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.?:** *(NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process (see Public Resources Code Section 21080.3.2.). Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality).*

As of the date of this report, no California Native American tribe has requested consultation pursuant to Public Resources Code Section 21080.3.1. in general or for this project specifically. While the County is only obligated to engage in consultation when a California Native American tribe has requested such consultation, and none have done so, it is the County’s policy to nonetheless initiate the consultation process when undeveloped and/or vacant land is proposed for development. The project site has been developed with greenhouses and other supporting buildings and structures for over 60 years, and as a result no consultation efforts particular to this site have been conducted.

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

<b>1. AESTHETICS.</b> 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	
<p><b>Discussion:</b> The project parcel is located approximately 1,150 feet west of Cloverdale Road and sits within the Cloverdale Road/Stage Road/Pescadero Road County Scenic Corridor and contains several greenhouse complexes that were historically used to grow ornamental flowers. Currently 185,000 sq. ft. of greenhouse space on the project site is vacant and unused. The project, which involves the growth and cultivation of cannabis, will occur within 163,770 sq. ft. of the unused vacant greenhouse space. While no new greenhouse structures are proposed to support the project, the addition of a 500 sq. ft. office trailer, and 200 sq. ft. storage shed are proposed. The new office trailer and shed will be located along the northern edge of the KloneCo greenhouse complex. However, due to the site’s distance from Cloverdale Road (1,200 feet) and the presence of screening trees along the front property line, the addition of these structures would not be noticeable from Cloverdale Road. Furthermore, no public lands or public water bodies are adjacent to the project site. While the existing greenhouse complex that will house the project is visible from Cloverdale Road, no new structures or other changes on the project site that could create a</p>				

significant new adverse visual impact from Cloverdale Road or adjacent parcels is proposed.

**Source:** Project Plans; San Mateo County GIS.

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	
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**Discussion:** The project parcel is not located within a state scenic highway. As stated above, the project parcel is located within the Cloverdale Road/Stage Road/Pescadero Road County Scenic Corridor. The parcel is flat, bounded by Butano Creek to the south, and dominated by several large existing greenhouse complexes. No rock outcroppings and/or historic buildings are located on-site and no new structures (other than a 500 sq. ft. office trailer and 200 sq. ft. shed) or other significant external structural changes are proposed on the project site. While riparian vegetation and trees exist along Butano Creek no trees are proposed for removal. Grading and associated site disturbance to accommodate three new fire hydrants, water lines, and a new septic system will be minor in nature, blend with the surrounding topography and will not substantially damage or destroy scenic resources.

**Source:** Project Plans; San Mateo County GIS.

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	
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**Discussion:** The project site is located within a non-urbanized area; however, the proposed project will occur entirely within existing greenhouse structures. Though the addition of a new office trailer and storage shed will occur, these structures are similar in scale to other existing accessory buildings present on the project site and will not be visible from Cloverdale Road due to existing tree cover. Therefore, the project will not substantially modify the existing visual character of the site. See discussion under Question 1(a).

**Source:** Project Plans; San Mateo County GIS.

1.d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X	
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**Discussion:** As discussed above, there are three different business entities applying for separate cannabis licenses located within different greenhouse complexes on the parcel. Each applicant has provided the following information regarding their use of artificial lighting and proposed measures to control light pollution.

CaliDutch has stated that lighting will be used throughout all areas of the facility. Indoor lighting for nursery cultivation will include a mix of natural light throughout most of the year to reduce costs and energy use and Double-Ended (DE) High Pressure Sodium (HPS) lighting to increase lighting levels when necessary. The DE-HPS lights improve the quality of the plants and are considered the industry standard. To control the amount of natural light there will be three interior light deprivation curtains that open and close on either a manual, or a computer-controlled automatic system.

KloneCo has stated that they will emphasize the use of natural light in order to minimize costs as much as possible. However, artificial light will be necessary at times. KloneCo proposes to install LED lighting within their greenhouse lease area. KloneCo is also proposing to install light deprivation blackout curtains to prevent any artificial light from escaping their greenhouses at night.

Ono Associates plans to utilize a combination of natural sunlight and low wattage LED lighting for their cannabis cultivation. Ono will install low wattage string lighting at 6 watts per every 25 square feet within the facility. To control the plant's growth, Ono will replace existing shade cloth in their greenhouse with black-out curtains. The mix of natural and artificial lighting will enable Ono to harvest multiple crops a year without the need to use expensive, high output lighting.

The Environmental Impact Report adopted by the CalCannabis Cultivation Licensing Division acknowledges the potential for new sources of nighttime light and includes required screening measures to reduce potential impacts as outlined below:

*"[M]ixed-light cultivation of cannabis involves the cultivation of cannabis using both natural and artificial light and darkness for the purpose of controlling the life cycle of the plant. Techniques used to manipulate light, such as using tarps or other measures to exclude natural light or using low- or high intensity artificial lighting systems, could be visible outside of greenhouses or other mixed light facilities during the daytime or at night and could create a nuisance to adjacent and nearby properties, residences, and/or motorists traveling on affected roadways. The degree to which such lighting would create adverse impacts on sensitive receptors would vary widely among proposed cultivation sites, but could be significant in some locations. The Proposed Program regulations, however, would include implementation of environmental protection measures requiring that artificial lighting used for the manipulation of plant growth cycles be shielded to minimize the visual effects of the presence of lighting and nighttime glare (Section 8314; see Appendix A). Therefore, visual impacts from the Proposed Program would be less than significant."* California Department of Food and Agriculture, CalCannabis Cultivation Licensing, Final PEIR, November 2017.

Consistent with this analysis, § 8304 (*General Environmental Protection Measures*) of the State regulations (*CalCannabis Regulations*) contain the following requirement:

(g) *Mixed-light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare.*

As the project is required to satisfy this State requirement, and because the applicants have already proposed measures (i.e., light deprivation curtains) to adhere to this requirement, staff has determined that there will be no significant visual impact due to the use of grow lights at the facility.

In addition to the growth of the crop itself, required security lighting on-site presents the potential for glare that could adversely affect day or nighttime views in the area. To address this potential impact, § 8304 (*General Environmental Protection Measures*) of the CalCannabis Regulations also require:

(c) *All outdoor lighting used for security purposes shall be shielded and downward facing.*

When the applicants submit building permits to construct the proposed site improvements, staff will confirm their building permit plans comply with these ordinance requirements.

**Source:** California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis

Cultivation, Chapter 1. Cannabis Cultivation Program (CalCannabis Regulations); Project Plans.				
1.e. Be adjacent to a designated Scenic Highway or within a State or County Scenic Corridor?			X	
<p><b>Discussion:</b> The project site is not within the boundaries of a State Scenic Corridor. However, the project site is located within the Cloverdale Road/Stage Road/Pescadero Road County Scenic Corridor. As stated previously, the new office trailer and storage shed proposed for the north side of the KloneCo greenhouse complex will be screened by existing vegetation along the property line and will not be visible from Cloverdale Road. The addition of the buildings are not expected to change or impact the scenic value of this corridor.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</p>				
1.f. If within a Design Review District, conflict with applicable General Plan or Zoning Ordinance provisions?				X
<p><b>Discussion:</b> The project site is not within a Design Review District.</p> <p><b>Source:</b> San Mateo County GIS.</p>				
1.g. Visually intrude into an area having natural scenic qualities?			X	
<p><b>Discussion:</b> Cultivation activities will occur entirely within existing greenhouse structures. As discussed in Section 1.a. and 1.e. the addition of a new office trailer and storage shed will not significantly modify the existing visual character of the site as the site is already developed with several storage sheds and accessory buildings.</p> <p><b>Source:</b> Project Plans; County of San Mateo, 1986, General Plan Policies; County of San Mateo Local Coastal Program; San Mateo County GIS.</p>				

<p><b>2. AGRICULTURAL AND FOREST RESOURCES.</b> 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>					
		<i><b>Potentially Significant Impacts</b></i>	<i><b>Significant Unless Mitigated</b></i>	<i><b>Less Than Significant Impact</b></i>	<i><b>No Impact</b></i>
2.a.	For lands outside the Coastal Zone, convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
<p><b>Discussion:</b> The project site is located within the Coastal Zone. The proposed use of the vacant greenhouses to grow cannabis. As cannabis cultivation is considered agriculture by the State of California, the project will not convert any farmland to non-agricultural use.</p> <p><b>Source:</b> San Mateo County GIS.</p>					
2.b.	Conflict with existing zoning for agricultural use, an existing Open Space Easement, or a Williamson Act contract?				X
<p><b>Discussion:</b> The project site is zoned for agricultural use and is under a Williamson Act contract. The cultivation of cannabis is considered an agricultural activity by County of San Mateo and is consistent with the agricultural zoning of the parcel. Furthermore, the California Department of Conservation (which administers the Williamson Act program at the State level) has determined that cannabis is an agricultural crop consistent with the Williamson Act requirements. As such, the project does not conflict with the parcel's existing Williamson Act contract.</p> <p><b>Source:</b> San Mateo County GIS; San Mateo County Zoning Regulations.</p>					
2.c.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use?				X
<p><b>Discussion:</b> The project site is a privately-owned 27.35-acre parcel developed with greenhouses, farm labor housing units, water tanks, associated storage sheds, and road and utility infrastructure. Though a majority of the parcel is developed with structures and/or low lying grassy vegetation,</p>					

there is a linear band of riparian vegetation associated with Butano Creek along the southern property line. Per Public Resources Code Section 12220 (g) forestland is defined as *land that can support 10% native tree cover of any species and that allows for management of one or more forest resources including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation and other public benefits*. As seen in aerial photographs, the riparian areas cover about 10% of the property. However, the project will not result in the conversion of forestland to non-forestland as cultivation activities will occur within existing structures and the addition of the office trailer and storage shed will be located near the northern boundary line well away from Butano Creek and its riparian vegetation.

The parcel is identified as containing mostly Unique Farmland with small amounts of Prime Farmland by the San Mateo County Important Farmlands of Statewide Importance Map, 2018. Unique Farmland is defined by the California Department of Conservation as *lesser quality soils used for the production of the state's leading agricultural crops*. While Unique Farmland is defined as *land with the best combination of physical and chemical features able to sustain long term production of agricultural crops*.

The existing greenhouse complexes on-site are located on soils identified as Unique Farmland. The utilization of the vacant greenhouse space to cultivate cannabis would not involve the conversion of Farmland to non-agricultural use.

**Source:** California Department of Conservation, Farmland Mapping and Monitoring Program Map; Public Resources Code Section 12220(g); California Department of Conservation – San Mateo County Important Farmland Map, 2018; Project Location.

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:** No lands will be divided as part of this project. The proposed project will utilize the existing greenhouses on the site. The new office trailer and storage shed will be located on soils identified as Class II soils; however, these soils have been previously disturbed and converted into a parking/access area adjacent to the existing greenhouse complex. Placing the new structures in this location would not result in the further conversion of prime agricultural soils into non-agricultural use as the area has already been converted.

**Source:** Project Plans; San Mateo County GIS.

2.e. Result in damage to soil capability or loss of agricultural land?			X	
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**Discussion:** See Section 2.e and 2.d for further discussion.

