

Public Review Draft

# CITY OF COVINA'S LOCAL CANNABIS PROGRAM ORDINANCE PROJECT

Initial Study/Mitigated Negative Declaration

Prepared for  
City of Covina

January 2023





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Appendix A. AB 52 Documentation

# SECTION 1

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## Introduction

The City of Covina (City) proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, distribution, manufacture and cultivation of cannabis and cannabis products within the City by permitting up to three cannabis retailers or microbusinesses (future cannabis businesses) (the Project or Cannabis Ordinance Project). Specifically, the Cannabis Ordinance Project would amend Municipal Code Title 5, Business Licenses and Regulations to add a new Chapter 5.80 to establish the future cannabis business permit regulations and amend Title 17, Zoning to add a new Chapter 17.84, Cannabis Prohibitions and Regulations, to establish the applicable zoning prohibitions and regulations for the future cannabis businesses. The amendments to the Zoning Code would require future cannabis businesses to be located within specified commercial or light industrial zones located at least 600 feet from schools, youth centers, daycare centers, and parks. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones.

The Cannabis Ordinance Project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). No specific development project is proposed at this time in connection with the Cannabis Ordinance Project. Therefore, no direct environmental impacts would be caused by adoption of the Cannabis Ordinance Project, and this Initial Study/Mitigated Negative Declaration (IS/MND) addresses the indirect and cumulative environmental impacts expected to occur as a result of the Cannabis Ordinance Project.

### 1.1 Statutory Authority and Requirements

In accordance with the CEQA (Public Resources Code [PRC] Sections 2100–21177) and pursuant to California Code of Regulations (CCR) Title 14, Section 15063, the City, acting in the capacity of Lead Agency, is required to undertake the preparation of an Initial Study to determine if the Project would have a significant environmental impact. If the Lead Agency finds that there is no evidence that the Project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency must find that the Project would not have a significant effect on the environment and must prepare a Negative Declaration (ND) or Mitigated Negative Declaration (MND) for that Project. Such determination can be made only if, “there is no substantial evidence in light of the whole record before the Lead Agency” that such impacts may occur PRC Section 21080(c).

The environmental documentation is intended as a document undertaken to provide an environmental basis for discretionary actions required to implement the Project. The environmental documentation and supporting analysis is subject to a public review period. During

this review, public agency comments on the document should be addressed to the City. Following review of any comments received, the City will consider these comments as part of the Project's environmental review and include them with the Initial Study documentation for consideration by the Planning Commission and City Council.

The determination by the City is that the preparation of a MND is adequate to address the potential environmental issues associated with construction and operation of the Project. Therefore, this document is an IS/MND. If the evaluation determines that a significant impact cannot be reduced to a less than significant level, then an environmental impact report (EIR) would be required.

## **1.2 Purpose**

The City has prepared this Draft IS/MND to provide the public and responsible agencies with information about the potential environmental impacts associated with implementation of the Project. This Draft IS/MND includes a program-level analysis of the potential effects associated with adoption of the Cannabis Ordinance Project.

This Draft IS/MND was prepared in compliance with the content requirements in Section 15071 of the State CEQA Guidelines of 1970 (as amended) and CCR Title 14, Division 6, Chapter 3. In accordance with Section 15071, this Draft IS/MND includes a description of the Project, the location of the Project, a proposed finding that the Project will not have a significant effect on the environment, an Initial Study that documents reasons to support the finding, and mitigation measures to avoid potentially significant impacts.



## SECTION 2

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### Project Description

#### 2.1 Project Location

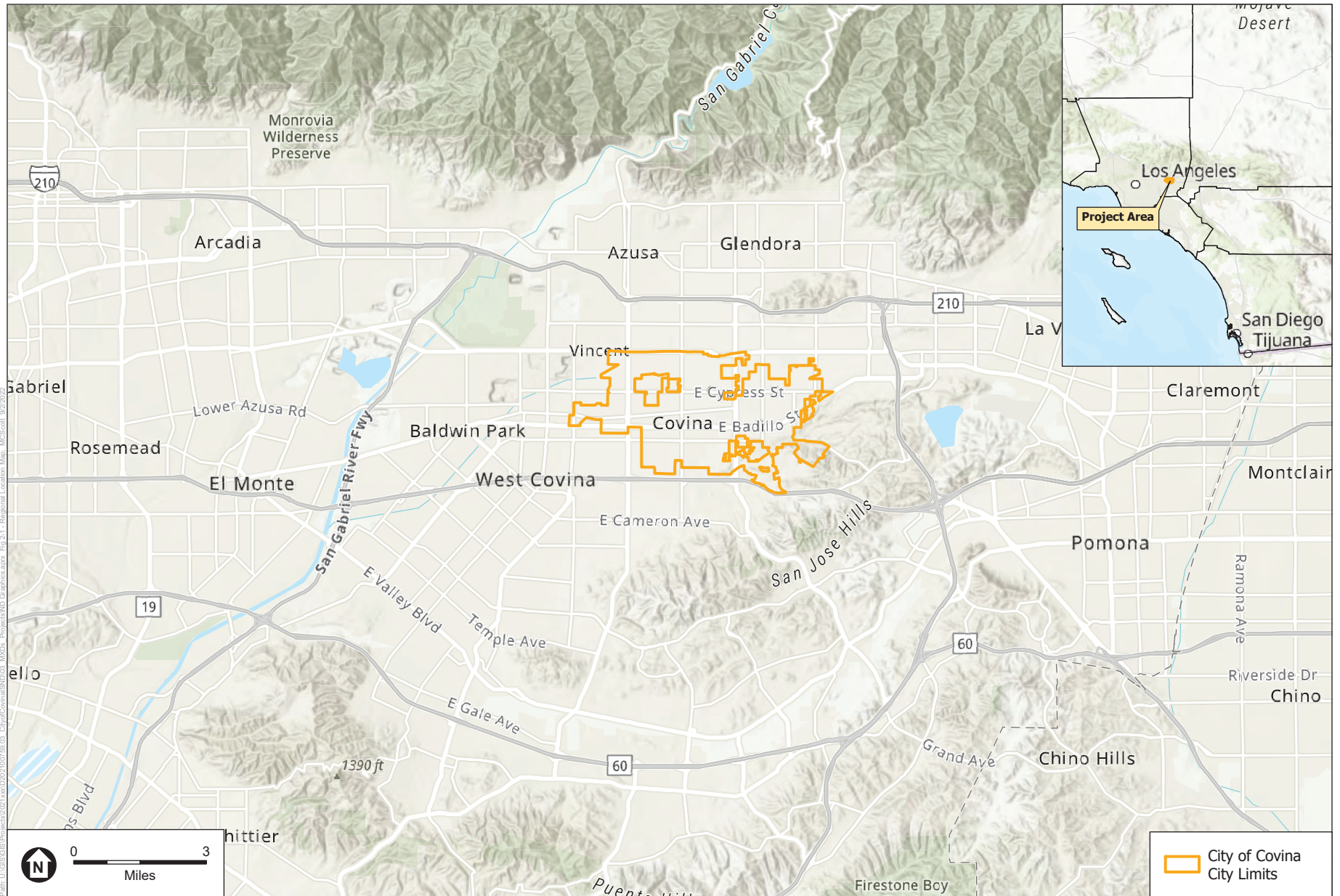
Regionally, the Project is located in the City of Covina within the San Gabriel Valley of Los Angeles County (County); refer to **Figure 2-1, Regional Location Map**. The surrounding jurisdictions include Duarte, Azusa, and Glendora to the north, San Dimas to the east, West Covina to the south, and Irwindale and Baldwin Park to the west, with pockets of Los Angeles County Unincorporated Areas adjacent and within city limits. Locally, the Project would permit up to three future cannabis businesses within specified commercial or light industrial zones that meet the development criteria established in the Cannabis Ordinance Project. However, no specific development project is proposed at this time in connection with the Cannabis Ordinance Project.

#### 2.2 Existing Setting and Surrounding Land Uses

The Project would permit up to three future cannabis businesses within specified commercial or light industrial zones located at least 600 feet from schools, day care centers, youth centers, and parks. The Project does not permit future cannabis businesses within residential zones. The existing setting of the potential parcels are mostly developed lots generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. Of the potential parcels, only four are comprised of a vacant lot. The City’s commercial and light industrial areas are primarily concentrated around major thoroughfares with more concentrated development in larger retail centers. While surrounding land uses would be specific to the potential parcels for future cannabis businesses associated with the Project, typical surrounding land uses would be primarily comprised of commercial and light industrial uses.

#### 2.3 Project Background

The Cannabis Ordinance Project has a unique regulatory setting with a number of relevant laws having been passed since 1996. The views and laws around cannabis differ at the State and Federal levels. Commercial cannabis activities are considered federal criminal offenses under the Controlled Substances Act (CSA) adopted in 1970. The CSA made it unlawful to manufacture, distribute, dispense, or possess any controlled substance and reflects the federal government’s view that marijuana is a controlled substance with “no currently accepted medical use.”



SOURCE: ESA, 2022

City of Covina's Cannabis Ordinance

**Figure 2-1**  
Regional Location Map

Despite federal law, and similar to what has occurred in other States, in 1996 California voters passed Proposition 215 (the Compassionate Use Act), which allowed the use of medical cannabis statewide without threat of local or state criminal prosecution. Proposition 215 provided immunity from state law enforcement for patients and their designated primary caregivers to possess and cultivate marijuana for their personal medical use given the recommendation or approval of a California licensed physician. However, Proposition 215 did not cover commercial cultivation or manufacturing of cannabis products and expressly did not allow unlimited amounts of cannabis to be grown anywhere.

In 2003, Senate Bill (SB) 420 broadened Proposition 215 by further protecting patients and caregivers from State criminal prosecution for additional related activities (e.g., transporting medical cannabis) and allowed patients to form medical cultivation “collectives” or “cooperatives” to grow cannabis for medical use, as well as established a voluntary state identification card system run through county health departments.

In 2015, the California Legislature passed the Medical Marijuana Regulation and Safety Act (MMRSA or MCRSA), establishing permitting for marijuana cultivation at the State level (with local approval). Under MCRSA, all medical marijuana businesses, or commercial cannabis activities, must have a state license and a local permit, license, or other authorization in order to operate lawfully within California. The MCRSA is not specific as to the start date, except to state that businesses in good standing with their local jurisdiction may apply for State licensing in 2018.

Proposition 64, commonly known as the Adult Use of Marijuana Act (AUMA), was passed by California voters on November 8, 2016. AUMA goes beyond prior state laws, which were restricted to medical cannabis activity, to allow adults 21 or older to possess, use, and cultivate recreational marijuana in certain amounts. An individual may possess up to 28.5 grams of non-concentrated marijuana or eight grams of marijuana in a concentrated form (e.g., marijuana edibles). In addition, an individual may cultivate up to six marijuana plants at a private residence provided that no more than six plants are cultivated on the property at one time. AUMA imposes State taxes on sales and cultivation, provides for industry licensing and establishes standards for cannabis products. Proposition 64 also allows local jurisdictions to regulate (including prohibit) and tax cannabis. AUMA sets up a state licensing scheme for commercialization of non-medical marijuana and state licenses for a range of commercial cannabis activities.