**Source:** Project Plans; San Mateo County GIS.

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			X	
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<p>Code Section 51104(g)?</p> <p><i>Note to reader: This question seeks to address the economic impact of converting forestland to a non-timber harvesting use.</i></p>				
<p><b>Discussion:</b> The project parcel is zoned Planned Agricultural District/Coastal Development (PAD/CD). Agricultural production and the construction of agriculturally related buildings (i.e., storage sheds and office trailers) are allowed within the PAD. The project does not conflict with the zoning, require a rezoning, nor interfere with timberland production elsewhere on appropriately zoned lands. Nor would the project result in the conversion of forest land to non-forest use as discussed in Section 2.c.</p> <p><b>Source:</b> San Mateo County GIS.</p>				

<p><b>3. AIR QUALITY.</b> 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:</p>				
	<p><i>Potentially Significant Impacts</i></p>	<p><i>Significant Unless Mitigated</i></p>	<p><i>Less Than Significant Impact</i></p>	<p><i>No Impact</i></p>
<p>3.a. Conflict with or obstruct implementation of the applicable air quality plan?</p>			<p>X</p>	
<p><b>Discussion:</b> The Bay Area 2017 Clean Air Plan (CAP), developed by the Bay Area Air Quality Management District (BAAQMD or District), is the applicable air quality plan for San Mateo County. The CAP was created to improve Bay Area air quality and to protect public health and climate. Large projects that exceed regional employment, population, and housing planning projections have the potential to be inconsistent with the CAP. Currently, the project site contains a mixture of vacant and occupied greenhouses that are currently used, or have been used, for the production of ornamental flowers, fruits, and vegetables. At the present time, the property owner employs 25 workers throughout the year with many of these workers living in farm labor housing units on-site. KloneCo and CaliDutch plan to add a total of 11-18 workers per day to the site while Ono Associates plans to utilize the existing on-site workers to fill the 6 employee positions their operation will require. Historically, Oku Farms employed up to 45 persons. With a proposed total employment level of approximately 43 persons with full implementation of the project and existing activities, the activity level on the project site is expected to return the level previously experienced when all the greenhouse structures were in production.</p> <p>The project and its operation involve minimal hydrocarbon (carbon monoxide: CO) air emissions, whose source would be exhaust from vehicle trips (e.g., construction vehicles for the office trailer and storage shed and personal cars of construction workers and employees), whose primary fuel source is gasoline, during construction and project operation. The re-introduction of agricultural activities will generate the need for additional employees (i.e., 11-18 persons) which will result in a minor increase in personal vehicle trips to the site above existing conditions. While re-introduction of agricultural activities will also result in an increase in delivery vehicles (typically box trucks) to the parcel above current levels, this increase is not expected to exceed peak historic levels when all the greenhouses were occupied. CaliDutch and KloneCo. have each anticipated the need for approximately 12 delivery vehicle trips per month while Ono Associates estimates approximately 20 vehicle trips per month. With 12 vehicle trips per month to accommodate the existing agriculture on site, the parcel would see approximately 56 delivery vehicle trips per month during business</p>				

days/hours. This is less than the approximate 60 delivery vehicle trips that occurred historically on site when all greenhouses were occupied. As such, the project is not expected to generate significant new operational vehicle trips above historic levels or those that would be expected of an agricultural site of this size.

The need for an additional 11-18 employees will not substantially affect housing, employment, and population projections within the region, which is the basis of the Bay Area Clean Air Plan projections. As such, the project is not considered a regionally significant project (under CEQA Guidelines Section 15206) such that the project would affect regional vehicle miles traveled (VMT) and warrant intergovernmental review by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC).

Furthermore, the project falls under the threshold levels contained in BAAQMD's screening criteria, which is used to identify projects that have the potential to generate emissions that exceed the District's operational emissions thresholds. These thresholds were established to identify projects that have the potential to generate a substantial amount of criteria air pollutants. Because the project will not exceed these thresholds, the project is not considered by the District to be a substantial emitter of criteria air pollutants. Therefore, the Project will not conflict with or obstruct implementation of the 2017 Bay Area Clean Air Plan and any impacts are considered less than significant.

**Source:** Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air Plan; Project Plans.

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		
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**Discussion:** The San Francisco Bay Area Air Basin is a State designated non-attainment area for Ozone, Particulate Matter (PM10), and Fine Particulate Matter (PM-2.5). On January 9, 2013, the Environmental Protection Agency (EPA) issued a final rule to determine that the Bay Area attained the 24-hour PM-2.5 national standard. However, the Bay Area will continue to be designated as “non-attainment” for the national 24-hour PM-2.5 standard until the BAAQMD submits a “re-designation request” and a “maintenance plan” to the EPA and the proposed re-designation is approved by the Environmental Protection Agency.

The project will utilize existing greenhouse buildings to cultivate cannabis. There is no evidence to suggest that cultivation activities will generate significant new levels of criteria air pollutants (ROG, NOx, PM10 and PM2.5), or Toxic Air Contaminants (TAC), or Greenhouse Gases (GHGs).

However, according to the applicants, there is one small stationary diesel generator on the project site which has the potential to release GHGs during its operation. At the present time, the applicants have not been able to ascertain whether this generator has been registered with the BAAQMD in accordance with the District's Regulation 11, Rule 17 (*Limited Use Stationary Compression Ignition (Diesel) Engines in Agricultural Use*). This rule provides an exemption for very-low use (less than 20 hours per year) stationary engines. However, the owner or operator of a stationary agricultural diesel engine must still register the engine in the District's Agricultural Diesel Engine Registration Program, and renew registration annually. The program also requires an owner or operator to document the number of hours the generator is used during the year.

In addition, Section 8306 (*Generator Requirements*) of the CalCannabis Regulations requires applicants using generators to demonstrate compliance with the above rule by providing “a *Permit to Operate, or other proof of engine registration, obtained from the Local Air District with jurisdiction*

over the licensed premises.” Additionally, Section 8306 requires:

- (d) *All generators shall be equipped with non-resettable hour-meters. If a generator does not come equipped with a non-resettable hour-meter an after-market non-resettable hour-meter shall be installed.*

Any future use of the diesel generator for the proposed cultivation activities will be in compliance with the CalCannabis Regulations and subject to the registration and operating requirements of the District. Compliance with these requirements will ensure that the use of the generator will not generate a cumulatively considerable increase in criteria air pollutants. In addition, to the existing generator on site, CaliDutch has also proposed to install a new generator adjacent to their leased greenhouse structure. Though CaliDutch has not determined what type of generator they will install (i.e. diesel or natural gas powered), this generator will be required to comply with the CalCannabis Regulations and will be subject to applicable registration and operating requirements.

Construction of the proposed new septic system, storage shed, office trailer, and the installation of three new fire hydrants and associated water lines is expected to result in a temporary increase in PM-2.5 in the project area as these PM-2.5 particles are a typical construction vehicle emission. Any increase in these criteria pollutants would be significant due to the area’s non-attainment. However, the temporary nature of proposed construction activities and adherence to the mitigation measure below will reduce the potential effects of increased PM-2.5 to a less than significant level.

**Mitigation Measure 1:** Pollutant Control – The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District’s Basic Construction Mitigation Measures, listed below:

- a. Water all active construction areas at least twice daily.
- b. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- c. Sweep daily all paved adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
- d. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
- e. All construction equipment shall be maintained and properly tuned in accordance with manufacturers’ specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand etc.) that can be blown by the wind.
- h. Replant vegetation in disturbed areas as quickly as possible.
- i. Install erosion control measures to prevent silt runoff to public roadway and/or into Butano Creek.
- j. All haul trucks transporting soil, sand, or other loose material on and off site shall be covered.
- k. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- l. A publicly visible sign with the telephone number and person to contact at the project site

regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**Source:** Bay Area Air Quality Management District (BAAQMD), 2017, Bay Area 2017 Clean Air Plan; Bay Area Air Quality Management District (BAAQMD), 2011: Regulation 11 (Hazardous Pollutants), Rule 17 - Limited Use Stationary Compression Ignition (Diesel) Engines In Agricultural Use; California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program (CalCannabis Regulations); Project Plans.

3.c. Expose sensitive receptors to substantial pollutant concentrations, as defined by the Bay Area Air Quality Management District (BAAQMD)?				X
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**Discussion:** The two nearest residences adjacent to the project site are located 1,300 feet due east of the project parcel, on the other side of Cloverdale Road and 1,200 feet to the southeast. Pescadero High School is located approximately 4,000 feet northeast of the project site and represents the nearest school in vicinity to the project site. The project would not result in the generation of substantial pollutant concentrations as defined by the BAAQMD (for further discussion see Section 3.b). Due to the distance from the nearest identified sensitive receptors and the fact that the project would not generate substantial pollutant concentrations no impact is expected.

**Source:** Project Plans; San Mateo County GIS.

3.d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		X		
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**Discussion:** Odors are not a regulated air pollutant such as PM10 or ROG. As such, the BAAQMD has developed qualitative parameters that should be considered when evaluating project level odor issues. The District has established odor screening thresholds for certain odor generating land uses. Cannabis cultivation operations are not on the list of odor generating land uses. However, composting operations are on the list. The District has established a threshold of 1-mile between this category of odor source (compost operations) and receptors. In other words, if the distance between the odor source and a receptor is less than 1-mile, then there will likely be an odor impact upon the receptor. As a proxy, the County proposes to use the "composting operations" category to establish whether there could be a potential odor impact upon nearby residences (to this proposed cannabis operation).

There are two residences within a 1-mile radius of the project site. Both residences could be exposed to odor impacts due to the release of exhaust air from the greenhouses that will be utilized for the flowering plants. At the present time, there are no odor control devices on the exhaust fans of the project greenhouses.

The odor associated with cannabis plants occurs during the flowering stage when buds begin to grow on each plant. This is not an issue during the plant's early "seedling" stage, when individual plants are being propagated in the nursery greenhouses. Thus, odor control measures are not necessary on the buildings proposed for nursery use. As discussed in the project description section, KloneCo is proposing only cultivation of nursery stock. Therefore, no odor control systems are required on the greenhouses that KloneCo will occupy. However, both CaliDutch and Ono Associates as cultivation facilities have proposed to install charcoal filter air-scrubber systems to control the escape of odors associated with cannabis flowering. The mitigation measure below is included to ensure said systems are constructed prior to the beginning of cultivation operations. With

the installation of the recommended odor control system on all buildings containing flowering cannabis plants and or their product, the odor that may be generated by the concentration of a large number of plants will be minimized to a less than significant level.

**Mitigation Measure 2:** Odor Control -- Prior to the issuance of the requested Type 2B or 3B (Mixed Light, Cultivation) licenses, the applicants (CaliDutch and Ono Associates) shall apply for building permits to install charcoal filter air-scrubber systems within all buildings that will contain flowering cannabis plants or their product. This includes the greenhouses and the drying and processing buildings. The applicant shall also submit a maintenance plan for the air-scrubber systems (which includes record keeping) for review and approval prior to issuance of the requested licenses.

**Source:** Bay Area Air Quality Management District (BAAQMD), CEQA Air Quality Guidelines (2017); CDFA CalCannabis DEIR, Vol. 1; Project Plans.

4. <b>BIOLOGICAL RESOURCES.</b> 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?		X		

**Discussion:** The project site is developed with multiple greenhouses, accessory buildings, farm labor housing units, and various road and utility infrastructure. Two large agricultural ponds are located just north of the project parcel while Butano Creek, bordered by typical riparian habitat along both sides, cuts through the project parcel and runs along its southerly boundary line. A search of the California Natural Diversity Database (CNDDDB) identified the potential for two sensitive species to be located on-site - steelhead salmon and San Francisco garter snake (SFGS) - while the site's LSAA identified the potential for several other species to be located on-site. These species include but are not limited to the: California red-legged frog (CRLF), California roach, coho salmon, coastal threespine stickleback fish, roosting bats, and nesting birds.

As discussed in the project description, the project will involve minimal site disturbance to include the installation of three new fire hydrants and associated waterlines, a new 500 sq. ft. office trailer, a new 200 sq. ft. storage shed, a new septic system to support expanded bathroom facilities (which will require review and approval by the County's Environmental Health Division), and minor interior and exterior modifications to the greenhouse structures. The installation of these structures and facilities will be confined to the northern half of the parcel in previously disturbed areas and located approximately 270 feet away from the Butano Creek riparian vegetation at its closest point. However, one of the new fire hydrants and water line will be located at the back of a greenhouse immediately adjacent to the Butano Creek riparian vegetation. The hydrant and water line will be located in a disturbed area along the edge of an existing graveled road and will not encroach into the riparian vegetation. As such, there is no expectation that the construction of proposed site

improvements would modify or adversely impact sensitive riparian habitats or species.