On June 27, 2017, Governor Brown signed SB 94, which repealed MCRSA and merged its provisions with AUMA unifying medicinal and commercial cannabis administration now referred to as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

Locally, cannabis activities are prohibited within the City of Covina (Municipal Code Section 17.84.030), with the exception of cannabis that is cultivated at private residences for individual consumption, in compliance with State law. Despite this, various cannabis businesses have continued to express interest in opening up businesses in the City.

In 2020, the City Council of Covina requested an update on Statewide regulations related to cannabis. This request was prompted by ongoing changes in the regulatory environment, coupled

with the observation that a growing number of local agencies have decided to implement local programs. Following its discussion, the City Council requested the creation of an Ad-Hoc Committee (Committee) comprised of two Councilmembers and staff from the City Manager's Office, City Attorney's Office, Covina's Police Department (CPD), and Community Development Department to study the issue further.

In 2020, at the recommendation of the Committee, the City Council approved the completion of a community survey on several topics (including cannabis) to better gauge public feedback on various community issues. Since fall 2020, the Committee has worked to study the cannabis industry to learn how other communities have developed local regulatory programs. This work included a robust public engagement process including a public opinion survey, four general outreach workshops and four presentations at City Advisory Commission meetings. The Committee also completed a comprehensive review of local cannabis programs developed in six local agencies, including the cities of Desert Hot Springs, Lake Elsinore, Palm Desert, Pasadena, Port Hueneme and Turlock.

Public safety has been at forefront of the Committee's research into commercialized cannabis activities, including learning about how cannabis businesses integrate with existing businesses, the measures that are used to prevent youth consumption, the measures that are used to address impaired driving and learning about any unintended consequences that have resulted from local programs. Based on this research, the Committee compiled a list of measures that have been used in other communities to protect public health and safety. Some of the measures include regular facility inspections, requiring identification cards and background checks for employees, prohibiting onsite consumption, prohibiting gatherings before/after operations, requiring onsite security and surveillance systems, implementing a strict enforcement system to address City code violations, and utilizing public benefit funds to facilitate community health and youth programs, among others.

## Senate Bill No. 1186

Senate Bill No. 1186, adds Chapter 26 (commencing with Section 26320) to Division 10 of, the Business and Professions Code, to establish the Medicinal Cannabis Patients' Right of Access Act. Government Code section 26322(a)(2) states that a local jurisdiction shall not adopt or enforce any regulation that prohibits the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers, or that otherwise has the effect of prohibiting the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers by licensed medicinal cannabis businesses in a timely and readily accessible manner, and in types and quantities that are sufficient to meet demand from medicinal cannabis patients within the local jurisdiction, including, but not limited to, regulation of any of the following that has the effect of prohibiting the retail sale by delivery of medicinal cannabis:

- (1) The number of medicinal cannabis businesses authorized to deliver medicinal cannabis in the local jurisdiction.
- (2) The operating hours of medicinal cannabis businesses.

- (3) The number of frequency of sales by delivery of medicinal cannabis.
- (4) The types of quantities of medicinal cannabis authorized to be sold by delivery.
- (5) The establishment of physical premises from which retail sale by delivery of medicinal cannabis within the jurisdiction is conducted by a licensed non-storefront retailer, except that this paragraph shall not be construed to require the establishment of additional physical premises in a local jurisdiction that allowed medicinal cannabis retail as of January 1, 2022, and in which at least one physical premises engaged in the retail sale of medicinal cannabis, whether storefront of delivery, is already established.

Government Code section 26322 shall become operative on January 1, 2024.

## 2.4 Project Description

### Proposed Local Cannabis Program Ordinance

Based on the Committee's research of other cities' local program ordinances related to commercialized cannabis activities, the City prepared the Local Cannabis Program Ordinance to permit and regulate up to three cannabis future cannabis businesses within specified commercial or light industrial zones within the City. Based on input from the Committee and City Council, the City proposed amendments to the City's Municipal Code and Zoning Code to establish the Cannabis Ordinance Project which is summarized below in **Table 2-1, Chapter 5.80, Cannabis Regulatory Ordinance to Permit Local Cannabis Businesses**, and **Table 2-2, Chapter 17.84, Cannabis Prohibitions and Regulations**.

### Potential Cannabis Locations

While the specific locations of the future cannabis businesses are unknown at this time, adoption of the Cannabis Ordinance Project would permit up to three future cannabis businesses within specified commercial and light industrial zones that meet the development criteria established in the Cannabis Ordinance. Specifically, the Cannabis Ordinance would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway), and C-5 (Specified Highway), and future cannabis microbusinesses within potential parcels designated as M-1 (Industrial Zone); refer to **Figure 2-2, Draft Zoning Map with Potential Parcels**. As shown in Figure 2-2, the majority of the potential parcels would be located on major thoroughfares and would not be located within the Town Center Specific Plan area. All future cannabis businesses would be prohibited within 600 feet of a school providing instruction in kindergarten or any grades 1 through 12, day care center, youth center, or park. The distance between any cannabis business and any school, day care center, youth center, or parks, shall be measured in a straight line, without regard to the boundaries of the City and intervening structures, from the nearest property line of the site containing the cannabis business to the nearest property line of the school, day care center, youth center, and residential zoned property. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e.,

upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill development or redevelopment within previously developed lots. Because of the limited amount of vacant land as well as the limited number of future cannabis businesses that could result from Project implementation, it is likely that any such construction of infill development or redevelopment would be limited in scale.

**TABLE 2-1  
CHAPTER 5.80, CANNABIS REGULATORY ORDINANCE TO PERMIT LOCAL CANNABIS BUSINESSES**

Chapter	Topic	Description
5.80.060	Owner/Employee Background Checks	Required for owner and employees; Denial of Permit/Employment if convicted of certain felony convictions.
5.80.070	Persons Prohibited from Holding Permit or Employment with Cannabis Business	If, in past 5 years, business owner/partner conducted cannabis activity in violation of any other codes; delinquent on taxes/fees; under 21 years of age, violent felony conviction, felony/misdemeanor for fraud, deceit, embezzlement or moral turpitude; licensed physician providing cannabis prescriptions; failure to pay City application/processing fees.
5.80.080	Maximum Number of Businesses Permitted	1 per 15,000 residents.
5.80.090	City's Reservation of Rights	City can reject applications, modify/cancel a request for applications, and request additional information from candidates applying for a permit; Grounds for rejection: application received after deadline; application was not responsive/complete; application does not comply with ordinance.
5.80.100	Procedure/Review Criteria for Applicants	Adopted by City Council; Objective criteria and point system to score applications; applicants with 10+ employees must enter into a labor peace agreement.
5.80.110	Application Review	Community Development Director review for zoning; City Manager appoints review committee and makes recommendation to Council for consideration.
5.80.130	Scope of Approval	Business must be in continuous operation for preceding 4 months or will be considered abandoned unless an extension is approved.
5.80.150	Renewal of Cannabis Permit	Applicant files 60 days before expiration, must be good standing, must have been operating continuously for previous 4 months; must renew State license.
5.80.160	Revocation of Permit	May be revoked if in violation of State/Local laws, policies, regulations or CUP.
5.80.170	State License Suspension	Local permit suspended upon notification of State suspension/revocations.
5.80.180	Appeals	Must be filed within 10 days of City decision to deny application.
5.80.190	Administrative Hearing	Review by Hearing Officer or Council; Scheduled within 30 days of appeal or soon as reasonably possible. Hearing Officer/Council issues final decision within 20 days.
5.80.200	Transfer of Permit	Must file new application, pay transfer fee, go through evaluation process and obtain amendment to permit from City.
5.80.210	Right to Occupancy and Use Property	Business must provide sufficient evidence of the legal right to occupy/use a proposed location (signed lease, notarized statement, etc.).
5.80.220	Records/Record Keeping	Business must maintain accurate records; Provide audited financial statements annually; Maintain a register of employee names; Maintain an inventory control/reporting system to document quantities and types of products.

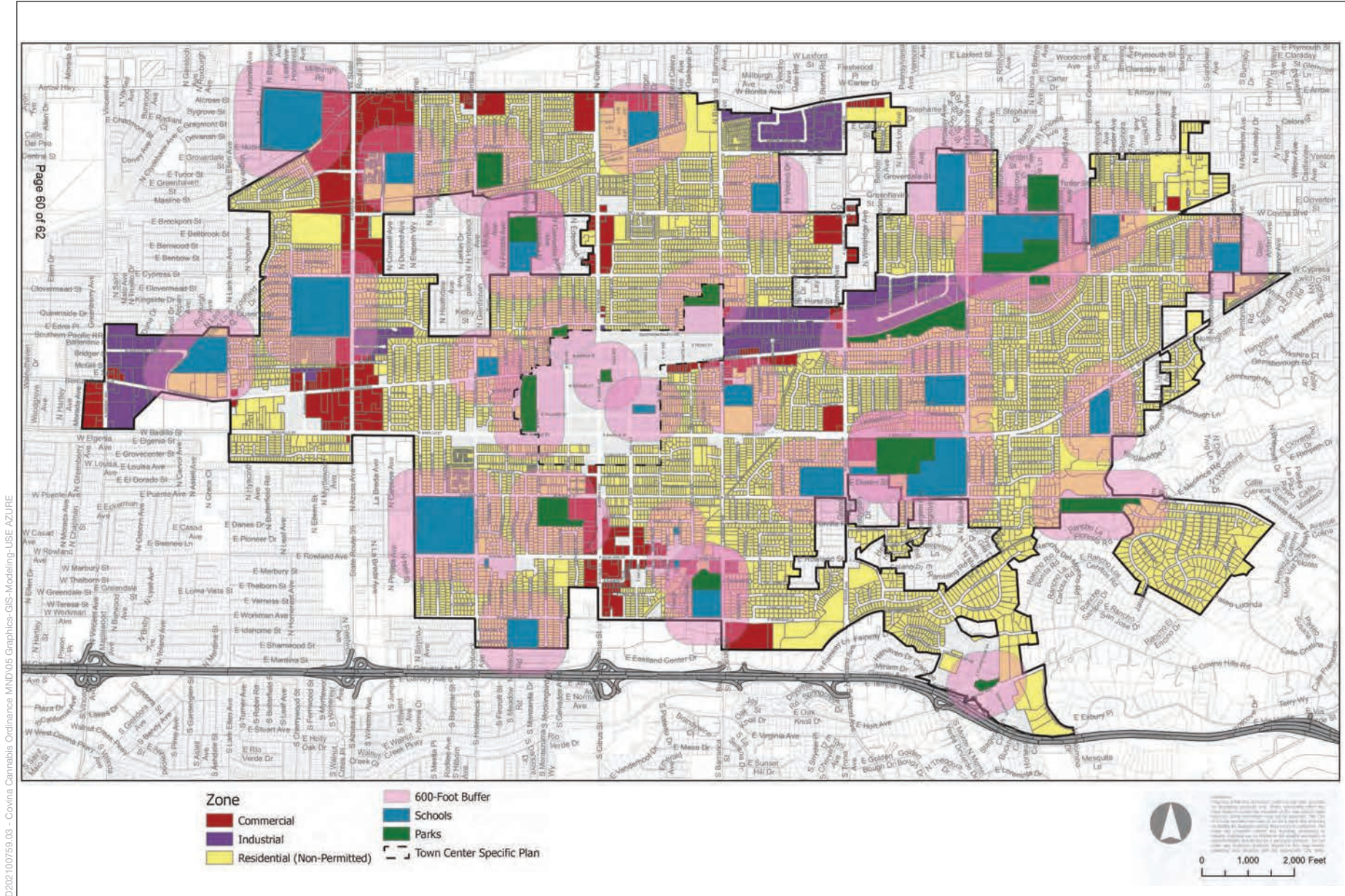
SOURCE: City of Covina City Council Regular Meeting Agenda Item Report, Item No. NB 2, City Council Regular Meeting, July 19, 2022.