Though Oku Farms has water rights to Butano Creek to divert up to 40 acre-feet of water per year from the Creek (see Section 19 for water rights discussion), project operation, specifically increased water diversion from Butano Creek to support the proposed cannabis crop, can potentially impact Butano Creek, the surrounding riparian habitat, and species of special of concern if water demands exceed water supply. This is especially true during the dry season, when the potential to dewater a creek is more likely. To prevent such an occurrence, CDFW, in their proposed LSAA (Attachment E), included Avoidance and Minimization Measures. Adherence to these measures which include but are not limited to bypass flow rates, season of allowed diversion, leak inspections, and reporting measures will ensure no significant impacts will occur. Mitigation Measure 3 below requires compliance with the LSAA to ensure no significant impacts result from water diversion.

**Mitigation Measure 3:** Avoidance and Minimization Measures – The applicant shall adhere to the Avoidance and Minimization Measures contained within proposed Lake and Streambed Alteration Agreement to be issued to Oku Farms by the California Department of Fish and Wildlife.

- a. The season of diversion shall be limited from December 1 to April 1 of each year. From April 2 to November 30 , all water shall be allowed to pass the point(s) of diversion
- b. The applicant shall maintain a protection bypass flow at all times while the diversion is operating. No water shall be diverted until at least 3 cfs is allowed to bypass the existing point(s) of diversion. If a diversion event causes the stream to drop below 3 cfs as measured by installed stream gauges, diversions shall cease. Diversion events may resume once the stream has reached a flow greater than 3 cfs and bypass flows continue to be met.
- c. The applicant shall install a meter/device capable of measuring the quantity of water diverted from the point(s) of diversion. The meter shall be designed to record the cumulative diversion amounts and measurement shall begin as soon as the LSAA is approved by CDFW.
- d. A stream gauge device shall remain installed each year and maintained in working order during the diversion season
- e. Diversion structure(s) inlets and outlets and flow bypass pipe(s) shall be fitted with fish screens meeting the “fry-size” criteria of CDFW and the National Marine Fisheries Service before water is impounded or diverted. These screens shall be maintained and kept clean and free of accumulated debris.
- f. Work within the stream channel may be subject to a LSAA and shall be confined to the period of June 1 through October 31.
- g. Regular inspections of the diversion point(s) and storage infrastructure shall be made to identify any leaks or water supply inefficiencies to prevent water loss. All leaks identified during inspections shall be repaired in a timely manner.
- h. Project infrastructure shall not prevent, impeded or prevent the passage of fish and/or other aquatic wildlife up or down stream.
- i. Migratory nongame native bird species are protected under the Federal Migratory Bird Treaty Act of 1980. California Fish and Game Code prohibits the take of all birds and their active nests.
- j. The Applicant shall not disturb trees that contain active bird nests without prior consultation and approval of CDFW.
- k. Any substance used to control or restrict plants, animals, insects, fungus, or bacteria and/or surfactants shall not be used or applied where they could enter the riparian buffer area or waters of the state.

- i. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, asphalt, paint, oil or other petroleum products or any other substances which could be hazardous to aquatic life, or other project related materials shall be allowed to contaminate the soil and/or placed where it may be washed by rainfall or runoff into waters of the state.
- j. The Applicant shall submit an annual statement of water use to the State Water Resource Control Board when exercising its water right. For each year that the pending LSAA is valid the applicant shall submit a copy of the report to the CDFW.
- k. For each year that the pending LSAA is valid, the applicant shall submit to CDFW a Compliance and effectiveness Monitoring Plan. This report shall include: a summary of flow data collected, summary of dates when water was diverted, the total volume of water diverted, a table and graph of the upstream gage, summary and photo documentation of the bypass flow area(s), and a description of possible additional measures that could achieve resource goals if the observed flows are not meeting the criteria outlined in the plan.

**Source:** Project Plans; CDFW LSAA, 2019.

4.b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
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**Discussion:** As discussed in Section 4.a above, there will be no physical changes to the existing stream diversion structures in Butano Creek. Nor will there be a change to the rate, total amount, or time of year during which water can be withdrawn from the Creek. As such impacts to Butano Creek and its riparian habitat is not expected. In addition, site disturbance to accommodate two accessory structures and infrastructure improvements will be located in disturbed areas, will not encroach upon the riparian habitat and are not expected to result in new, significant impacts.

**Source:** Project Plans.

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		
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**Discussion:** To meet the U.S. Army Corps of Engineers definition of wetland, three characteristics must be demonstrated: wetland vegetation, wetland hydrology, and wetland soils. In addition, a wetland must have a hydrological connection to other wetlands and/or waters of the United States.

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information to the public on the extent and status of the Nation's wetlands. Per the U.S. Fish and Wildlife Service National Wetlands Inventory Mapper, Butano Creek is identified as a "Riverine" habitat and classified as a R3UBH, riverine (R), upper perennial (3), unconsolidated bottom (UB), permanently flooded (H) creek. This is a non-tidal wetland contained within a channel, with very little floodplain development, in which surface water is present throughout the year in all years. Mapped wetland habitat is also located immediately adjacent to the project parcel to the north (i.e., the agricultural

ponds) and to the west. The wetland habitat to the west is identified as freshwater forested/shrub wetland habitat and classified as PFO/SSC, palustrine (P), forested (FO), scrub-shrub (SS), and seasonally flooded (C). Though the parcel abuts and/or contains identified wetland habitats, cannabis growing and cultivation activities will occur within existing buildings and would not have a substantial adverse effect with implementation of the recommended mitigation measures contained in Section 4.a.

In addition, the construction and/or placement of proposed accessory structures, fire hydrants, and septic improvements will not have a substantial adverse effect on the identified wetland habitats as only minor site disturbance is necessary to accommodate these improvements. The accessory structures and expanded septic system are located approximately 260 feet from the nearest wetland habitat (i.e., the agricultural ponds) and would not necessitate the removal or filling of the wetland habitat. Similarly, the installation of three new fire hydrants and associated water line infrastructure will be located in previously disturbed areas and would not require the removal or filling of wetland habitat to construction or operate these facilities.

**Source:** Project Plans; San Mateo County GIS.

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	
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**Discussion:** Wildlife corridors are important for the persistence of wildlife in the landscape and facilitate movement between populations. Types of wildlife movement includes migration (i.e., one direction per season), inter-population movement (i.e., long-term genetic exchange), and small travel pathways (i.e., daily movement within an animal's home range). Though the majority of the parcel is heavily developed with numerous greenhouse structures, accessory buildings, farm labor housing units, water tanks, and road and utility infrastructure, Butano Creek and its riparian vegetation likely acts as a travel corridor for local wildlife. As the project does not involve work within Butano Creek or the riparian habitat, the project is not expected to substantially interfere with the movement of wildlife species.

**Source:** Project Location; Project Plans.

4.e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?				X
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**Discussion:** The majority of project activities will occur within existing buildings. Minor site improvements to accommodate additional accessory structures and utility improvements are also proposed. These improvements will be located in previously disturbed areas and no vegetation or tree removal activities are proposed to accommodate the improvements.

**Source:** Project Plans.

4.f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat				X
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conservation plan?				
<p><b>Discussion:</b> There are no adopted Habitat Conservation Plans (HCP) or other such plans that include the project site. The only adopted HCP in San Mateo County is the San Bruno Mountain HCP, located approximately 30 miles from the project parcel. The project is not expected to conflict with the San Bruno HCP.</p> <p><b>Source:</b> San Mateo County GIS.</p>				
4.g. Be located inside or within 200 feet of a marine or wildlife reserve?				X
<p><b>Discussion:</b> There are no marine or wildlife reserves near, adjacent, nor on the project site. Thus, the project poses no impact.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</p>				
4.h. Result in loss of oak woodlands or other non-timber woodlands?				X
<p><b>Discussion:</b> There are no oak woodlands on the project parcel. Riparian woodland vegetation is located along the southern boundary of the project parcel. However, as no trees are proposed for removal to accommodate the project, no impact will occur.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</p>				

<b>5. CULTURAL RESOURCES.</b> 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
<p><b>Discussion:</b> All proposed cultivation will occur within existing greenhouse buildings which do not meet the definition of a historical resource. Though minor site disturbance will occur to accommodate the new accessory buildings and fire hydrants these structures will be located in previously disturbed areas. Grading and site disturbance activities to accommodate these improvements may have the potential to unearth previously undiscovered subsurface archaeological resources. In order to preserve potential undiscovered archaeological resources and reduce the proposed project's impacts to a less than significant level, the mitigation measures below are recommended.</p> <p>Though all growing and cultivation activities will occur within existing greenhouse buildings, the project was also referred to the Native American Heritage Commission (NAHC) to determine the site's potential for cultural resources. In a response letter dated January 22, 2020, the NAHC noted that the requested Sacred Lands File search results were negative. Though the NAHC has no records of cultural resources at the project site, a list of Native American Tribes who may have knowledge of cultural resources in the area was provided with the recommendation that the Lead Agency contact these tribes. Per the recommendation of the NAHC, San Mateo County contacted</p>				

these tribes notifying them of the proposed project to determine if there would be a significant impact to tribal or cultural resources. As of February 26, 2020, San Mateo County has received no response to indicate that the proposed project would impact any cultural or historical resources.

**Mitigation Measure 4:** In the event that archaeological resources are inadvertently discovered during construction, work in the immediate vicinity (within 50 feet) of the find must stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas beyond the 50-foot stop work area. A qualified archaeologist is defined as someone who meets the Secretary of the Interior's Professional Qualifications Standards in archaeology. The Current Planning Section shall be notified of such findings, and no additional work shall be done in the stop work area until the archaeologist has recommended appropriate measures, and those measures have been approved by the Current Planning Section and implemented.

**Mitigation Measure 5:** If a newly discovered resource is, or is suspected to be, Native American in origin, the resource shall be treated as a significant Tribal Cultural Resource, pursuant to Public Resources Code 21074, until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative.

**Source:** Project Plans; San Mateo County GIS.

5.b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?		X		
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**Discussion:** See Section 5.a for discussion.

**Source:** Project Plans; San Mateo County GIS.

5.c. Disturb any human remains, including those interred outside of formal cemeteries?			X	
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**Discussion:** As discussed above, all proposed cultivation will occur within existing greenhouses. The project site has been developed with greenhouses and other support buildings for over 60 years. There is no evidence to suggest that human remains are interred on the project site. Regardless of the presence or lack of human remains on the site, the applicants are still subject to Section 8304 (*General Environmental Protection Measures*) of the California "Cannabis Cultivation Program" which requires the immediate halt of cultivation activities and implementation of Section 7050.5 of the Health and Safety Code if human remains are discovered. Adherence to this section of the government code will reduce impacts to less than significant levels if human remains are encountered on the project parcel.

**Source:** California Code Of Regulations, Title 3. Food And Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; Project Plans.

**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>
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6.a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		X		
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**Discussion:** The greenhouse complexes on-site are existing. While some minimal physical improvements to the greenhouse structures and site (security systems, fire hydrants, etc.) are proposed, there is no evidence to indicate that these improvements would result in unnecessary energy consumption or that they would be constructed in a wasteful and/or inefficient manner.

In addition, a review of plans submitted by the applicants does not indicate any unnecessary or wasteful energy consumption. The primary source of energy consumption at the project site will be associated with the use of grow lights within the greenhouses. The applicants propose to install LED or Double-Ended (DE) High Pressure Sodium (HPS) lighting within the greenhouses which are currently the most efficient forms of artificial lighting. The higher intensity lighting will be confined to buildings where cannabis is grown with supplemental natural light utilized wherever possible to reduce energy costs. No other large energy consuming uses are shown or proposed on the plans. In addition, all three applicants have committed to employ local residents, local contractors, and suppliers for construction and site maintenance whenever possible to reduce transportation times and overall fuel consumption. Though CaliDutch does plan to install a generator, this generator would be for emergency purposes only and would be subject to state reporting requirements (See Sections 3.b and 8.a for further discussion on the emergency generator). Specific energy saving measures for each operation are listed below.

CaliDutch

CaliDutch will be utilizing energy efficient heat retention curtains to trap heat in the greenhouses during the winter months and reduce overall energy consumption. In addition, an environmental control system with real time interpretation of environmental data will be installed. This system will be able to turn on/off artificial lights if the crop is receiving enough natural light further reducing energy consumption on-site. CaliDutch estimates an energy consumption of 25 watts/sq. ft. where crops are grown within the greenhouse structure and an overall energy consumption of 10,000 kilowatt-hours (kWh) per day.

KloneCo

KloneCo will utilize energy efficient mechanical equipment and install smart environmental control systems to minimize the unnecessary use of heating and cooling equipment. KloneCo will have an energy consumption of 2.24 watts/sq. ft. within the lighted greenhouse building and an overall energy consumption of 6,000 kWh per day.

Ono Associates

Ono Associates will also utilize energy efficient mechanical and environmental control equipment. Ono Associates will have an energy consumption of 2.25 watts/sq. ft. and an overall energy consumption of 8,000 kWh per day.

In compliance with Section 5.148.160(n) of the County’s Cannabis Cultivation Ordinance which requires *all electrical power, including, without limitation, for illumination, heating, cooling, and ventilation, shall be provided by on-grid power with 100% renewable energy source or on-site zero net energy renewable source such that annual consumed energy is less than or equal to the on-site renewable generated energy*, Oku Farms has enrolled in Peninsula Clean Energy’s Eco100 program which provides electricity from 100% renewable resources. As such, all electricity on the project site will be provided by 100% renewable resources.

<b>Source:</b> Project plans; PG&E Solar Choice; Peninsula Clean Energy.com/energy-choices; San Mateo County Cannabis Cultivation Ordinance.					
6.b.	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.				X
<p><b>Discussion:</b> There is no evidence to suggest that any aspect of the project will conflict with the County's Climate Action Plan (which incorporates Clean Energy policies) or the State's Title 24 building energy efficiency standards. As stated above, the project must utilize 100% renewable energy sources either from the electrical grid and/or generate sufficient renewable energy on-site to meet the requirements of the County's Cannabis Cultivation Ordinance.</p> <p><b>Source:</b> San Mateo County Cannabis Cultivation Ordinance.</p>					

<b>7. GEOLOGY AND SOILS.</b> 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:				X
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other 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><b>Discussion:</b> The nearest identified earthquake fault line is the Coastways Fault located approximately 0.45 miles to the east of the project parcel. The Coastways Fault is surrounded by the San Gregorio Fault Zone. At its closest point, the San Gregorio Fault Zone is located 0.25 miles to the east of the project parcel on the other side of Cloverdale Road. While in close proximity to Coastways Fault, the project site is not located within a mapped Alquist-Priolo Fault Zone. There is no additional evidence to conclude that the project site is subject to fault rupture.</p> <p><b>Source:</b> California Earthquake Hazards Zone Map (Franklin Point Quad) – California Department of Conservation <a href="https://maps.conservation.ca.gov/cgs/EQZApp/app/">https://maps.conservation.ca.gov/cgs/EQZApp/app/</a>; San Mateo County GIS.</p>					
	ii. Strong seismic ground shaking?			X	
<p><b>Discussion:</b> The Coastways Fault and the San Andreas Fault are located 0.45 miles and 12 miles, respectively, to the east of the project parcel. A major earthquake along either fault line could</p>					

<p>produce strong to violent ground shaking. The proposed project will utilize the existing greenhouse buildings which were built in accordance with the building code at the time of their construction. These buildings are non-habitable and have withstood previous earthquake events, including the 1989 Loma Prieta earthquake. As such, it is not expected that the project will pose a health or safety risk to employees or persons within the structures. No further mitigation is necessary.</p> <p><b>Source:</b> Association of Bay Area Governments, Shaking Hazard Map <a href="http://resilience.abag.ca.gov/earthquakes/">http://resilience.abag.ca.gov/earthquakes/</a>; Project Plans; Project Plans; San Mateo County GIS.</p>				
iii. Seismic-related ground failure, including liquefaction and differential settling?				X
<p><b>Discussion:</b> Based on the San Mateo County Geotechnical Hazards Synthesis Map, there is a low potential for liquefaction on the project parcel. As the project site is not within a mapped liquefaction hazard zone or on soils known to be susceptible to liquefaction or differential settling no impacts are expected to occur.</p> <p><b>Source:</b> California Geological Survey Seismic Hazards Zones Maps; San Mateo County GIS.</p>				
iv. Landslides?				X
<p><b>Discussion:</b> Based on the U.S. Geological Survey's Landslide Susceptibility Map of 1972, the project parcel is located in Landslide Susceptibility Area I (area least susceptible to landslides). As no new buildings are proposed as part of the project and as the project parcel is not within a mapped landslide hazard zone, there is no evidence to suggest that a landslide may occur on or adjacent to the project parcel and damage the existing structures on-site.</p> <p><b>Source:</b> U.S. Geological Survey's Landslide Susceptibility Map, 1972; Project Location; San Mateo County Local Coastal Program South Coast Hazards Map; San Mateo County GIS.</p>				
v. Coastal cliff/bluff instability or erosion?				X
<p><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></p> <p><b>Discussion:</b> The project site is located approximately two miles from the nearest coastal bluff. There is no evidence to suggest that instability of this bluff will have any impact upon the existing buildings on the project site.</p> <p><b>Source:</b> San Mateo County GIS</p>				
7.b. Result in substantial soil erosion or the loss of topsoil?				X
<p><b>Discussion:</b> No construction or soil disturbance is proposed as part of this application. All cultivation activities will occur within existing greenhouse buildings which have concrete floors.</p> <p><b>Source:</b> Project Plans, Site Visit.</p>				
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		X		

potentially result in on- or off-site landslide, lateral spreading, subsidence, severe erosion, liquefaction or collapse?				
<p><b>Discussion:</b> All cannabis-related cultivation activities will occur within existing structures. Though minimal site disturbance for improvements (i.e., new fire hydrants and accessory buildings) is expected, there is no evidence to suggest that the underlying geology or surface soils on the project site are unstable such that the site improvements would result in landslides, lateral spreading, liquefaction, or collapse. The minor ground disturbance required to accommodate the site improvements can potentially cause erosion if proper erosion control measures are not implemented. The following mitigation measure is recommended to minimize erosion and runoff from the project site:</p> <p><b>Mitigation Measure 6:</b> Prior to the issuance of the building permit for the proposed site improvements (i.e. waterline and fire hydrant installation, renovations to the greenhouse structures, and installation of the office trailer and storage shed), the applicants shall submit an erosion control plan in compliance with the County’s General Erosion and Sediment Control Plan Guidelines Checklist for review and approval.</p> <p><b>Source:</b> San Mateo County GIS; Project Plans.</p>				
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
<p><b>Discussion:</b> See discussion under Question 7(c).</p> <p><b>Source:</b> San Mateo County GIS; Project Plans.</p>				
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	
<p><b>Discussion:</b> The project parcel is developed with several on-site septic systems to support existing farm labor housing units and farming operations on-site. The project will require the addition of a new septic system and expansion of an existing on-site septic system to support the CaliDutch and KloneCo operations. As the project site already supports several different septic systems, there is no evidence to suggest that the soils on-site would not be able to accommodate the proposed septic system improvements. Prior to the installation of the septic system improvements the applicants would be required to apply for appropriate permits with County of San Mateo Environmental Health Services and the Planning Department to ensure the septic design/placement adheres to County standards.</p> <p><b>Source:</b> Project Plans.</p>				
7.f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		

**Discussion:** Based on the project parcel’s existing highly disturbed and developed nature, it is not likely that the project parcel would host any paleontological resource or site or unique geologic feature. As discussed in Question 7.c, geology within the project site is typical of the surrounding area. Mitigation Measures 4 - 5 shall ensure that if any resources are encountered potential impacts will be reduced to less than significant levels.

**Source:** San Mateo County GIS.

**8. CLIMATE CHANGE.** Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
8.a. Generate greenhouse gas (GHG) emissions (including methane), either directly or indirectly, that may have a significant impact on the environment?			X	

**Discussion:** San Mateo County lies within the boundaries of the Bay Area Air Quality Management District (BAAQMD or District) and all development within the County is subject to compliance with the District’s Clean Air Plan. The District’s approach to developing a Threshold of Significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions. If a project will generate GHG emissions above the identified threshold level, it would be considered to contribute substantially to a cumulative impact, and would be considered significant. The District has established 1,100 metric tons per year of Carbon Dioxide Equivalent (CO<sub>2</sub>e) as the threshold of significance.

As required by the County’s ordinance, cultivation activities will occur in greenhouse structures. This means that a mixture of natural sunlight and artificial light will be used for the majority of the photosynthesis process, unlike indoor growing operations which must rely entirely upon artificial light. The amount of artificial light needed for the project will vary depending upon the time of year. Assuming a “worst case scenario” of electrical usage during the middle of December (shortest amount of daylight), it is estimated that maximum instantaneous power draw (lighting and ventilation units), at full site usage, will be 36,000 kWh/day. This number assumes 14 to 15 hours of “night time” or low light conditions and that every grow light and every exhaust fan are running at the same time, an unlikely scenario given the way that plants will be rotated through their growing cycles. Using non-renewable sources of electricity, this level of energy usage could result in a significant impact related to GHG emissions necessary to produce the electricity. However, as stated above in the Energy section, the project is required to utilize 100% renewable energy, which has no associated operational GHG emissions.

With nearly all activities including lighting, irrigation pumps and ventilation units electrically powered and no significant activities involving the use of gasoline or diesel powered motors anticipated (existing/proposed generator use only during power failure as a backup source), direct carbon emissions due to project operations will be limited. Based on this analysis, the project will have a less-than-significant impact in regard to either direct or indirect generation of GHG emissions.

**Source:** Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air

Plan; Project Plans.				
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><b>Discussion:</b> As discussed above, the BAAQMD has determined that a project that generates GHG emissions above the 1,100 metric ton threshold would be in violation of the District's Clean Air Plan. However, due to the Cannabis Ordinance's requirement that all electrical power for this project must be obtained from 100% renewable energy sources (either from the electrical grid and/or from on-site), the project will not be in violation of the Clean Air Plan.</p> <p><b>Source:</b> Bay Area Air Quality Management District (BAAQMD), 2017; Bay Area 2017 Clean Air Plan; Project Plans.</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
<p><b>Discussion:</b> The project involves the re-use of existing greenhouse buildings. While new structures (i.e., office trailer and storage shed) are proposed, these structures will be located in previously disturbed and developed areas, not require the removal of any trees, nor result in the loss or conversion of forestland.</p> <p><b>Source:</b> San Mateo County GIS; Project Plans.</p>				
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
<p><b>Discussion:</b> The nearest coastal bluff is located 2 miles to the west of the project site. There is insufficient evidence to suggest that sea level rise or bluff erosion will be severe enough to impact the project site.</p> <p><b>Source:</b> San Mateo County GIS.</p>				
8.e. Expose people or structures to a significant risk of loss, injury or death involving sea level rise?				X
<p><b>Discussion:</b> See discussion under Question 8(d).</p> <p><b>Source:</b> San Mateo County GIS.</p>				
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:** The majority of the parcel and existing greenhouses are located in a FEMA designated Flood Zone A area. The addition of two new accessory structures would be located in this mapped flood zone, near the northern boundary line, and approximately 600 feet away from Butano Creek. The accessory structures, which include a storage shed and office trailer, would limit the risk of exposure of persons to flooding events as these structures are non-residential and non-habitable buildings. In addition, these structures would be required to be constructed with breakaway wall and above the base flood elevation to reduce potential flooding hazards.