**TABLE 2-2**  
**CHAPTER 17.84, CANNABIS PROHIBITIONS AND REGULATIONS**

<b>Section</b>	<b>Topic</b>	<b>Description</b>
17.84.040	Permits/Approvals Required	CUP, Cannabis Business Permit, Business License, State License, Development Agreement, Operations Plan.
17.84.050	Compliance with State/Local Laws and Regulation	Comply with State and local laws and regulations.
17.84.060	Procedures/Findings for Approval of CUP	Recommendation from Planning Commission and Approval by City Council; Compliance with CEQA.
17.84.070	Development Standards	Comply with various requirements: Underlying zoning standards – Light Manufacturing (M-1), Specified Commercial Zones (C-3, C-4, C-5) not in a PCD Overlay Zone; Permitted location standards – light manufacturing or retail; Maximum of one business per 15,000 residents; 600 feet buffer from schools, youth centers; Permitted Types: Microbusiness or storefront retail business; Hours of operations: 9am-9pm (except for medicinal cannabis retailers); Access: Provide access only to individuals 21 years + age or 18 + if they possess a doctor’s prescription; Maintain a secured inventory area; Keep restrooms locked; Prohibit resale, loitering onsite, drive-through sales; Maintain customer parking; Established limited access areas to employees/agents; Provide ownership, vehicle information for delivery vehicles.
17.84.080	Security	Provide sufficient security measures per PD requirements – fencing, lighting, after-hours security, secured storage area for products, panic buttons, alarm systems, 24 hour/day security personnel; controlled entrance to business; track/trace system for products; well-maintained exterior areas; emergency plans; Maintain video surveillance – 24 hours/day, HD quality, all entrances and exits, all interior spaces; maintain videos for 90 days; battery backup and provide a dedicated security liaison.
17.84.090	Performance Standards	Restrict alcohol and tobacco sales/consumption; Restrict onsite cannabis consumption; Prohibit use of graphics at establishment or on delivery vehicles; Report and track products sold and sales amounts; Sell products manufactured at State licensed facilities; Maintain emergency contact information; Signage – obtain sign permit, no placement to obstruct entrance/exit or windows, no logos of other information that identifies products offered; no temporary sign persons; no cannabis products on signs; Lighting/Noise/Odor – comply with City standards; Minors – under age 21 not allowed on premises or as employee; persons 18-20 allowed with doctor prescriptions.
17.84.100	Promulgation of Regulation, Standards	City may establish additional rules, regulations and standards related to issuing, denying or renewing permits.
17.84.110	Limitations to City’s Liability	Applicants must indemnify City, maintain insurance acceptable to City standards, reimburse City in the event of legal challenges.
17.84.120	Indoor Cultivation for Personal Use	Same as existing, comply with State law.
17.84.130	Exceptions	Persons 21 years + may possess, purchase, transport up to 28.5 grams of cannabis, up to 8 grams of concentrated cannabis.
17.84.140	Violations/Penalties	City may bring Civil action.
17.84.150	Public Nuisance Prohibited	May be declared as a result of odors, repeated law enforcement responses, repeated disruption to neighborhood/noise regulations, other impacts to neighborhood, outdoor growing/cultivation of cannabis.

SOURCE: City of Covina City Council Regular Meeting Agenda Item Report, Item No. NB 2, City Council Regular Meeting, July 19, 2022.





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SOURCE: City of Covina. Geographic Information Systems. 2021

City of Covina's Cannabis Ordinance Project

**Figure 2-2**  
Draft Zoning Map with Potential Parcels





## Cannabis Microbusiness

As outlined above, the Cannabis Ordinance Project permits the commercial sale, distribution, manufacture and cultivation of cannabis and cannabis products within the City by permitting up to three cannabis retailers or microbusinesses. A cannabis microbusiness means a commercial cannabis business comprised of at least three out of the following four uses on the same premises: (1) a cannabis retailer, (2) a manufacturer, (3) a cultivation site with canopy space of less than 10,000 square feet, and (4) a cannabis distributor. To qualify as a cannabis microbusiness, the cannabis business must engage in a minimum of three out of the four above referenced uses. A cannabis microbusiness shall comply with the development standards for each component of the business. For example, if a cannabis microbusiness is comprised of a cultivation site, distributor and cannabis retailers, then it shall comply with the development standards for each of those uses.

## Cannabis Cultivation

Outdoor commercial cultivation is prohibited within the City. Indoor commercial cultivation shall not exceed 10,000 square feet of cultivation area which shall comply with licensing requirements established by the California Department of Cannabis Control. The secure area shall be fully enclosed within a minimum 6-foot-tall fence or wall. All loading, unloading and distribution areas shall be screened from view from the right of way by the building or solid masonry wall no less than 6 feet. All pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage or inadvertent damage. The cultivation of cannabis shall at all times be operated with all applicable state and local laws and shall be operated in such a way to ensure the health, safety, and welfare of the public, the employees working at the cultivation site, visitors to the area, neighboring properties, and the end users of the cannabis being cultivated, to protect the environment from harm; to ensure the security of the cannabis being cultivated; and to safeguard against the diversion of cannabis. The operations plan identified in Section 17.84.040(F) shall include a cultivation plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the site, a description of the cultivation activities and schedule of activities during each month of growing and harvesting, or explanation of growth cycles and anticipated harvesting schedules for all-season harvesting. The operations plan shall also include a description of a legal water source, irrigation plan, and projected water use and identify the source of electrical power and plan for compliance with applicable buildings codes and related codes. The operations plan shall also address public nuisances that may derive from the cultivation site.

## Cannabis Manufacturing

The manufacture of cannabis products shall be undertaken in a manner that ensures the health, safety, and welfare of the public, the employees of the cannabis business, visitors, and neighboring properties, and must be in full compliance with State law. It is unlawful for any person under the age of 21 to be present within the area where the manufacture of cannabis products is occurring. It is unlawful for any person to employ another person under the age of 21 at a cannabis manufacturing facility. Entrances into any area where cannabis products are made,

stored, or kept must be locked at all times with entry strictly controlled. The specifics of such entry system must be set forth in the operations plan. It is unlawful for the manufacturing site to open to the public.

## Cannabis Distribution

The transportation safety standard, in addition to those imposed by the State of California, shall be approved by the Chief of Police including without limitations, the type of vehicles in which cannabis or cannabis product may be distributed, and minimal qualifications for persons eligible to operate such vehicles. A list of make, model, and license plate of all vehicles used for distribution shall be registered with the CPD before a vehicle may be used to transport cannabis and cannabis products.

## Cannabis Retailers

No cannabis retailer that sells adult-use cannabis and cannabis products shall be open to the public between the hours of 9:00 p.m. to 9:00 a.m. Pursuant to SB 1186, the City will not be restricting the hours of operation of a cannabis retailer that sells medicinal cannabis or medicinal cannabis products. Cannabis retailers shall verify the age and all necessary documentation of each individual to ensure the customer is not under the age of 18 years. If the customer is 18 to 20 years old, a cannabis retailer shall confirm the customer's possession of a valid doctor's recommendation and/or Health and Safety Code Section 11362.71 identification card (Medical Marijuana Card). For adult-use purchases, cannabis retailers shall verify that all customers are 21 years of age or older for the purchase of cannabis or cannabis products. Cannabis retailers may have only that quantity of cannabis and cannabis products to meet the daily demand readily available for sale on-site in the retail sales area of the retailer. Additional product may be stored in a secured, locked area to which customers, vendors, and visitors shall not have access. All restroom facilities shall remain locked and under the control of management. Cannabis retailers shall record point-of-sale areas and areas where cannabis goods are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the facial features of any person purchasing or selling cannabis goods, or any person in the retail area, with sufficient clarity to determine identity. A cannabis retailer shall establish limited-access areas and permit only authorized individuals to enter the limited-access areas. Authorized individuals include individuals employed by the cannabis retailer as well as any outside vendors, contractors, or other individuals conducting business that requires access to the limited access area. All individuals granted access to the limited access area shall be at least 21 years of age, and if not employed by the cannabis retailer, shall be escorted at all times by an employee of that permittee. A cannabis retailer shall maintain a log of all individuals who are not employees who are granted access to the limited access area. These logs shall be made available to the City Manager, Police Chief, or their designees upon request.

## Cannabis Delivery

Prior to commencing delivery operations, a cannabis retailer shall provide the following information to the City: (1) proof of ownership of the vehicle or a valid lease for any and all vehicles that will be used to deliver cannabis or cannabis products; (2) the year, make, model,

color, license plate number, and numerical vehicle identification number (VIN) for any and all vehicles that will be used to deliver cannabis good; (3) proof of insurance for any and all vehicles being used to deliver cannabis goods; and (4) the cannabis business shall provide the City with the information required above in writing for any new vehicle that will be used to deliver cannabis goods prior to using the vehicle to deliver cannabis good.

## Cannabis Security

A cannabis business shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products and to deter and prevent the theft of cannabis or cannabis products at the cannabis business. The specific security measures shall be identified in the operations plan. Except as may otherwise be determined by the City Manager, these security measures shall include, but shall not be limited to, all of the following:

- Perimeter fencing and exterior lighting systems (including motion sensors) for after-hours security shall be provided as approved by the Police Chief and/or the Community Development Director.
- Preventing individuals from remaining on the premises of the cannabis business if they are not engaging in an activity directly related to the permitted operations of the cannabis business. In cases in which the individual will not voluntarily leave the premises, the cannabis employee shall contact the CPD.
- Establishing limited access areas accessible only to authorized cannabis business personnel.
- All finished cannabis goods at non-retail cannabis businesses shall be stored in secured and locked vault or vault-equivalent during non-operating hours. All safes and vaults used to store cash and/or cannabis goods shall be burglary-resistant and fire-resistant. All cannabis and cannabis products, including live clone plants that are being sold, shall be kept in a manner as to prevent diversion, theft, and loss.
- Sensors shall be installed to detect entry and exit from all secure areas and shall be monitored in real time by a security company licenses by the State of California Bureau of Security and Investigative Services.
- Panic buttons shall be installed in all cannabis businesses with direct notification to the CPD dispatch and shall be configured to immediately alert dispatch for the CPD.
- A professional installed, maintained, and monitored real-time alarm systems shall be installed by a security company licensed by the State of California Bureau of Security and Investigative Services. The cannabis business shall maintain up-to date records and existing contracts on the premises that describe the location and operation of each security alarm system, a schematic of security zones, the name of the licensed alarm company, and the name of any vendor monitoring the premises.
- A cannabis business shall only use commercial-grade, nonresidential door locks.
- Any security measures, such as bars, installed on the windows or the doors of the cannabis business shall be installed only on the interior of the building.
- Security personnel shall be on-site 24 hours a day and must have a verified responses security patrol when closed. Security personnel must be licenses by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the Police Chief, with such approval not to be unreasonable withheld.