**Source:** FEMA Panel No. 06081C0457E, effective October 16, 2012; Project Plans.

8.g. Place within an anticipated 100-year flood hazard area structures that would impede or redirect flood flows?				X
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**Discussion:** See discussion under Question 8(f).

**Source:** FEMA Panel No. 06081C0457E, effective October 16, 2012; Project Plans.

**9. HAZARDS AND HAZARDOUS MATERIALS.** Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
9.a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (e.g., pesticides, herbicides, other toxic substances, or radioactive material)?			X	

**Discussion:** While cannabis is a newly legal agricultural crop in California, any pesticide or herbicide use associated with its production is subject to the same rules and regulations as any other agricultural crop. The California Department of Pesticide Regulation and the San Mateo County Agricultural Commissioner enforce the use and sale of pesticides under Divisions 6 and 7 of the California Food and Agricultural Code, and Title 3 of the California Code of Regulations and are reflected in Section 8307 of the CalCannabis Regulations and Section 5.148.160(q) of the County’s Commercial Cannabis Cultivation ordinance. These laws and regulations apply to all pesticide use; cannabis is no exception. The applicants are required to comply with the regulations regarding transportation, use and storage of all regulated pesticides and herbicides. Compliance with these State and local regulations is administered by the County’s Agricultural Commissioner which is the local enforcement authority for the California Department of Food and Agriculture and the California Department of Pesticide Regulation. Compliance with these regulations will reduce any potential impact to a less-than-significant level.

In addition to pesticides and other chemical pest controls that are typically associated with agriculture, some forms of cannabis cultivation (primarily fully indoor grows) are known for the use of carbon dioxide enrichment. This is to off-set the sealed nature of a fully indoors growing environment. Because these license applications will utilize mixed-light greenhouses (which have windows that can be opened to allow fresh air in), the use of carbon dioxide enrichment is not needed nor proposed by the applicants.

All three applicants propose to limit any chemical controls (products classified as pesticides or fungicides) to be used on their plants to those substances listed on the California Department of Pesticide Regulation’s “Legal Pest Management Practices for Cannabis Growers in California” document. These substances are exempt from residue tolerance requirements and either exempt from registration requirements or registered for a use broad enough to include use on cannabis. This practice is consistent with Section 8307 (*Pesticide Use Requirements*) of the CalCannabis Regulations which states that:

- (a) *Licensees shall comply with all pesticide laws and regulations enforced by the Department of Pesticide Regulation.*
- (b) *For all pesticides that are exempt from registration requirements, licensees shall comply with all pesticide laws and regulations enforced by the Department of Pesticide regulation and with the following pesticide application and storage protocols:*
  - (1) *Comply with all pesticide label directions;*
  - (2) *Store chemicals in a secure building or shed to prevent access by wildlife;*
  - (3) *Contain any chemical leaks and immediately clean up any spills;*
  - (4) *Apply the minimum amount of product necessary to control the target pest;*
  - (5) *Prevent off-site drift;*
  - (6) *Do not apply pesticides when pollinators are present;*
  - (7) *Do not allow drift to flowering plants attractive to pollinators;*
  - (8) *Do not spray directly to surface water or allow pesticide product to drift to surface water. Spray only when wind is blowing away from surface water bodies;*
  - (9) *Do not apply pesticides when they may reach surface water or groundwater; and*
  - (10) *Only use properly labeled pesticides. If no label is available consult the Department of Pesticide Regulation*

**Source:** California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations - “Legal Pest Management Practices for Cannabis Growers in California” (2017); San Mateo County Cannabis Cultivation Ordinance; Project Plans.

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	
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**Discussion:** See discussion under Question 9(a).

**Source:** California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations - “Legal Pest Management Practices for Cannabis Growers in California” (2017); San Mateo County Cannabis Cultivation Ordinance; Project Plans.

9.c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or				X
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proposed school?				
<p><b>Discussion:</b> There are no existing or planned schools within 0.25 miles of the project site. The nearest adjacent school is Pescadero High School, which is located approximately 0.75 miles northeast of the project parcel.</p> <p><b>Source:</b> San Mateo County GIS.</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><b>Discussion:</b> This question is in reference to the “Hazardous Waste and Substances Sites List” also known as the Cortese List which is used by the State, local agencies, and developers to comply with the California Environmental Quality Act in providing information about the location of hazardous materials release sites. The project parcel is not on said list nor is an identified site located within the vicinity of the project parcel.</p> <p><b>Source:</b> California Department of Toxic Substances Control “EnviroStor” website: <a href="https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115">https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115</a>.</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><b>Discussion:</b> There are no adopted airport safety zone within 10 miles of the project site. Furthermore, there are no known airports or airstrips within 2 miles of the project site.</p> <p><b>Source:</b> San Mateo County GIS.</p>				
9.f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<p><b>Discussion:</b> The project involves the utilization of existing greenhouse structures and minor site improvements. Said improvements would not impede access to existing public roads or access to the site. There is no evidence to suggest that the project will interfere with any emergency response plan.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</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><b>Discussion:</b> See discussion under Questions 20(a) – (d).</p> <p><b>Source:</b> California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations - “Legal Pest Management Practices for Cannabis Growers in California” (2017); San Mateo County Cannabis Cultivation Ordinance; Project Plans; California Department of Toxic Substances Control “EnviroStor” website:  <a href="https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115">https://www.envirostor.dtsc.ca.gov/public/map/?global_id=33290115</a>.</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><b>Discussion:</b> The site is within a designated flood hazard area but no housing proposed as part of the project scope. See Section 8.f for further discussion.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</p>					
9.i.	Place within an existing 100-year flood hazard area structures that would impede or redirect flood flows?			X	
<p><b>Discussion:</b> See Section 8.f for further discussion.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</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><b>Discussion:</b> There are two agricultural water storage ponds to the north of the project site. These ponds are fed from Oku Farms’ points of water diversion on Butano Creek and are used for irrigation purposes. The ponds do not contain a dam or other runoff control structure, show no signs of embankment failure, nor are the soils in this area prone to liquefaction. Therefore, there is little evidence to suggest that these embankments will fail in the future.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</p>					
9.k.	Inundation by seiche, tsunami, or mudflow?			X	
<p><b>Discussion:</b> The project site is located outside of any mapped tsunami zones. The nearest mapped tsunami inundation area is located 1.40 miles to the northwest. While there are two agricultural ponds to the north on the adjacent parcel, these water bodies are too far away (over 120 feet) and too small in size to present a credible threat to inundate the project site due to seiche (a short-term standing wave or oscillation of the water level in a lake, typically caused by changes in atmospheric pressure). Though Butano Creek could potentially serve as a transportation medium for a mudflow event, the creek has several bends and is bounded by riparian vegetation which together would reduce the velocity of a mudflow event.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS</p>					

<b>10. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
10.a. 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><b>Discussion:</b> The State Water Resources Control Board (SWRCB) is the State agency that regulates the discharge of waste materials that could affect the quality of the waters of the state. Water Code Section 13260 requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the state must file a report of waste discharge to obtain coverage under waste discharge requirements (WDRs) or a waiver of WDRs. In establishing a regulatory program for cannabis cultivation, SWRCB has created a tiered system depending upon the type (indoor or outdoor) and size of cultivation. Commercial cannabis cultivation activities that occur within a structure with a permanent roof, a permanent impermeable floor (e.g., concrete or asphalt paved), and that discharge irrigation tail water, hydroponic wastewater, or other miscellaneous industrial wastewaters from indoor cannabis cultivation activities to an on-site wastewater treatment system (such as a septic tank and leach field), must obtain separate regulatory authorization to discharge the wastewater.</p> <p>All three applicants will use drip irrigation systems which minimizes the use of water for irrigation and the production of irrigation tail water. Irrigation tail water is generated when excess water drains from the growth media. Irrigation tail water or wastewater may contain nutrients (e.g., phosphate or nitrate), salinity constituents (e.g., sodium, chloride, potassium, calcium, sulfate, magnesium), and other constituents (e.g., iron, manganese, zinc, molybdenum, boron, and silver). Other sanitation-based wastewaters containing biocides, bleach mixtures, or other chemical waste streams may also be generated at commercial cannabis cultivation sites. The proposed cultivation activities will produce relatively little wastewater. However, to the maximum extent feasible, the applicants have proposed to recycle and reuse generated irrigation wastewater. Unused and/or expired pesticides, fertilizers, fungicides, wastewater, irrigation wastewater, and other miscellaneous industrial wastewater that cannot be reused will be discharged to collection tanks. On an as needed basis, the collected wastewater will be picked up by an authorized waste hauler who will dispose of the wastewater at a licensed community sewer system treatment facility, consistent with the Water Board’s sewer system requirements and as approved by the Water Board.</p> <p>In compliance with Section 5.148.160(k) of the County’s Commercial Cannabis Cultivation Ordinance which requires all “<i>runoff containing sediment or other waste or byproducts, including, without limitation, fertilizers and pesticides, shall not be allowed to drain to the storm drain system, waterways, or adjacent lands, and shall comply with all applicable State and federal regulations</i>”, the applicants have applied for and received conditional waste discharge permits from the SWRCB</p>				

as listed below.

Operation	Waste Discharge Identification (WDID) Number Permit Number
CaliDutch	WDID# 2_41CC407386
KloneCo	WDID#2_41CC407105
Ono Associates	WDID# 2_41CC410329

To ensure that all applicants comply with the Water Board’s “Cannabis Cultivation Policy” and “General Waste Discharge Requirements” and thus not violate any water quality standards or waste discharge requirements, the following mitigation measure is recommended.

**Mitigation Measure 7:** Applicants shall provide proof of a valid WDID number issued by the SWRCB prior to the issuance of a County issued cannabis license.

**Source:** Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, October 2017; San Mateo County Cannabis Cultivation Ordinance; Project Plans.

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
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**Discussion:** Though there is a well on the adjacent parcel, it has not been utilized for irrigation within the greenhouses on the project parcel. Per information provided by the landowner’s representatives, this well has historically been used to irrigate the open fields on the adjacent parcel. As discussed previously, the applications will utilize surface water withdrawn the agricultural ponds located north of the project parcel which are fed from diversion points on Butano Creek as permitted by the Oku Farms historic license for diversion. Because the project will rely upon this surface water, there is no evidence to indicate that the project will utilize the groundwater to such an extent (if at all) as to substantially decrease local groundwater levels.

**Source:** Project Plans.

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	

<p><b>Discussion:</b> The project does not involve the alteration of a course of a stream or river. The project does not involve the construction of new greenhouse buildings as cannabis cultivation operations will occur within existing greenhouses on-site. The only new buildings that are proposed include a small storage shed (approximately 10 feet by 20 feet) and an office trailer (approximately 500 sq. ft.). Minor changes to on-site drainage patterns resulting from the addition of the accessory structures will be reviewed and addressed at the building permit stage per the County's Stormwater Permit. No other changes to the site's existing drainage patterns are proposed.</p> <p><b>Source:</b> Project Plans.</p>				
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				X
<p><b>Discussion:</b> The proposed project will continue to utilize the existing greenhouse structures on site. The only new buildings proposed are two small accessory structures. The construction/placement of these structures would not result in a substantial physical alteration of the project site. The project is also subject to compliance with the County's Drainage Policy and Provision C.3.i. of the San Francisco Bay Region Municipal Regional Permit which prohibits the creation of significant additional sources of runoff. Additionally, there is no evidence to conclude that the utilization of the existing greenhouse structures and/or installation of the new accessory structures will substantially increase the rate or amount of surface runoff above existing levels.</p> <p><b>Source:</b> Project Plans.</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><b>Discussion:</b> See discussion under Question 10(c)(ii).</p> <p><b>Source:</b> Project Plans.</p>				
iv. Impede or redirect flood flows?			X	
<p><b>Discussion:</b> See discussion under Question 10(c)(i) and (ii). While the project site is within a mapped flood hazard zone (Zone A), the only new structural changes to the site will be the addition of two small accessory structures. Because the site lies within a flood hazard zone, both structures must be securely anchored with breakaway walls surrounding the foundation system in order to allow flood waters to pass through, in accordance with FEMA flood hazard regulations.</p> <p><b>Source:</b> Project Plans; FEMA Community Panel Number 06081C0451E, dated October, 16, 2012; FEMA National Flood Insurance Program.</p>				
10.d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
<p><b>Discussion:</b> The project site is not within a tsunami or seiche hazard zone. However, as stated above, the project site is within a mapped flood hazard zone. The site has been used as an</p>				

agricultural greenhouse complex since the 1960's. Over the last 60 years, pesticides and herbicides authorized for use on agricultural crops have been stored and used on the project site. The storage and use of these chemicals has been inspected and reviewed by the County's Agricultural Commissioner and will continue to be inspected. In that time, there have been several incidents of flooding on Butano Creek which have impacted the project site. There are no known incidences of accidental release of pesticides or herbicides from the site into flood waters. The proposed cannabis cultivation operations will not utilize chemicals that are not already stored and used at the site or permitted by CalCannabis Regulations. As such, there is no evidence to suggest that the project will create a new impact that must be mitigated.

**Source:** Project Plans; FEMA Community Panel Number 06081C0451E, dated October 16, 2012; County Agricultural Commissioner; California Code of Regulations, Title 3. Food and Agriculture, Division 8. Cannabis Cultivation, Chapter 1. Cannabis Cultivation Program; California Department of Pesticide Regulations - "Legal Pest Management Practices for Cannabis Growers in California" (2017).

10.e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	
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**Discussion:** The project site lies within the Pescadero Valley groundwater basin. This basin has been designated by the State Department of Water Resources as a "very low" priority basin. As such, no groundwater management plan is required under the State's Sustainable Groundwater Management Act; nor has the County developed a groundwater management plan for this basin. With regard to water quality control plans, the project site lies within the San Mateo Coastal Sub-Basin as identified within the San Francisco Bay Basin Water Quality Control Plan (Basin Plan). As such, any potential discharge from a site must comply with the Basin Plan, as was discussed under Question 10(a). Compliance with the SWRCB waste discharge permit requirements will ensure that the project will not conflict with the adopted Basin Plan.

**Source:** San Francisco Bay Basin (Region 2) Water Quality Control Plan (Basin Plan), California Regional Water Quality Control Board (San Francisco Bay Region); 2019 SGMA Basin Prioritization Map, California Department of Water Resources.

10.f. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide significant additional sources of polluted runoff?				X
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**Discussion:** See discussion under Question 10(c)(ii).

**Source:** Project Plans.

10.g. Significantly degrade surface or groundwater water quality?			X	
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**Discussion:** See discussion under Question 10(a).

**Source:** Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, October 2017; San Mateo County Cannabis Cultivation Ordinance; Project Plans.

10.h. Result in increased impervious surfaces and associated increased runoff?			X	
<p><b>Discussion:</b> Cannabis cultivations activities will occur within existing greenhouse buildings. While two new small accessory structures (500 sq. ft. and 200 sq. ft. respectively) will be placed on-site, the increased impervious surface and associated runoff related to these structures will be minimal. Nevertheless, the installation of the structures is subject to compliance with the County's Drainage Policy and Provision C.3.i. of the San Francisco Bay Region Municipal Regional Permit which prohibits the creation of significant additional sources of runoff and requires on-site storage of additional runoff. Upon compliance with these regulations there is no evidence to conclude that the structures will increase the rate or amount of surface runoff above existing levels</p> <p><b>Source:</b> Project Plans.</p>				

<b>11. LAND USE AND PLANNING.</b> 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><b>Discussion:</b> Though there is no community adjacent to the project parcel, the project does not involve a land division or development that would result in the division of an established community.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</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><b>Discussion:</b> The project adheres to the County's Cannabis Cultivation Ordinance. This Ordinance directs cannabis cultivation toward vacant/underutilized greenhouses to minimize potential land use related conflicts and revitalize the struggling greenhouse agricultural industry. As such, this application furthers the County's goal of reusing the underutilized greenhouse market and ensuring continued employment opportunities within the County's agricultural workforce.</p> <p><b>Source:</b> Project Plans; San Mateo County Cannabis Cultivation Ordinance.</p>				
11.c. Serve to encourage off-site development of presently undeveloped areas or increase development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)?				X

**Discussion:** The site improvements associated with the proposed cannabis operations (i.e., fire hydrants, accessory buildings, and expanded septic systems) will only serve the subject property. These improvements will be within the boundaries of the subject property and there is no evidence to suggest that approval of the proposed project (cultivation of cannabis within existing greenhouses) will encourage off-site development of undeveloped areas, increase the development intensity of surrounding developed areas, or require the need for new or expanded public utilities.

**Source:** Project Plans.

<b>12. MINERAL RESOURCES.</b> Would the project:				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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><b>Discussion:</b> Known mineral resources are not located on or adjacent to the project site. Though there will be minimal site disturbance to accommodate two new accessory structures and infrastructure improvements, said improvements are not expected to result in the loss of availability of mineral resources.</p> <p><b>Source:</b> Project Plans, San Mateo County General Plan, Mineral Resources Map; San Mateo County Local Coastal Program South Coast Special Features Map.</p>				
12.b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p><b>Discussion:</b> See discussion under Question 12(b).</p> <p><b>Source:</b> Project Plans, San Mateo County General Plan, Mineral Resources Map; San Mateo County Local Coastal Program South Coast Special Features Map.</p>				

<b>13. NOISE.</b> 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		X		

applicable standards of other agencies?				
<p><b>Discussion:</b> There are two residences near the project site. The closest residence is located 1,300 feet southeast of the nearest greenhouse at 4301 Cloverdale Road with the other residence located 1,500 feet away from the nearest greenhouse at 4600 Cloverdale Road. The greenhouses that will be utilized for cannabis cultivation are equipped with exhaust fans which are expected to be the largest source of noise generation by the project. These exhaust fans generate an average of 80 decibel (dB) of noise when measured 10 feet from the source. As sound pressure levels decrease by 6 dB with the doubling of the distance from noise source to receptor, noise levels generated by the use of the exhaust fans in these closest greenhouses should not be audible from either residence due to their distance from the greenhouses. Consequently, the project operation is not expected to violate County noise regulations (Ordinance Code Chapter 4.88) nor conflict with EPA noise limits designed to protect hearing.</p> <p>However, construction of the proposed infrastructure site improvements and placement/construction of the two new accessory structures has the potential to generate ground vibrations and/or excessive noise. The following mitigation measure is recommended to control noise emissions during construction.</p> <p><b>Mitigation Measure 8:</b> Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).</p> <p><b>Source:</b> San Mateo County GIS; Center for Hearing and Communication, “Common Environmental Noise Levels”; Project Plans.</p>				
13.b. Generation of excessive ground-borne vibration or ground-borne noise levels?		X		
<p><b>Discussion:</b> Typical sources of ground-borne vibration or noise include construction (i.e., grading of a site prior to construction) or the use of manufacturing equipment (for example a metal lathe or grinding equipment). The project would not involve the utilization of heavy industrial equipment that would generate ground-borne vibration or noise. Adherence to Mitigation Measure 9 will ensure that project construction and any associated ground borne vibration or noise resulting from project construction will be limited in time duration.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</p>				
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
<p><b>Discussion:</b> The Project site is not within an airport land use plan or within 2 miles of an airport or private airstrip.</p> <p><b>Source:</b> Project Location; San Mateo County GIS.</p>				

<b>14. POPULATION AND HOUSING.</b> 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	
<p><b>Discussion:</b> The proposed project involves the continued use of existing agricultural buildings. No new public infrastructure, roads, or residences are proposed. Though an expansion of existing septic facilities are proposed to accommodate additional bathroom facilities for farm hands, these facilities would be built on-site, not available for use by adjacent parcels, and would not induce development within the area or on adjacent parcels.</p> <p>As discussed previously, the property owner employs 25 workers throughout the year with many of these workers living in farm labor housing units on-site. The KloneCo and CaliDutch operations will add a total of 11-18 workers per day to the site while Ono Associates operation will utilize existing on-site workers to fill the 6 employee position their operation will require. These existing workers will continue to work on-site cultivating cannabis in addition to the existing cut flowers and hot house vegetables that are currently grown on-site. Additionally, the applicants plan to hire a majority of their labor force from within the existing Coastside agricultural labor pool which will further reduce potential population growth to less than significant levels in accordance with Section 5.148.060 of the County's Cannabis Cultivation Ordinance.</p> <p><b>Source:</b> Project Plans; San Mateo County Cannabis Cultivation Ordinance.</p>				
14.b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X
<p><b>Discussion:</b> The project site contains several agricultural greenhouse complexes, associated road, water, and utility infrastructure, and eight farm labor housing units. The proposal to utilize existing vacant greenhouse space, install two accessory buildings, and associated utility infrastructure for cannabis cultivation activities would not result in the removal of the existing farm labor housing units on-site. There will be no change in these housing units' status.</p> <p><b>Source:</b> Project Plans.</p>				

**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 proposed project does not include a new residential component nor is it anticipated that the proposed businesses will cause a significant population increase such that existing schools, parks and other public facilities would be negatively impacted. The project site lies within Cal-Fire’s service area, is already developed and fire breaks and other fire prevention measures, and would not result in the fire authority (Cal-Fire) expanding their service. In addition, the property owner will be installing three additional fire hydrants adjacent to the subject greenhouses to provide extra fire suppression measures in case of emergency. The applicants have submitted detailed surveillance and security plans as required by the County’s cannabis ordinance. There is no expectation that the project will disrupt acceptable service ratios, response times or performance objectives of fire, police, schools, parks, or any other public facilities or energy supply systems. Furthermore, there is no evidence to suggest that permitting cultivation at this site will require an increase in Sheriff patrols or responses to calls such that additional Sheriff staffing would be required for this area of the County.

**Source:** San Mateo County GIS; Project Plans.

**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

**Discussion:** As discussed previously in Sections 14 and 15, the proposed project does not include

a new residential component nor is it anticipated that the proposed businesses will cause a significant population increase such that existing regional parks and other public facilities would experience substantial or increased physical deterioration. As such, no impact is expected to occur.

**Source:** Project Plans.

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
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**Discussion:** No new recreational facilities are proposed as part of this project, nor is it anticipated that the project will generate population growth which might require new or expanded recreational facilities. No impact is expected to occur.

**Source:** Project Plans.

**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:** As stated previously, the proposed project will re-use existing greenhouse structures where fruit, vegetables, and flowers were historically grown. Based upon information provided by the property owner, 25 workers are currently employed (the majority of which live in farm labor housing units on-site) at different times depending upon the season and market demand for the plants and fruits grown on the site. The project will generate approximately 11-18 additional workers on-site compared to current conditions and result in an additional 1 – 4 delivery vans/trucks trips to the site on a daily basis. This activity level could result in an additional estimated 23 vehicle trips per day (i.e. personal and delivery vehicles).

Cloverdale road is a two lane paved public road that serves the project site. The road runs in an approximate north to south direction and connects to Pescadero Creek Road to the north and Gazos Creek Road to the south. This road, located in a rural residential/agricultural area of the County, provides dedicated bike lanes but no pedestrian facilities. There is no evidence to suggest that an increase of 23 trips per day to the project site will significantly impact the effectiveness of this road, the existing bicycle facilities, or the road network within the South-Coast area in general. While the proposed re-use of the vacant greenhouse space will on-site increase activity levels above existing levels, this increase is unlikely to generate significantly more traffic than historic levels seen on-site when all the greenhouses were in operation.