- Cannabis businesses shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.
- Entrance areas are to be locked at all times and under the control of a designated responsible party that is either; (a) an employee of the cannabis; or (b) a licensed security professional
- Each cannabis business shall have an accounting software system in place to provide point-of-sale data as well as audit trails of both product and cash, where applicable.
- Each cannabis business shall demonstrate to the Police Chief, City Manager or their designees, compliance with the State’s track and trace system for cannabis and cannabis products.
- Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.
- Emergency access and emergency evacuation plans that are in compliance with state and local fire safety standards.
- Installation of “mosquitos” (high-pitch frequency devices) as a deterrent to vandalism/loitering.
- The cannabis business shall install 24-hour security video surveillance cameras of at least high-definition (HD) quality with a night vision capability, and must record in color.
- Each cannabis business shall identify a designed security representative/liaison to the City, who shall be reasonably available to meet with the City Manager regarding any security related measures and/or operational issues. The designated security representative/liaison shall, on behalf of the cannabis business, annually maintain a copy of the current operations plans, that shall include a security plan, on the premises of the business, to present to the City Manager.

## Cannabis Permit and Approval Requirements

As mentioned above, the future cannabis businesses associated with the Project would be required to obtain all applicable permits and approvals, which include a cannabis conditional use permit (CUP) to operate a future cannabis business within the specified commercial and light industrial zones, a cannabis regulatory permit, a cannabis business license, a cannabis state cannabis license, a development agreement, and approval of an operations plan. Before commencing any commercial cannabis activity and as a condition of issuance of a CUP, an applicant shall enter into a development agreement with the City setting forth the terms and conditions under which the cannabis business will operate. These conditions shall include, but not be limited to, public outreach and education, payment of community benefit fees and other charges as mutually agreed upon, approval of architectural plans (including site plan, floor plan, and elevation), provisions for termination of the agreement or invalidation or revocation of the CUP, indemnification of the City and all officials and employees thereof from actions of third parties, including but not limited to, enforcement of conflicts between State and Federal law, or actions challenging the issuance of a permit to the cannabis business, and such other terms and conditions that will protect and promote the public health, safety, and welfare of all persons in the City. Before commencing any commercial cannabis activity, the cannabis business shall submit an operations plan for review and approval to the Community Development and Chief of Police. The operations

plan shall address the following: the security measures that will be implemented to protect the customers and employees as well as the general community; water preservation; financial record keeping; procedures for safely and securely storing and transporting cannabis and cannabis products, and any hazardous materials that may be used by the business; how currently will be stored and taken off-site; and any other information required by the Community Development Director and Chief of Police. A recommendation from the City’s Planning Commission and approval from the City Council would be required for issuance of a CUP. If warranted, conditions of approval could be imposed on the use by the City specific to the future cannabis business. During the CUP process, applicants would be required to demonstrate consistency with all applicable City Codes, standards, and requirements as well as be required to demonstrate consistency with CEQA, as applicable. All environmental impacts associated with implementation of future cannabis businesses would be evaluated during the project entitlement process, which would also include the CUP process.

## 2.5 Project Approvals

The City of Covina, as Lead Agency for the Project, has discretionary authority over the Project. Refer to **Table 2-3, *Project Approvals***, for the anticipated required review and approvals for the Project. It should be noted that the approvals listed in Table 2-2 apply only to the adoption of the Cannabis Ordinance Project and does not include the project-specific approvals and permits required for to develop the future cannabis businesses associated with the Project.

**TABLE 2-3  
PROJECT APPROVALS**

Agency	Action
City of Covina	<ul style="list-style-type: none"> <li>• Certification of the IS/MND.</li> <li>• Adoption of the City of Covina’s Local Cannabis Program Ordinance, consisting of amendments to Municipal Code Title 5, Business Licenses and Regulations, Chapter 5.80, Cannabis Regulatory Ordinance to Permit Local Cannabis Businesses and Title 17, Zoning, Chapter 17.84, Cannabis Prohibitions and Regulations.</li> </ul>

SOURCE: City of Covina, September 2022.

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## SECTION 3

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### Initial Study/Environmental Checklist

- 1. Project Title:** City of Covina’s Local Cannabis Program Ordinance Project
- 2. Lead Agency Name and Address:** City of Covina, Community Development Department, 125 E. College Street, Covina, CA 91723
- 3. Contact Person and Phone Number:** Brian K. Lee, AICP, Community Development Director (626) 384-5450
- 4. Project Location:** Regionally, the Project is located in the City of Covina within the San Gabriel Valley of Los Angeles County. The surrounding jurisdictions include Duarte, Azusa, and Glendora to the north, San Dimas to the east, West Covina to the south, and Irwindale and Baldwin Park to west and pockets of Los Angeles County Unincorporated Areas adjacent and within city limits. Locally, the Project would permit up to three future cannabis businesses within specified commercial or light industrial zones that meet the development criteria established in the Cannabis Ordinance Project. However, no specific development project is proposed at this time in connection with the Cannabis Ordinance Project.
- 5. Project Sponsor’s Name and Address:** City of Covina, Community Development Department, 125 E. College Street, Covina, CA 91723
- 6. General Plan Designation(s):** The existing general plan designations for future cannabis businesses consist of Commercial and Light Industrial.
- 7. Zoning:** The existing zoning designations for future cannabis retailers consist of C-3 (Central Business), C-3A (Regional or Commercial Shopping Center), C-4 (Commercial Zone, Highway), and C-5 (Specified Highway), and future cannabis microbusinesses consist of M-1 (Industrial Zone).

## 8. Description of Project:

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, distribution, manufacture and cultivation of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The Cannabis Ordinance Project would amend Municipal Code Title 5, Business Licenses and Regulations, to add a new Chapter 5.80 to Permit Local Cannabis Businesses, to establish the future cannabis business permit regulations and amend Title 17, Zoning, to add a new Chapter 17.84, Cannabis Prohibitions and Regulations, to establish the applicable zoning prohibitions and regulations for the future cannabis businesses. The amendments to the Zoning Code would require future cannabis businesses to be located within specified commercial or light industrial zones located at least 600 feet from schools, youth centers, daycare centers, and parks. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. Specifically, the Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses within potential parcels designated as M-1 (Industrial Zone). It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill development or redevelopment within previously developed lots. Because of the limited amount of vacant land as well as the limited number of future cannabis businesses that could result from Project implementation, it is likely that any such construction of infill development or redevelopment would be limited in scale.

## 9. Surrounding Land Uses and Setting.

The existing setting of the potential parcels for the future cannabis businesses are developed lots generally comprising of commercial or light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. The City's commercial and light industrial areas are primarily concentrated around major thoroughfares with more concentrated development in larger retail centers. While surrounding land uses would be specific to the potential parcels for future cannabis businesses associated with the Project, typical surrounding land uses would be primarily comprised of commercial and light industrial uses.

## 10. Other public agencies whose approval is required

None

## 11. 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.?

Yes, the City conducted consultation with California Native American tribes pursuant to Assembly Bill (AB) 52 to identify tribal cultural resources in or near the potential parcels of the future cannabis businesses. On August 16, 2022, the City sent notification letters via email to the designated representative of one California Native American tribe (Gabrieleno Band of Mission



Indians – Kizh Nation). At the time of drafting this IS/MND, the City had not received a response from the tribe.

### 3.1 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” as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                              |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Energy                                   |
| <input checked="" type="checkbox"/> Geology/Soils        | <input type="checkbox"/> Greenhouse Gas Emissions           | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality         | <input type="checkbox"/> Land Use/Planning                  | <input type="checkbox"/> Mineral Resources                        |
| <input type="checkbox"/> Noise                           | <input type="checkbox"/> Population/Housing                 | <input type="checkbox"/> Public Services                          |
| <input type="checkbox"/> Recreation                      | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources                |
| <input type="checkbox"/> Utilities/Service Systems       | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance       |

#### **DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- 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 revisions in the project have been made by or agreed to by the project proponent. 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.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

## 3.2 Environmental Checklist

### Aesthetics

<u>Issues (and Supporting Information Sources):</u>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>I. AESTHETICS</b> — Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

Would the Project:

a) **Have a substantial adverse effect on a scenic vista?**

**Less than Significant Impact.** Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in two ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista or by blocking the view corridors or “vista” of the scenic resource. Important factors in determining whether a proposed project would block scenic vistas include the project’s proposed height, mass, and location relative to surrounding land uses and travel corridors.

The City’s General Plan Natural Resources and Open Space Element does not designate any scenic vistas within the City (Covina, 2000). However, the City is located near the foot of the San Gabriel Mountains, which are considered a prominent visual resource. The potential parcels for future cannabis businesses are located within highly urbanized areas of the City. The potential parcels are developed lots generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. Intermittent long-range views of the San Gabriel Mountains can be seen across the potential parcels in between existing buildings, fencing, and trees from the surrounding roadways, but the majority of these views are obstructed due to the existing structures, trees, and the relatively flat topography of the potential parcels. No mitigation is required.

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis retailers or microbusinesses. It is anticipated that development of the future cannabis businesses including cultivation on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill or redevelopment and would likely replace an existing building of similar type and intensity, thereby not substantially altering the current land use intensity or land use patterns within the City. The purpose of the Cannabis Ordinance Project is to establish the applicable prohibitions and regulations for the future cannabis businesses. The Project itself would not result in direct impacts to scenic vistas. The Cannabis Ordinance Project applies on an as-requested, project-by-project basis. As such, the types and sizes of future cannabis businesses associated with the Project cannot be determined until specific projects have been proposed and submitted to the City. Compliance with the City's amended Municipal Code and Zoning Code for future cannabis businesses associated with the Project would ensure that views of scenic resources, including views of the San Gabriel Mountains, would be preserved. As such, the Project would not result in a substantial adverse effect on a scenic vista, and impacts would be less than significant. No mitigation is required.

b) **Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

**Less than Significant Impact.** The potential parcels for the future cannabis businesses are located in a highly urbanized areas of the City. The potential parcels are developed lots generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. The potential parcels are not located in the vicinity of a City or state-designated scenic highway. The nearest officially designated state scenic highway, State Route 2 (SR-2), is located in the San Gabriel Mountains and would not be visible to motorists (California Department of Transportation [Caltrans], 2020). The potential parcels do not contain any rock outcroppings or historical buildings. As the Project is not located in the vicinity of a state scenic highway, no historical buildings would be substantially damaged with implementation of the Project. Vegetation on the potential parcels generally consists of a mix of ornamental landscaping and trees. The Project would comply with applicable provisions pertaining to the removal and replacement of trees per Chapter 17.83, Tree Preservation, of the City's Municipal Code (Covina, 2022). Overall, based on the above, the Project would not substantially damage scenic resources located within the vicinity of a scenic highway and a less than significant impact would occur. No mitigation is required.

- c) **In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (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?**

**Less than Significant Impact.** The potential parcels for the future cannabis businesses are located in a highly urbanized areas of the City. The potential parcels are developed lots generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. Construction activities associated with the future cannabis businesses associated with the Project would require the use of construction equipment and storage of materials on-site, thus introducing contrasting features into the visual landscape that affect the visual quality of the potential parcels and immediate vicinity. Contrasting features could include demolition materials, excavated areas, stockpiles, and other materials generated and stored on-site during construction. However, adverse effects to visual character associated with future Project construction would be temporary.

The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill or redevelopment and would likely replace an existing building of similar type and intensity, thereby not substantially altering the current land use intensity or land use patterns within the City. As discussed above, the purpose of the Cannabis Ordinance Project is to establish the applicable prohibitions and regulations for the future cannabis businesses. Future cannabis businesses would be subject to review by the City to ensure that design of the proposed development is consistent will all applicable design requirements, objective standards, and regulations set forth in the City’s Municipal Code and Zoning Code. As such, a less than significant impact would occur in this regard. No mitigation is required.

- d) **Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?**

**Less than Significant Impact.** The potential parcels for the future cannabis businesses are located in highly urbanized areas of the City predominantly developed with commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. The Project vicinities exhibit considerable ambient nighttime illumination levels due to the densely developed nature of surrounding areas and adjacent properties. Artificial light sources from the on-site uses and other surrounding properties include interior and exterior lighting for security, parking lot lighting, and incidental landscape lighting. Automobile headings, streetlights, and stoplights for visibility and safety purposes along adjacent roadways contribute to overall ambient lighting levels as well.

Security lighting used during construction of the future cannabis businesses associated with the Project, if necessary, could introduce new sources of light to the potential parcels and the immediate vicinities. If security lighting is needed, it can be shielded and directed away from surrounding light-sensitive land uses. Further, construction of the future cannabis businesses would not occur during evening hours. Temporary impacts associated with light during future construction activities would be less than significant.

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The purpose of the Cannabis Ordinance Project is to establish the applicable prohibitions and regulations for the future cannabis businesses. The Project itself would not result in direct impacts to light. Future cannabis businesses associated with the Project would be required to submit a lighting plan for review and approval by the City as part of the site plan review process. Further, all proposed outdoor lighting would be subject to applicable regulations contained within the City's Municipal Code. Compliance with these regulations would ensure that operational impacts regarding Project lighting would be less than significant. No mitigation is required.

## References

- Caltrans (California Department of Transportation). 2020. California Department of Transportation, List of Eligible and Officially Designated State Scenic Highways. Available at <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed September 2022.
- City of Covina. 2000. City of Covina's General Plan, Natural Resources and Open Space Element, adopted April 18, 2000.
- City of Covina. 2022. City of Covina Municipal Code, passed January 18, 2022, <https://www.codepublishing.com/CA/Covina/>. Accessed September 2022.

## Agriculture and Forestry Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>II. AGRICULTURE AND FORESTRY RESOURCES —</b>				
<p>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 Dept. 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>				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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 forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

Would the Project:

- a) **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?**

**No Impact.** The potential parcels for the future cannabis businesses are located in highly urbanized areas of the City which are predominately developed with commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. According to the City's General Plan Natural Resources and Open Space Element, the City is approximately 99 percent built out and does not contain usable agricultural soils or important agricultural areas (Covina, 2000). Further, the potential parcels do not contain agricultural uses or related operations and are not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (California Department of Conservation [DOC], 2020). Therefore, implementation of the Project and the associated future cannabis businesses would not convert Prime Farmland,

Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. No impact would occur in this regard.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** The potential parcels for the future cannabis businesses are currently developed generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. The Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses within potential parcels designated as M-1 (Industrial Zone). No portions of the potential parcels or surrounding land uses are zoned for agriculture and no nearby lands are enrolled under the Williamson Act. As discussed above, the City is approximately 99 percent built out and does not contain usable agricultural soils or important agricultural areas (Covina, 2000). As such, implementation of the Project and the associated future cannabis businesses would not conflict with existing zoning for agricultural uses or a Williamson Act Contract and no impact would occur in this regard.

**c) Conflict with existing zoning for, or cause rezoning of, forest land (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))?**

**No Impact.** The Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses within potential parcels designated as M-1 (Industrial Zone). The potential parcels for the future cannabis businesses are located in highly urbanized areas of the City which are predominately developed with commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. No forest land or land zoned for timberland is present on the potential parcels or in the surrounding areas. According to the City's Natural Resources and Open Space Element, the City is approximately 99 percent built out and does not contain any forests (Covina, 2000). As such, implementation of the Project and the associated future cannabis businesses would not conflict with existing zoning for forest land or timberland and no impact would occur in this regard.

**d) Result in the loss of forestland or conversion of forestland to non-forest use?**

**No Impact.** The potential parcels for the future cannabis businesses are currently developed generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. No forest land exists on the potential parcels or in the surrounding areas. As discussed above in Response II.c, the City is approximately 99 percent built out and does not contain any forests (Covina, 2000). As such, implementation of the Project and the associated future cannabis businesses would not result in the loss of forestland or the conversion of forestland to non-forest use. No impact would occur in this regard.

- e) **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?**

**No Impact.** Since there are no agricultural or forest uses or related operations in or near the City, the Project would not involve the conversion of farmland or forestland to other uses, either directly or indirectly. Therefore, no impacts to agricultural land or uses would occur.

## **References**

City of Covina. 2000. City of Covina's General Plan, Natural Resources and Open Space Element, adopted April 18, 2000.

DOC (California Department of Conservation). 2020. California Department of Conservation, California Important Farmland Finder, <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed September 2022.

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# Air Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>III. 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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

a) **Conflict with or obstruct implementation of the applicable air quality plan?**

**Less Than Significant Impact.** The City is located within the 6,745-square-mile South Coast Air Basin (SoCAB). Air quality planning for the SoCAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Project would be subject to the SCAQMD’s Air Quality Management Plan (AQMP), which contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving ambient air quality standards. These strategies are developed, in part, based on regional population, housing, and employment projections prepared by the Southern California Association of Governments (SCAG). In accordance with SCAQMD’s CEQA Air Quality Handbook, Chapter 12, the following criteria are required to be addressed to determine the Project’s consistency with the applicable SCAQMD AQMP:

- Criterion 1: Will the Project result in any of the following:
  - An increase in the frequency or severity of existing air quality violations; or
  - Cause or contribute to new air quality violations; or
  - Delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- Criterion 2: Will the Project exceed the assumptions utilized in preparing the AQMP.

Although it is anticipated that the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), the Project would authorize uses which may result in some degree of future construction activities which could

result in short-term construction-related air emissions. However, because of the limited amount of vacant land as well as the limited number of future cannabis businesses that could result from Project implementation, it is likely that any such construction of infill development or redevelopment would be limited in scale. Thus, it is unlikely that new development related to the future cannabis businesses associated with the Project would result in a level of development that would generate construction air emissions that would exceed adopted significance thresholds for construction-related emissions. As such, it is unlikely that new development related to the future cannabis businesses associated with the Project would cause an increase in the frequency or severity of existing air quality violations or cause or contribute to new air quality violations.

All construction activities, even minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), would be required to comply with California Air Resources Board (CARB) and SCAQMD regulations and rules regarding fugitive dust control and minimizing exhaust emissions. These regulations and rules, which are incorporated as control strategies in the 2016 AQMP, include using dust suppression techniques (e.g., watering disturbed areas), limiting heavy-duty truck idling to 5 minutes or less, and using construction contractors with construction equipment fleets that are in compliance with the State's heavy-duty equipment regulation to minimize ozone precursor and particulate matter emissions. Accordingly, it is not anticipated that the Project would result in future development that would delay timely attainment of air quality standards or the interim emission reductions specified in the 2016 AQMP. Furthermore, if new development were to occur, such activities would be subject to applicable code requirements and City approval processes.

During operation of the future cannabis businesses associated with the Project, emissions from vehicles used for retail deliveries, product transportation, employee trips, and customer/visitor traffic would occur. The Project would permit up to three future cannabis businesses including cultivation of cannabis on less than 10,000 square feet within specified commercial or light industrial zones that meet the development criteria established in the Cannabis Ordinance Project. However, no specific development project is proposed at this time in connection with the Cannabis Ordinance Project. Thus, the number of such facilities would be limited by the City and the uses would be similar to other types of permitted retail and manufacturing uses. Employees would be generated by the future cannabis businesses associated with the Project, similar to other commercial and light industrial uses within the specified commercial or light industrial zones in the Cannabis Ordinance Project. It is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, consist of infill development or redevelopment, thereby replacing a use that currently generates employees. The Project would not amend General Plan designations and therefore, would not change regional growth projections. While precise employment numbers are not available, the net growth in employment that would result from the Project would be within the SCAG growth projections, which are incorporated into the 2016 AQMP. As such, the Project would not induce substantial population growth in the area either directly or indirectly beyond the SCAG growth projection that are incorporated into the 2016 AQMP.

As required by the Project, retail uses would require a CUP at which time a detailed analysis, including air quality, could be required if it were determined that the proposed use warranted such an analysis.

The Cannabis Ordinance Project, which establishes the applicable prohibitions and regulations for future cannabis retailers and provides the potential parcels for future sites (refer to Figure 2-2), would permit cannabis businesses only in the C-3 (Central Business), C-3A (Regional or Commercial Shopping Centers), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses within M-1 (Industrial Zone) zones. The amendments to the Zoning Code would require future cannabis businesses to be located within specified commercial or light industrial zones located at least 600 feet from schools, youth centers, daycare centers, and parks. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. The permitted zoning restrictions and inclusion of 600-foot buffer distance for would render it unlikely that new development related to future cannabis businesses associated with the Project would cause an increase in the frequency or severity of existing air quality violations or cause or contribute to new air quality violations. Therefore, impacts to air quality from construction and operational emissions as a result of implementation of the Project are considered negligible in relation to baseline conditions and are not expected to result in non-compliance with the adopted 2016 AQMP. Therefore, impacts would be less than significant.