**Source:** Project Plans; San Mateo County GIS.

17.b. Would the project conflict or be			X	
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<p>inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) <i>Criteria for Analyzing Transportation Impacts?</i></p>				
<p><b>Discussion:</b> CEQA Guidelines Section 15064.3 establishes a new method for analyzing certain transportation impacts created by a proposed project. Under the new requirements, circulation impacts must be analyzed based on vehicle miles traveled (VMT). For a land use project, if the estimated VMT exceeds an established threshold of significance, then it could be a significant impact. Each Lead Agency is responsible for establishing their own thresholds of significance and has until July 1, 2020 to do so. At this time, San Mateo County has not adopted VMT thresholds of significance, but the responsible County departments (Public Works and Planning) are working on this threshold with the aim of adopting a threshold by the required deadline. Until such time as the required threshold is established, the County’s existing standard of analysis (Level of Service) is the applicable standard of review. As the project does not involve a change of use (i.e. the project site is still used for agriculture), and as levels of activity on site will not exceed historic levels, less than significant impacts are expected.</p> <p><b>Source:</b> Staff Analysis.</p>				
<p>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)?</p>				<p>X</p>
<p><b>Discussion:</b> As stated previously, the project will re-use existing greenhouse structures on an agriculturally zoned parcel for agricultural purposes and does not involve the construction of new road infrastructure. As such, the project does not introduce an incompatible use to the area nor are there road or structural design features proposed which could create a hazard. In addition, no activities will occur off site (such as movement of farm equipment) which would conflict with local traffic patterns.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</p>				
<p>17.d. Result in inadequate emergency access?</p>				<p>X</p>
<p><b>Discussion:</b> Access to the project site is taken off of Cloverdale Road via a private driveway. There are no proposed changes to this existing driveway nor to its intersection with Cloverdale Road. The driveway is 16 feet wide and designed with a turnaround at its end. This driveway was designed to meet fire code requirements that were in effect at the time that the greenhouses were originally constructed. At that time the County Fire Marshal reviewed this access road and fire turnaround and approved their design. Subsequent to the construction of the access road, additional greenhouses and farm labor housing units were constructed under separate permits. These permits were also reviewed by the County Fire Marshal and no changes to the access road or fire turnaround were required. Per the California Fire Code, the change in type of plants grown in the greenhouses does not constitute a change of use or occupancy that would trigger the requirement to upgrade the access road.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS; San Mateo County Building Regulations (Division 7, Section 9130).</p>				

<b>18. TRIBAL CULTURAL RESOURCES.</b> 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><b>Discussion:</b> The project site is not listed or eligible for listing in the California Register of Historical Resources. Furthermore, the project is not listed in a local register of historical resources, pursuant to any local ordinance or resolution as defined in Public Resources Code Section 5020.1(k). The project site has been developed with greenhouses for over 60 years and there is no evidence that the site contains historic or cultural resources.</p> <p><b>Source:</b> Project Plans; California State Parks, Office of Historic Preservation, California Historical Resources Search.</p>				
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Subdivision (c) of Public Resources Code Section 5024.1. (In applying the criteria set forth in Subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)		X		
<p><b>Discussion:</b> Staff requested a Sacred Lands file search of the project site and its vicinity. In a response letter dated January 22, 2019, the Native American Heritage Council (NAHC) informed staff that the Sacred Lands file search was negative and that no records were found. The project parcel is heavily developed with greenhouses, farm labor housing units, and associated infrastructure. Previous development on the project parcel did not encounter any resources which could be considered significant to a California Native American tribe. Therefore, the minimal ground</p>				

disturbance necessary to accommodate two accessory buildings and infrastructure improvements in previously disturbed areas is not expected to cause a substantial adverse change to any potential tribal cultural resources.

The project is not subject to Assembly Bill 52 for California Native American tribal consultation requirements, as no traditionally or culturally affiliated tribe has requested, in writing, to be informed of proposed projects in the geographic project area. However, consistent with NAHC's recommended best practices, the following mitigation measures minimize any potential significant impacts to unknown tribal cultural resources.

**Mitigation Measure 9:** Should any traditionally or culturally affiliated Native American tribe respond to the County's project referral and requests formal consultation, such a process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.

**Mitigation Measure 10:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

**Mitigation Measure 11:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource. See discussion under Sections 5.c and 18.a.

**Source:** Native American Heritage Council Response Letter, dated January 22, 2020; Project Plans.

**19. UTILITIES AND SERVICE SYSTEMS.** Would the project:

	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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	

**Discussion:** The proposed cultivation activities will utilize drip irrigation and produce minimal wastewater. Wastewater is generated when excess water drains from the growth media of the plant and may contain nutrients (i.e., phosphate or nitrate), salinity constituents (i.e., sodium, chloride, potassium etc.) and other constituents (i.e., iron, manganese, zinc etc.). Other sanitation-based wastewaters that are also generated by indoor cannabis cultivation operations may include biocides, bleach mixtures, or other chemical waste streams. Wastewater that cannot be reused and recycled by the applicants will be discharged into collection tanks and disposed of by an authorized waste hauler at a licensed treatment facility on an as needed basis. The applicants have not proposed to utilize or expand the existing septic systems on-site to dispose of generated wastewater.

The SWRCB regulates the discharge of waste materials that could affect the quality of the waters of the state and requires that any person discharging waste or proposing to discharge waste that could affect the quality of the waters of the state obtain a permit from the SWRCB. As discussed in Section 10.a, CaliDutch and Ono Associates have received a conditional waste discharge permits from the SWRCB and mitigation measure 8 was recommended that would require KloneCo to receive a conditional waste discharge permit from the SWRCB prior to license issuance. With these permits, the project will comply with the SWRCB’s “Cannabis Cultivation Policy” and “General Waste Discharge Requirements” and would not violate wastewater treatment requirements.

Though the project does involve the extension of several waterlines to accommodate three new fire hydrants and the construction/expansion of septic facilities to support additional bathroom facilities for farmhands and employees, these improvements are not expected to result in significant negative environmental effects. These improvements will be required to adhere to building code standards and would be reviewed by the County’s Environmental Health Services Department to ensure the septic system design is in compliance with prevailing standards and regulations to protect human health and the environment. Adherence to these standards would reduce the effects of the project to a less than significant level.

**Source:** Cannabis Cultivation Policy - Principles and Guidelines for Cannabis Cultivation, State Water Resources Control Board, October 2017; San Mateo County Cannabis Cultivation Ordinance; Project Plans.

19.b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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**Discussion:** The project parcel has established water rights with the SWRCB to divert 40-acre-feet of water per year from Butano Creek, which runs along the parcel’s western and southern boundary lines.

Diversion activities are only allowed from December 1 to April 1 of each year. Water for Oku Farms is diverted from Butano Creek through two in-stream points of water diversion. Surface water from Butano Creek is diverted when stream bypass flows are greater than 3 cubic feet per second (cfs). When Creek flow rates are below 3 cfs no water is diverted by Oku Farms from Butano Creek. Water that is diverted from the Creek is pumped to the agricultural ponds (sized 30- and 10-acre-feet respectively) to an adjacent parcel north of the project parcel. Oku Farms has been diverting water and utilizing the adjacent agricultural storage ponds for over 60 years. It is estimated that the project will generate the following water demand.

CaliDutch

At maximum production, plant cultivation at CaliDutch is not expected to exceed 20,000 plants consisting of 8,000 adult, 6,000 juvenile, and 6,000 young plants. With adult plants requiring 1 gallon per day (gpd) of water and juvenile and young plants requiring 0.5 and 0.25 gpd of water respectively, cultivation activities on-site would require approximately 13,000 gpd of water. Water demand may be higher at the operation depending on the amount of adult plants present but would not exceed 20,000 gpd of water. An additional 300 gpd of water will also be used for ancillary cleaning and bathroom facilities. CaliDutch estimates its water demand would total 11.54-acre-feet of water per year.

KloneCo

KloneCo will have up to 7,500 mother plants that will utilize approximately 1 gallon of water per day and 5,000 trays of clones (containing 50 clones each) that require approximately 0.25 gallons of

water every 3-4 days at maximum production. KloneCo estimates that cultivation activities would require approximately 7,850 gallons per day. An estimated 150 gallons per day will be used for ancillary activities such as cleaning and restroom use. With an approximate daily water demand of 8,000 gallons, the KloneCo operation would require 8.96-acre-feet of water per year.

Ono Associates

The Ono Associates operation will support up to 17,000 plants at maximum production. Cultivation activities are estimated to require approximately 8,400 gallons of water per day with an estimated 200 gallons per day used for ancillary activities. Combined, the Ono operation would require approximately 9.62 acre-feet of water per year.

Together, the three cultivation operations would have a water demand of 30 acre-feet per year. Based upon these estimates and a water demand of 10 acre-feet to accommodate other existing agricultural activities on-site, total water usage for Oku Farms would be 40 acre-feet per year. Resuming agricultural operations within the empty greenhouse space would bring the water usage on-site back to historic levels (i.e., when all greenhouses were occupied) does not exceed the site's water supply (i.e., 40-acre-feet). As Oku Farms is able to draw water from the existing agricultural ponds during the dry season when water supply from Butano Creek is not available the project site has a sufficient water supply to meet their demands.

**Source:** Project Plans; CDFW LSAA, 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
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**Discussion:** The Project site is not connected to a municipal wastewater treatment system.

**Source:** Project Plans; San Mateo County GIS.

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
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**Discussion:** For all non-cannabis waste materials, disposal shall be at the County's only landfill – Ox Mountain, which has sufficient space to accommodate the anticipated waste stream from this site. Per the applicants, all cannabis-related plant waste (i.e., regulated material) will be stored in secured/locked receptacles and disposed of at a regulated site.

**Source:** Project Plans.

19.e. Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?				X
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**Discussion:** The project, as with all other development within the County is required to adhere to all County ordinances with respect to waste reduction and recycling. As a result, no impacts related to Federal, State and local management statues governing solid waste are anticipated, and no mitigation is required.

**Source:** Project Plans.

<b>20. WILDFIRE.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
	<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><b>Discussion:</b> The Project site is located in an area designated as a “Moderate Fire Hazard Risk” on the State’s Fire Hazard Severity Zone maps. The project site is accessed from Cloverdale Road via an approximately 0.25-mile long 16-foot wide paved private road. This access route has been reviewed and approved by Cal-Fire at various times when reviewing building permit applications for construction of the various buildings on the project site.</p> <p>There is no component of the project that would interfere with the public’s ability to evacuate from this area nor would the project require the revision of any adopted emergency operations plans currently in effect. The project will not create new residences that could increase the number of people that might be trapped during an emergency event. The project site is set well back from Cloverdale Road and no large, slow moving vehicles that could impede traffic are proposed or needed for the proposed licenses. In addition, a new knox box will be located at the front entry of the farm to ensure emergency vehicles have access to the site at all times.</p> <p><b>Source:</b> Project Plans; San Mateo County GIS.</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><b>Discussion:</b> The project site is located on flatlands surrounded by hillsides covered with brush and low lying vegetation. It should be noted that the project site has been developed with greenhouse and other supporting structures for over 60 years. Additionally, cultivation activities will occur in existing vacant greenhouse structures and would not result in activity levels above historic norms for the site. No aspect of the project will exacerbate the existing level of fire hazard posed to the existing greenhouse structures. In fact, the construction of additional fire protection measures including the addition of three new fire hydrants will help to reduce fire risk on-site.</p> <p><b>Source:</b> Project Plans.</p>				
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				X

the environment?				
<p><b>Discussion:</b> In operation for the last 60 years, the project site is developed with existing greenhouse complexes, farm labor housing units, and utility/road infrastructure. Minor changes to the existing water and septic system infrastructure are proposed to accommodate new fire hydrants and expanded bathroom facilities. There is no expectation that the new fire hydrants or septic facilities would exacerbate fire risk on the property. The fire hydrants will be located in disturbed areas adjacent to the subject greenhouse structure and would be connected to the adjacent agricultural ponds to provide a steady and ample supply of water. Additionally, the applicants will be required to maintain the existing defensible fuel break that exists around all structures on the site as required by the California Fire Code and Public Resources Code Section 4291. These measures will reduce fire risk on the site and there is no evidence to suggest that maintaining the existing fuel breaks or installing the new fire hydrants will cause an ongoing impact to the environment.</p> <p><b>Source:</b> California Public Resources Code Section 4291; Project Plans.</p>				
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	
<p><b>Discussion:</b> The slopes surrounding the greenhouse complex are covered primarily with low lying vegetation with scattered trees. If a wildfire were to burn through these hills, it could potentially leave slopes denuded and susceptible to instability if heavy rains were to occur before replacement vegetation was able to take hold. The soils on the adjacent hillsides are primarily clay and sandy loam which has a moderate rate of permeability and low erosion hazard rating. While landslide hazard cannot be ruled out, given the soil characteristics, the more likely effect of heavy rainfall on these barren slopes would be accelerated erosion of sandy material.</p> <p>The existing greenhouses are non-habitable structures and the number of persons predicted to be on the project site at any time are relatively low. In terms of danger to occupants of these buildings, the risk is relatively low given the distance of the buildings to the base of the surrounding slopes (in the 600-foot range). Because of the distance of the existing buildings to the base of the surrounding slopes and the soil characteristics, risk due to post-fire landslide is less than significant.</p> <p><b>Source:</b> Department of Conservation National Resources Conservation Service, Web Soil Survey; Project Plans.</p>				