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?**

**Less Than Significant Impact.** As indicated above, the City is located within the SoCAB, which is characterized by relatively poor air quality. The City is located in the SCAQMD's Source Receptor Area (SRA) 9, which is comprised of the East San Gabriel Valley within the northeast non-desert portion of Los Angeles County. State and federal air quality standards are often exceeded in many parts of the SoCAB, including monitoring stations within SRA 9. The purpose of the Cannabis Ordinance Project is to establish the applicable prohibitions and regulations for the future cannabis businesses. The Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Commercial Shopping Centers), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). The amendments to the Zoning Code would require future cannabis businesses to be located within specified commercial or light industrial zones located at least 600 feet from schools, youth centers, daycare centers, and parks. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. The Project could result in development that would contribute to local and regional short-term or temporary construction related air pollutant emissions. It is anticipated that cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovations, and that limited, if any, construction activities would occur. Thus, it is unlikely that new development related to future cannabis businesses associated with the

Project would result in a level of development that would generate construction air emissions that would exceed adopted significance thresholds for construction-related emissions.

Operation of future cannabis businesses would result in long-term occupancy and associated air emissions. However, future cannabis businesses would be limited in number and location, would be dispersed throughout the City, and would be similar to other permitted retail and light industrial uses. Furthermore, the Project would not change regional growth projections and as such, would not be expected to result in a substantial net increase in vehicle miles traveled and related emissions and would not result in a level of development that would generate operational air emissions that would exceed adopted significance thresholds for operational-related emissions.

The SCAQMD's approach for assessing cumulative impacts is based on attainment of ambient air quality standards in accordance with the requirements of the Federal Clean Air Act and California Clean Air Act. The Federal and California Clean Air Act establish the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) respectively. In order to meet the CAAQS and NAAQS in the basin, the SCAQMD has adopted a series of AQMPs. The SCAQMD has developed a comprehensive plan, the 2016 AQMP, which addresses the region's cumulative air quality condition.

A significant impact may occur if a Project were to add a cumulatively considerable contribution of a federal or state non-attainment pollutant. Because the SoCAB is currently in nonattainment for ozone, PM10 and PM2.5, related projects could cause ambient concentrations to exceed an air quality standard or contribute to an existing or projected air quality exceedance. Cumulative impacts to air quality are evaluated using thresholds for CEQA and the SCAQMD. In particular, State CEQA Guidelines Sections 15064(h)(3) provides guidance in determining the significance of cumulative impacts. Specifically, Section 15064(h)(3) states in part that:

“A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency...”

For purposes of the cumulative air quality analysis with respect to State CEQA Guidelines Section 15064(h)(3), the Project's incremental contribution to cumulative air quality impacts is determined based on compliance with the SCAQMD adopted 2016 AQMP. Projects which are consistent with the AQMP would also be consistent with the AQMD's goals for meeting ambient air quality standards. As discussed under Response II.a, the Project would not conflict with the 2016 AQMP. In addition, a project would be cumulatively considerable if the project's emissions exceed the SCAQMD daily significance thresholds. As discussed above, the Project would not result in a level of development that would generate construction or operational air emissions that would exceed adopted significance thresholds for construction- or operational-related emissions.

As such, the Project would not 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 and impacts would be less than significant.

c) **Expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact.** Certain population groups are especially sensitive to air pollution and should be given special consideration when evaluating potential air quality impacts. These population groups include children, the elderly, persons with pre-existing respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise. As defined in the SCAQMD CEQA Air Quality Handbook, a sensitive receptor to air quality is defined as any of the following land use categories: (1) long-term health care facilities; (2) rehabilitation centers; (3) convalescent centers; (4) retirement homes; (5) residences; (6) schools; (7) parks and playgrounds; (8) child care centers; and (9) athletic fields.

As discussed previously, the Project would establish regulations and allowable locations for future cannabis businesses including cultivation of cannabis on less than 10,000 square feet. While activities of future cannabis businesses, including potential construction and operation, could result in generation of air emissions, such emissions are not anticipated to comprise a substantial new source of air emissions to which a sensitive population would be exposed. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. Such facilities would be limited in number and location, would be dispersed throughout the City, would not change the proximity of commercial or light industrial uses to sensitive land uses, and would be similar to other existing and/or permitted retail and industrial uses in terms of air emissions. The amendments to the Zoning Code would require future cannabis businesses to be located within specified commercial or light industrial zones located at least 600 feet from schools, youth centers, daycare centers, and parks. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. Specifically, the Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Commercial Shopping Centers), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). As such, impacts from associated air emissions are not anticipated to expose sensitive receptors to substantial pollutant concentrations. Therefore, impacts concerning the exposure of sensitive land uses to air pollutant concentrations would be less than significant.

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

**Less Than Significant Impact.** According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment

plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Although the Project does not fall specifically within these categories of uses, it could result in the generation of objectionable odors, particularly from cultivation. However, the Cannabis Ordinance Project places development standards on cannabis businesses. Section 17.84.070(F) prohibits outdoor commercial cultivation. Section 17.84.090 places additional performance standards on cannabis businesses including requirements that odor control devices and techniques be incorporated in all future cannabis businesses to ensure that odors are not detectable outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other common area or within any other unit located within the same building. As such, future cannabis businesses, with approval of the Project would not result in the generation of other emissions, such as those leading to odors that would affect a substantial number of people and impacts would be less than significant.

## References

- CARB (California Air Resources Board). 2016. Top 4 Summary. Available at: <http://www.arb.ca.gov/adam/topfour/topfour1.php>. Accessed August 2022.
- SCAQMD (South Coast Air Quality Management District). 1993. California Environmental Quality Act (CEQA) Air Quality Handbook.
- SCAQMD. 2003. Air Quality Management Plan. Available at: <http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/2003-aqmp>. Accessed August 2022.
- SCAQMD. 2008. Final Localized Significance Threshold Methodology. Available at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-andbook/localizedsignificance-thresholds>. Accessed August 2022.
- SCAQMD. 2016a. Ambient Air Quality Standards, available at <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>. Accessed August 2022.
- SCAQMD. 2016b. Summaries of Air Quality Data, 2013 through 2015; <http://www.arb.ca.gov/adam/>. Accessed August 2022.
- SCAQMD. 2016b. Air Quality Management Plan (AQMP), Final 2016 AQMP. Available: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/final-2016-aqmp/final2016aqmp.pdf?sfvrsn=15>. Accessed August 2022.
- SCAQMD. 2017. AirData. Available: [http://www.epa.gov/airdata/ad\\_rep\\_mon.html](http://www.epa.gov/airdata/ad_rep_mon.html). Accessed August 2022.
- SCAQMD. 2017. Air Quality Statistics. Available <http://www.arb.ca.gov/adam/>. Accessed August 2022.
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## Biological Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>IV. BIOLOGICAL RESOURCES —</b> Would the project:				
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Would the Project:

- 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 Game or U.S. Fish and Wildlife Service?**

**Less than Significant Impact with Mitigation Incorporated.** The City is highly urbanized and is predominantly comprised of developed and disturbed areas lacking natural vegetation, except for landscaped areas typical of roadsides or medians with ornamental trees, shrubs, and herbaceous plant species. The potential parcels for the future cannabis businesses are likewise completely within and surrounded by urban development although some limited ornamental vegetation and street trees are present in limited areas. The potential parcels do not occur within or near any U.S. Fish and Wildlife Service (USFWS)-designated Critical Habitat for any special-status plant or wildlife species (USFWS, 2021a). The nearest Critical Habitat area to the City, designated for the federally listed “Threatened” coastal California gnatcatcher (*Poliopitila californica californica*), lies to the south and east of the City in remnant natural areas on the

opposite side of Interstate 10 (I-10) and State Route 57 (SR-57), at least one mile or further from the City limits and potential parcels. Furthermore, no potentially suitable habitat for coastal California gnatcatcher occurs in or adjacent to the City or the potential parcels.

The landscaped and urban developed areas in the potential parcels for the future cannabis businesses provide virtually no suitable habitat for any special-status wildlife species, including bats and avian species. Furthermore, no suitable habitat is present for any special status species that require any natural habitats such as grasslands, scrub, riparian or wetland habitats. Therefore, no special status animal species are expected to occur within the potential parcels or directly adjacent areas. Finally, as no potentially suitable habitat occurs, no special-status plant species are currently known or expected to occur within the potential parcels. Therefore, the future cannabis businesses associated with the Project would not result in any loss of habitat for any special status species, within these urbanized areas.

Trees, buildings, and other structures, such as bridges or culverts in or near the potential parcels may be used by common, urban-adapted bird species. Bat species, however, have only a very low potential to occur in the potential parcels, due to limited areas of potentially suitable habitat, distance to and from natural areas and water sources for foraging, and due to the high level of noise, nighttime lighting, and overall human activity associated with urban development, which makes the possibility of these species occurring in the potential parcels remote at best.

Based on the above evaluation, the future cannabis businesses associated with the Project would not result in adverse effects on any special-status wildlife species that occur in the region. However, although they may not be special status species, almost all native bird species, except game birds, are protected by State and federal statutes when they are actively nesting. Some avian species may nest, forage, and roost within ornamental shrubs and trees planted as part of existing landscaping and some species will nest on or in buildings and other man-made structures.

It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill development or redevelopment within previously developed lots. Because of the limited amount of vacant land as well as the limited number of future cannabis businesses that could result from Project implementation, it is likely that any such construction of infill development or redevelopment would be limited in scale. However, if the construction of infill development or redevelopment of future cannabis businesses were to occur, measures to avoid adverse effects on nesting birds are recommended to be implemented prior to or during construction and demolition activities associated with the Project. Implementation of mitigation measure **BIO-1** will reduce any potentially significant impacts to nesting birds to less than significant.



## Mitigation Measure

**BIO-1: Nesting Birds.** Vegetation removal shall be conducted between September 1 and January 31, outside the typical nesting season for birds in the region. If vegetation removal must occur during the typical nesting season (February 1 – August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 100 to 300-foot buffer around existing trees and landscaped areas, to identify any potential active nests. Buffer distances should be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the monitoring biologist.

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

**No Impact.** The City, including the potential parcels for the future cannabis businesses, are primarily comprised of developed and disturbed areas that generally lack natural vegetation. There are likely limited natural communities in the potential parcels either composed of native or non-native vegetation that would likely be categorized as “disturbed”. While Charter Oak Creek is present near the South Barranca Avenue and East Rowland Street intersection, it is channelized and concrete-lined and lacks riparian vegetation or other sensitive natural communities. Moreover, none of the potential parcels occur adjacent to Charter Oak Creek. Therefore, no impacts to riparian or sensitive natural communities will occur as the result of implementation of the Project and the associated future cannabis businesses.

The County has identified a number of Sensitive Ecological Areas (SEAs) in the region, including the East San Gabriel Valley SEA. The west end of that particular SEA, lies near and adjacent to a fragment of the southeastern border of the City. Inspection of maps and overlays reveals that none of the potential parcels are located in or near the East San Gabriel Valley SEA. Therefore, no impacts to this designated SEA will occur as the result of implementation of the Project and the associated future cannabis businesses.

- 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?**

**Less than Significant Impact.** No wetland features are identified by the National Wetlands Inventory (NWI) as occurring within the potential parcels (USFWS, 2021b). Surface flows from stormwater runoff are conveyed through portions of the City within storm drain channels or in road gutters. These channels are maintained and contain virtually no vegetation. However, some of these channels may be considered jurisdictional “waters” and such resources are subject to federal and State regulation if they convey surface flows to Charter Oak Creek, Walnut Creek, or Big Dalton Wash, which are tributaries to the San Gabriel River, a water of the U.S. If implementation of the Project and the associated future cannabis businesses leads to alterations or discharges of fill material to waters of the U.S or State due to construction, permits from the U.S. Army Corps of Engineers (USACE) under Section 404 and water quality certification from the Los Angeles Regional Water Quality Control Board (LARWQCB) under Section 401 of the Clean Water Act (CWA), and/or a Water Quality Certification or Waste Discharge Requirement (WDR) under the Porter Cologne Water Quality Act may be required.

Additionally, California Department of Fish and Wildlife (CDFW) regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream, or lake which supports fish or wildlife. A notification of a Lake or Streambed Alteration Agreement (LSAA) must be submitted to CDFW for “any activity that may substantially change the bed, channel, or bank of any river, stream, or lake.” If implementation of the Project avoids any alteration or discharge to existing surface channels, then no such permits would be required. Confirmation of the jurisdictional status of features would be required and permit applications submitted and permits issued prior to construction. Required permits, including permits under Sections 401 and 404 of the CWA and Streambed Alteration Agreement in accordance with Section 1600 of the California Fish and Game Code, would be required to be obtained prior to the start of construction activities, as applicable.

It is not apparent that any of the potential parcels for the future cannabis businesses are situated near or directly adjacent to any potential jurisdictional waters. Thus, it is very unlikely that implementation of the Project would lead to any potential effects on surface waters or channels. In the event that a potential discharge or alteration into waters could occur, however, the regulations and permit processes described above are required by law. Therefore, due to required compliance with existing federal, state, and local requirements, implementation of the Project and the associated future cannabis businesses would result in a less than significant impact. No mitigation is required.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**No Impact.** The potential parcels for the future cannabis businesses are highly urbanized and predominantly developed with commercial and light industrial uses. Additionally, the potential

parcels are entirely surrounded by developed lands and no conservation lands or wildlife corridors are identified as occurring nearby. Therefore, no impact would occur to wildlife movement as a result implementation of the Project and the associated future cannabis businesses.

No known or expected native wildlife nursery sites occur in or near the potential parcels and no such resources would be affected by implementation of the Project and the associated future cannabis businesses. Therefore, no impact that would impede the use of native wildlife nursery sites would occur. In addition, implementation of MM BIO-1, during development activities associated with the Project will maintain compliance with the Migratory Bird Treaty Act and the California Fish and Game Code as these statutes provide for the protection of active avian nests and nestlings.

e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**Less than Significant Impact.** The City’s General Plan includes a Natural Resources and Open Space Element that serves to identify, protect, and conserve local natural resources and to establish a framework for preserving, managing, and enhancing the community’s open space areas (Covina, 2000). Natural resources include water, soils, water bodies, vegetation, wildlife, and air; open space lands pertain to parks and related recreational facilities and trails. As noted above, the potential parcels for the future cannabis businesses do not coincide with any existing natural areas, and also do not overlap or occur adjacent to areas zoned as open space. Therefore, as future cannabis businesses associated with the Project will not adversely affect natural resources or open space and must be consistent with existing City’s General Plan provisions to protect such resources, implementation of the Project will not conflict with the Natural Resources and Open Space Element of the City’s General Plan.

The City’s Municipal Code, Title 17 – Zoning, includes a Tree Preservation Ordinance (Chapter 17.83). The purpose of the Tree Preservation Ordinance is “to assure that new development addresses the preservation of significant healthy and mature trees to the greatest extent which is reasonable and that activities on properties with existing development are conducted in a manner that minimizes harm and destruction of such trees” (Covina, 2022). The Tree Preservation Ordinance does not apply to street trees or to repair and maintenance of existing parkways, highways and streets and/or other public facilities. Tree protection is limited to requiring a permit for any damage to designated “Heritage Trees.” Heritage Trees include all Quercus (oak) species 10 inches in diameter for a single-trunk tree or a combined diameter of at least 22 inches for multiple-trunk trees and trees or groups of trees designated as heritage tree(s) by the City Council. Damage includes: “any action to destroy, remove, relocate, or otherwise inflict harm or injury to a tree. Damage shall include any act causing injury to the root system or other parts of a tree including burning, applications of toxic substances, operation of equipment or machinery within the dripline, paving within the dripline, change of the natural grade within the dripline, trenching or excavation within the dripline, excessive watering or any act of a similar nature.”

It is not apparent that any Heritage Trees occur within or directly adjacent to the potential parcels. If, however, any tree or trees occur in potentially affected areas that are subject to the Tree

Preservation Ordinance (i.e., Heritage Trees), future cannabis businesses associated with the Project would be required to comply with the ordinance. Since compliance with the City's Tree Preservation Ordinance is required, a less than significant impact would occur. No mitigation is required.

f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** The potential parcels for the future cannabis businesses are highly urbanized and not located within or adjacent to any habitat conservation plans or natural community conservation plan areas. The County has identified a number of SEAs in the region, including the East San Gabriel Valley SEA. The west end of that particular SEA, lies near and adjacent to a fragment of the southeastern border of the City. Inspection of maps and overlays reveals that none of the potential parcels are located in or near the East San Gabriel Valley SEA. Therefore, no impacts to this designated SEA or any other adopted natural community conservation plan or other approved local, regional, or state habitat conservation plan will occur as the result of implementation of the Project and the associated future cannabis businesses.

## References

- CDFW (California Department of Fish and Wildlife). 2021. California Department of Fish and Wildlife, California Natural Diversity Database (CNDDDB) RareFind 5. CDFW's Electronic database, Sacramento, California. Accessed September 2022, at <https://www.dfg.ca.gov/biogeodata/cnddb>.
- City of Covina. 2000. General Plan, Natural Resources and Open Space Element, adopted April 18, 2000.
- City of Covina. 2022. City of Covina Municipal Code, passed January 18, 2022, <https://www.codepublishing.com/CA/Covina/>. Accessed September 2022.
- USFWS (U.S. Fish and Wildlife Service). 2021a. U.S. Fish and Wildlife Service, IPAC Information for Planning and Consultation. Accessed August 2022, at <https://ecos.fws.gov/ipac/>.
- USFWS. 2021b. U.S. Fish and Wildlife Services, National Wetland Inventory (NWI) Data Mapper. Accessed September 2022, at <https://www.fws.gov/wetlands/Data/Mapper.html>.
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## Cultural Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>V. CULTURAL RESOURCES —</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

- a) **Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?**

**Less than Significant Impact with Mitigation Incorporated.** CEQA defines historical resources as those that are listed on, or determined to be eligible for listing on, the California Register of Historical Resources (CRHR) or a local register, or are otherwise determined to be a historical resource pursuant to CEQA (PRC Section 21084.1) or State CEQA Guidelines (CCR Title 14, Section 15064.5). The CRHR also includes properties formally determined eligible or listed in the National Register of Historic Places (PRC Section 5024.1). A historical resource may be an object, building, structure, site, area, place, record, or manuscript that is historically significant or significant in the context of California’s architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records (PRC Section 5020.1(j)). Archaeological resources may be considered historical resources if they meet the aforementioned criteria. Typically, historical resources are more than 45 years in age.

The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses which would have the potential to impact historical resources. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. The potential for construction of infill or redevelopment (which could include structural improvements, demolition of buildings, and/or ground disturbance) could result in direct or indirect substantial adverse changes in the significance of historical resources. Future cannabis businesses associated with the Project would be required to comply with applicable federal, state, and local regulations that protect historical resources. Further, future cannabis businesses would undergo the City’s discretionary review process, where applicable, including completion of

subsequent project-level planning and environmental review under CEQA. Such projects nonetheless could result in significant impacts to as-yet-unidentified historic architectural and/or archaeological resources qualifying as historical resources under CEQA. The implementation of mitigation measures CUL-1 and CUL-2 and would reduce impacts to less than significant.

### Mitigation Measures

**CUL-1: Historic Resources Assessment.** For future cannabis businesses associated with the Project that involve demolition or alteration of buildings and/or structures or the construction of adjacent aboveground infrastructure, the project applicant shall retain an architectural historian meeting the minimum professional qualifications standards (PQS) set forth by the Secretary of the Interior (codified in 36 Code of Federal Regulations [CFR] Part 61; 48 Federal Register 44738-44739) (Qualified Architectural Historian) to conduct a historic resources assessment. The assessment shall include a review of the Built Environment Resource Directory (BERD) and the City's historic landmarks and structures of merit listings; a review of other pertinent archives and sources; recordation of all historic architectural resources more than 45 years in age on California Department of Parks and Recreation (DPR) 523 forms; evaluation of resources for listing in the California Register of Historical Resources and for designation as a City of Covina historic landmark or structure of merit; and preparation of a technical report documenting the methods and results of the assessment. The report shall also provide recommendations for additional work or mitigation, if needed, which may include but would not be limited to compliance with the Secretary of the Interior's Standards (Ord. 16-2060 § 1, 2016; Ord. 97-1812 § 1, 1997). A copy of the final report shall be filed with the South Central Coastal Information Center.

**CUL-2: Archaeological Resources Assessment.** For future cannabis businesses associated with the Project that involve ground disturbance, the project applicant shall retain an archaeologist meeting the minimum PQS set forth by the Secretary of the Interior (codified in 36 CFR Part 61; 48 Federal Register 44738-44739) (Qualified Archaeologist) to conduct an archaeological resource assessment. The assessment shall include a records search at the South Central Coastal Information Center; a Sacred Lands File search through the Native American Heritage Commission; a subsurface sensitivity assessment; a pedestrian field survey in instances where ground surface is exposed; recordation of all identified archaeological resources on DPR 523 forms; evaluation of resources affected by the project for eligibility for listing in the California Register of Historical Resources and for designation as a City of Covina historic landmark or structure of merit; and preparation of a technical report documenting the methods and results of the assessment. Resources that do not qualify as historical resources shall be considered by the Qualified Archaeologist for qualification as unique archaeological resources as defined in PRC Section 21083.2(g). The report shall also include recommendations as to whether mitigation for worker training, monitoring, and/or inadvertent discoveries is warranted. A copy of the final report shall be filed with the South Central Coastal Information Center.

- b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Less than Significant Impact with Mitigation Incorporated.** If an archaeological resource does not meet the criteria for historical resources, then it may be determined to be a unique

archaeological resource as defined by CEQA (PRC Section 21083.2(g)). A unique archaeological resource is an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria: (1) contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; (2) has a special and particular quality such as being the oldest of its type or the best available example of its type; or (3) is directly associated with a scientifically recognized important prehistoric or historic event or person.

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment of future cannabis businesses were to occur, the Project would be required to comply with applicable federal, state, and local laws that protect unique archaeological resources. Further, future cannabis businesses would undergo the City's discretionary review process, including completion of subsequent project-level planning and environmental review under CEQA. Such projects nonetheless could result in significant impacts to unique archaeological resources under CEQA. The implementation of Mitigation Measure CUL-2 and would reduce impacts to less than significant.