<b>21. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
	<i>Potentially Significant Impacts</i>	<i>Significant Unless Mitigated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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 eliminate a plant or animal community,		X		

<p>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>				
<p><b>Discussion:</b> Potential impacts to salmon, fish, and other animals that rely on Butano Creek and the associated riparian habitat were discussed in the Biological Resources Section of this report. A mitigation measure requiring adherence with the terms, rates of water diversion, and avoidance measures outlined in the property’s LSAA was included to address potential impacts to biological and water resources. Because the cultivation activities will occur in existing vacant greenhouse buildings, the project is not expected to degrade the quality of the environment, or substantially reduce habitat or affect populations of any wildlife, fish, or plant species. The minimal construction proposed to accommodate two small accessory structures and improved fire and septic infrastructure will not have a significant impact on the environment or California history/prehistory as the site has a low probability of containing Native American resources, does not contain a listed historic building, and will be located in previously disturbed areas where the impacts to wildlife and potential to unearth unknown resources are low. Similarly, the re-use of the existing greenhouse buildings will not have any impact on any examples of the major periods of California history/prehistory or the environment.</p> <p><b>Source:</b> Project Plans; Native American Heritage Council Comment Letter, dated January 22, 2020; California Department of Fish and Wildlife Lake and Streambed Alteration Agreement.</p>				
<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.)</p>		<p>X</p>		
<p><b>Discussion:</b> The project will not have impacts to agriculture or forestry resources, mineral resources, water resources, or population and housing that would combine with other projects. The proposed cannabis cultivation activities could have potential impacts with respect to odors. However, such impacts would be limited to the project site and, where necessary, mitigated such that they would not substantially combine with other off-site impacts.</p> <p>For the reasons presented in the above document, the proposed project is not expected to result in adverse impacts to human beings, either directly or indirectly. All impacts identified in this document are less than significant, or reduced to less than significant levels with implementation of mitigation measures, and the project’s incremental contribution to potential cumulative impacts will not be cumulatively considerable. Therefore, the project’s impact is considered less than significant.</p> <p><b>Source:</b> All applicable sources previously cited in this document.</p>				
<p>21.c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>		<p>X</p>		

**Discussion:** Based on the discussions in the previous sections where project impacts were determined to be less than significant or mitigation measures were required to result in an overall less than significant impact, the proposed project would not cause significant adverse effects on human beings, either directly or indirectly.

**Source:** All applicable sources previously cited in this document.

**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		Emergency Generator Permit/ Register Equipment
Caltrans		X	
City		X	
California Coastal Commission		X	
County Airport Land Use Commission (ALUC)		X	
Other: _____		X	
Regional Water Quality Control Board		X	
San Francisco Bay Conservation and Development Commission (BCDC)			
Sewer/Water District:		X	
State Department of Fish and Wildlife	X		Lake and Streambed Alteration Agreement
State Department of Public Health		X	
State Water Resources Control Board	X		Cannabis Notice of Applicability; Waste Water Discharge Identification Permit
U.S. Army Corps of Engineers (CE)		X	
U.S. Environmental Protection Agency (EPA)		X	
U.S. Fish and Wildlife Service		X	

**MITIGATION MEASURES**

	<u>Yes</u>	<u>No</u>
Mitigation measures have been proposed in project application.	X	

Other mitigation measures are needed.

The following measures are included in the project plans or proposals pursuant to Section 15070(b)(1) of the State CEQA Guidelines:

**Mitigation Measure 1:** Pollutant Control – The applicant shall require construction contractors to implement all the Bay Area Air Quality Management District’s Basic Construction Mitigation Measures, listed below:

- a. Water all active construction areas at least twice daily.
- b. Apply water two times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking, and staging areas at construction sites. Also, hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- c. Sweep daily all paved adjacent public streets daily (preferably with water sweepers) if visible soil material is carried onto them.
- d. Limit traffic speeds on unpaved roads within the project parcel to 15 miles per hour.
- e. All construction equipment shall be maintained and properly tuned in accordance with manufacturers’ specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485, of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g. Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand etc.) that can be blown by the wind.
- h. Replant vegetation in disturbed areas as quickly as possible.
- i. Install erosion control measures to prevent silt runoff to public roadway and/or into Butano Creek.
- j. All haul trucks transporting soil, sand, or other loose material on and off site shall be covered.
- k. Roadways and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- l. A publicly visible sign with the telephone number and person to contact at the project site regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.

**Mitigation Measure 2:** Odor Control -- Prior to the issuance of the requested Type 2B or 3B (Mixed Light, Cultivation) licenses, the applicants (CaliDutch and Ono Associates) shall apply for building permits to install charcoal filter air-scrubber systems within all buildings that will contain flowering cannabis plants or their product. This includes the greenhouses and the drying and processing buildings. The applicant shall also submit a maintenance plan for the air-scrubber systems (which includes record keeping) for review and approval prior to issuance of the requested licenses.

**Mitigation Measure 3:** Avoidance and Minimization Measures – The applicant shall adhere to the Avoidance and Minimization Measures contained within proposed Lake and Streambed Alteration Agreement to be issued to Oku Farms by the California Department of Fish and Wildlife.

- a. The season of diversion shall be limited from December 1 to April 1 of each year. From April

2 to November 30 , all water shall be allowed to pass the point(s) of diversion

- b. The applicant shall maintain a protection bypass flow at all times while the diversion is operating. No water shall be diverted until at least 3 cfs is allowed to bypass the existing point(s) of diversion. If a diversion event causes the stream to drop below 3 cfs as measured by installed stream gauges, diversions shall cease. Diversion events may resume once the stream has reached a flow greater than 3 cfs and bypass flows continue to be met.
- c. The applicant shall install a meter/device capable of measuring the quantity of water diverted from the point(s) of diversion. The meter shall be designed to record the cumulative diversion amounts and measurement shall begin as soon as the LSAA is approved by CDFW.
- d. A stream gauge device shall remain installed each year and maintained in working order during the diversion season
- e. Diversion structure(s) inlets and outlets and flow bypass pipe(s) shall be fitted with fish screens meeting the “fry-size” criteria of CDFW and the National Marine Fisheries Service before water is impounded or diverted. These screens shall be maintained and kept clean and free of accumulated debris.
- f. Work within the stream channel may be subject to a LSAA and shall be confined to the period of June 1 through October 31.
- g. Regular inspections of the diversion point(s) and storage infrastructure shall be made to identify any leaks or water supply inefficiencies to prevent water loss. All leaks identified during inspections shall be repaired in a timely manner.
- h. Project infrastructure shall not prevent, impeded or prevent the passage of fish and/or other aquatic wildlife up or down stream.
- i. Migratory nongame native bird species are protected under the Federal Migratory Bird Treaty Act of 1980. California Fish and Game Code prohibits the take of all birds and their active nests.
- j. The Applicant shall not disturb trees that contain active bird nests without prior consultation and approval of CDFW.
- k. Any substance used to control or restrict plants, animals, insects, fungus, or bacteria and/or surfactants shall not be used or applied where they could enter the riparian buffer area or waters of the state.
- l. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, asphalt, paint, oil or other petroleum products or any other substances which could be hazardous to aquatic life, or other project related materials shall be allowed to contaminate the soil and/or placed where it may be washed by rainfall or runoff into waters of the state.
- j. The Applicant shall submit an annual statement of water use to the State Water Resource Control Board when exercising its water right. For each year that the pending LSAA is valid the applicant shall submit a copy of the report to the CDFW.
- k. For each year that the pending LSAA is valid, the applicant shall submit to CDFW a Compliance and Effectiveness Monitoring Plan. This report shall include: a summary of flow data collected, summary of dates when water was diverted, the total volume of water diverted, a table and graph of the upstream gage, summary and photo documentation of the bypass flow area(s), and a description of possible additional measures that could achieve resource goals if the observed flows are not meeting the criteria outlined in the plan.

**Mitigation Measure 4:** In the event that archaeological resources are inadvertently discovered

during construction, work in the immediate vicinity (within 50 feet) of the find must stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas beyond the 50-foot stop work area. A qualified archaeologist is defined as someone who meets the Secretary of the Interior's Professional Qualifications Standards in archaeology. The Current Planning Section shall be notified of such findings, and no additional work shall be done in the stop work area until the archaeologist has recommended appropriate measures, and those measures have been approved by the Current Planning Section and implemented.

**Mitigation Measure 5:** If a newly discovered resource is, or is suspected to be, Native American in origin, the resource shall be treated as a significant Tribal Cultural Resource, pursuant to Public Resources Code 21074, until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative.

**Mitigation Measure 6:** Prior to the issuance of the building permit for the proposed site improvements (i.e. waterline and fire hydrant installation, renovations to the greenhouse structures, and installation of the office trailer and storage shed), the applicants shall submit an erosion control plan in compliance with the County's General Erosion and Sediment Control Plan Guidelines Checklist for review and approval.

**Mitigation Measure 7:** Applicants shall provide proof of a valid WDID number issued by the SWRCB prior to the issuance of a County issued cannabis license.

**Mitigation Measure 8:** Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours from 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 5:00 p.m. Saturdays. Said activities are prohibited on Sundays, Thanksgiving and Christmas (San Mateo Ordinance Code Section 4.88.360).

**Mitigation Measure 9:** Should any traditionally or culturally affiliated Native American tribe respond to the County's project referral and requests formal consultation, such a process shall be completed and any resulting agreed upon measures for avoidance and preservation of identified resources be taken prior to implementation of the project.

**Mitigation Measure 10:** In the event that tribal cultural resources are inadvertently discovered during project implementation, all work shall stop until a qualified professional can evaluate the find and recommend appropriate measures to avoid and preserve the resource in place, or minimize adverse impacts to the resource, and those measures shall be approved by the Current Planning Section prior to implementation and continuing any work associated with the project.

**Mitigation Measure 11:** Any inadvertently discovered tribal cultural resources shall be treated with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource. See discussion under Sections 5.c and 18.a.

**DETERMINATION** (to be completed by the Lead Agency).

On the basis of this initial evaluation:

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.

X 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.

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

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(Signature)

Project Planner

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Date

(Title)

**Attachments:**

- A. CaliDutch Operations Plan
- B. KloneCo Operations Plan
- C. Ono Associates Operations Plan
- D. Site Plan
- E. CDFW Lake and Streambed Alteration Agreement

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