### Mitigation Measures

Refer to mitigation measure **CUL-2** above.

c) **Disturb any human remains, including those interred outside of dedicated cemeteries?**

**Less than Significant Impact.** The potential parcels for the future cannabis businesses are currently developed generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. The Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment of future cannabis businesses were to occur, the Project would be subject to existing laws and regulations that protect buried human remains,

including compliance with State of California Health and Safety Code Section 7050.5 and PRC Section 5097.98. Therefore, compliance with existing state laws and regulations would reduce impacts to unknown buried human remains to a less than significant level.

## References

City of Covina. 2000. City of Covina General Plan. Available at:  
[https://covinaca.gov/sites/default/files/fileattachments/planning\\_commission/page/1073/land\\_use.pdf](https://covinaca.gov/sites/default/files/fileattachments/planning_commission/page/1073/land_use.pdf). Accessed September 2022.

City of Covina. 2022. City of Covina Municipal Code. Available at:  
<https://www.codepublishing.com/CA/Covina/#!/Covina14/Covina1404.html#14.04>.  
Accessed September 2022.

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# Energy

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. ENERGY</b> — Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

- a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**Less Than Significant Impact.** The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The Project is the adoption of the Local Cannabis Program Ordinance, the approval of which could result in the development of land uses that would directly result in energy demand. Future energy demand may result from future cannabis businesses associated with the Project, including cultivation on less than 10,000 square feet and manufacturing.

Construction-related energy consumption associated with future cannabis businesses, including cultivation on less than 10,000 square feet and manufacturing, with approval of the Project would be subject to approval of permits prior to construction of any new commercial cannabis activity uses. Energy use during future Project construction would primarily occur in association with fuel use by vehicles and other equipment to conduct construction activities. However, because of the limited amount of vacant land as well as the limited numbers of future cannabis businesses that could result from Project implementation, it is likely that any such new development and construction would be limited in scale. Locally, the Project would permit up to three future cannabis businesses within specified commercial or light industrial zones that meet the development criteria established in the Cannabis Ordinance Project. However, no specific development project is proposed at this time in connection with the Cannabis Ordinance Project. Thus, it is unlikely that new construction activities related to the future cannabis businesses associated with the Project would result in a level of development that would require substantial construction energy.

All construction activities, even minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), would be required to comply with CARB and SCAQMD regulations and rules such as limiting heavy-duty truck idling to 5 minutes or less and using construction contractors with construction equipment

fleets that are in compliance with the U.S. Environmental Protection Agency and the State's heavy-duty equipment and vehicle regulations to minimize fuel consumption as well as emissions. Furthermore, the Cannabis Ordinance Project would limit the number of cannabis businesses to one cannabis business per every 15,000 residents with every fraction thereof rounded down. Therefore, it is not expected that the Project would result in substantial new construction associated with future cannabis businesses at any one time, thus further limiting the potential demand for construction energy and fuels.

Operation of future cannabis businesses would result in long-term occupancy and associated energy demand. However, future cannabis businesses would be limited in number and location, would be located within existing developed areas of the City in proximity to other existing businesses, and would be similar to other permitted retail and light industrial uses. Furthermore, the Project would not change regional growth projections and as such, would not be expected to result in a substantial net increase in vehicle miles traveled and related transportation fuel demand. All future all future cannabis businesses associated with the Project would be required to adhere to all federal, state, and local requirements for energy efficiency, including the latest Title 24 standards.

Indoor cultivation could result in energy demand. Indoor cultivation has relatively intensive energy demands, often requiring large amounts of electricity to power equipment, such as grow lights, space heating, water heating, HVAC and dehumidification, CO<sub>2</sub> injection, and drying/curing.<sup>1</sup> The Cannabis Ordinance Project places permit and approval requirements on cannabis businesses, including cultivation on less than 10,000 square feet. Section 17.84.040(F) requires cannabis businesses to submit an operations plan to the Director for approval by the Director and Chief of Police, which among other requirements, includes addressing water preservation. Section 17.84.070(F) places development standards on cannabis businesses that includes cultivation and requires that, among other requirements, the operations plan in Section 17.84.040(F) include a cultivation plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; a description of a legal water source, irrigation plan, and projected water use; and identify the source of electrical power and plan for compliance with applicable Building Codes and related codes. Section 17.84.090(J) places performance standards on cannabis businesses including compliance with the City's lighting standards including, without limitation, fixture type, wattage, illumination levels, shielding, and secure the necessary approvals and permits as needed. Considering the above requirements, future cannabis businesses associated with the Project would not result in the inefficient, wasteful, or unnecessary consumption of energy. Therefore, impacts would be less than significant and no mitigation is required.

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<sup>1</sup> Based on CEQA Up in Smoke, a presentation given at the San Diego Association of Environmental Professionals, every 2.2 pounds of cannabis produced indoors requires approximately 5,000 kilowatt-hours of energy. For comparison, the production of 2.2 pounds of aluminum, an energy-intensive product, requires 16 kilowatt-hours of energy. (CEQA Up in Smoke, Powerpoint presentation prepared by Best Best & Krieger LLP and Rincon Consultants, San Diego Association of Environmental Professionals, September 28, 2017).

b) **Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Less than Significant Impact.** Part 6 of Title 24 of the CCRs and all applicable rules and regulations discussed above would reduce energy demand and increase energy efficiency related to future cannabis businesses associated with the Project. Part 6 of Title 24 of the CCRs establishes energy efficiency standards for residential and non-residential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically (every 3 years) to incorporate and consider new energy efficiency technologies and methodologies. Title 24 also includes Part 11, CALGreen.

The City of Covina's 2019 Energy Action Plan Update and 2012 Energy Action Plan were prepared by the San Gabriel Valley Council of Governments for the City. The plans' goals are to reduce energy consumption and decrease GHG emissions in accordance with AB 32 and SB 32 emission reduction targets. The 2019 Energy Action Plan Update sets the following updated targets: decrease overall municipal building electricity usage to 5 percent below 2018 levels by 2023, decrease overall municipal building gas usage to 5 percent below 2018 levels by 2023, and implement 3 or more energy efficiency projects by 2023. The City is supported by the San Gabriel Valley Energy Wise Partnership and SCE's Energy Leader Partnership in achieving these energy goals (Covina, 2019). Additionally, as discussed related to GHGs, existing various local plans would reduce energy use, including the County's Community Climate Action Plan, SCAG's 2020–2045 RTP/SCS, and CARB's Scoping Plan.

As discussed above, all future cannabis businesses associated with the Project would be required to adhere to all federal, state, and local requirements for energy efficiency, including the latest Title 24 standards. The Cannabis Ordinance Project also places permit and approval requirements on cannabis businesses. Section 17.84.040(F) requires cannabis businesses to submit an operations plan that is required to address water preservation. Section 17.84.070(F) places development standards on cannabis businesses that includes cultivation and requires a cultivation plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; a description of a legal water source, irrigation plan, and projected water use; and identify the source of electrical power and plan for compliance with applicable Building Codes and related codes. Section 17.84.090(J) places performance standards on cannabis businesses including compliance with the City's lighting standards including, without limitation, fixture type, wattage, illumination levels, shielding, and secure the necessary approvals and permits as needed.

Based on the above requirements, future cannabis businesses associated with the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, impacts would be less than significant. No mitigation is required.

## References

California Building Energy Efficiency Standards, Title 24, Part 6, §110.9, §130.0, and §130.2.

CARB (California Air Resource Board). California 2017 Climate Change Scoping Plan. [https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf). Accessed August 2022.

City of Covina. 2012 Energy Action Plan.

[https://covinaca.gov/sites/default/files/fileattachments/public\\_works/page/584/covina-eap-december-2012\\_final.pdf](https://covinaca.gov/sites/default/files/fileattachments/public_works/page/584/covina-eap-december-2012_final.pdf)

City of Covina. 2019. Energy Action Plan Update. City of Covina.

[https://covinaca.gov/sites/default/files/fileattachments/public\\_works/page/584/eap\\_-\\_final.pdf](https://covinaca.gov/sites/default/files/fileattachments/public_works/page/584/eap_-_final.pdf). Accessed August 2022.

County of Los Angeles, Department of Regional Planning. 2022. LA County Draft 2045 Climate Action Plan. April 2022. [https://planning.lacounty.gov/site/climate/wp-content/uploads/2022/04/LA\\_County\\_2045\\_CAP\\_Public\\_Draft\\_April\\_2022.pdf](https://planning.lacounty.gov/site/climate/wp-content/uploads/2022/04/LA_County_2045_CAP_Public_Draft_April_2022.pdf). Accessed August 2022.

Energy Independence and Security Act of 2007. (Pub.L. 110-140).

Southern California Association of Governments. 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of Southern California Association of Governments. <https://www.fhbp.org/PDFs/Resources/Resources/Regional/SCAG-Proposed-Final-ConnectSoCal-2020.pdf>. Accessed August 2022.

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## Geology and Soils

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>VII. GEOLOGY AND SOILS — Would the project:</b>				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

- a) **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
  - 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? Refer to Division of Mines and Geology Special Publication 42.**

**Less than Significant Impact.** Fault rupture is the displacement that occurs along the surface of a fault during an earthquake. Based on criteria established by the California Geological Survey (CGS), faults may be categorized as active, potentially active, or inactive. Active faults are those that show evidence of surface displacement within the last 11,000 years (Holocene-age).

Potentially active faults are those that show evidence of most recent surface displacement within the last 1.6 million years (Quaternary-age). Faults showing no evidence of surface displacement within the last 1.6 million years are considered inactive. In addition, there are buried thrust faults, which are low angle reverse faults with no surface exposure. Due to their buried nature, the existence of buried thrust faults is usually not known until they produce an earthquake.

The CGS has established earthquake fault zones known as Alquist-Priolo Earthquake Fault Zones around the surface traces of active faults to assist cities and counties in planning, zoning, and building regulation functions. These zones, which extend from 200 to 500 feet on each side of a known active fault, identify areas where potential surface rupture along an active fault could prove hazardous and identify where special studies are required to characterize hazards to habitable structures (CGS, 2019).

No active faults have been identified within the City. However, there are two potentially active earthquake faults that pass through the City. The Indian Hill Fault runs through the northeastern portion of the City and the Walnut Creek Fault traverses the southeastern portion of the City along Walnut Creek. The nearest active faults to the City are the Sierra Madre Fault, the Duarte Fault, and the Lower Duarte Fault, which are between 2 miles and 4 miles north of the City. A segment of the San Andreas Fault, the portion which runs between the City of San Bernardino and Parkfield (southeast Monterey County), is located approximately 20 miles northeast of the City. The other active faults nearest to the City include the Whittier-Elsinore Fault located approximately 10 miles to the southwest, the Raymond Fault located approximately 15 miles to the northwest, and the Norwalk Fault located approximately 20 miles to the southwest, and (City of Covina, 2000).

The potential parcels for the future cannabis businesses are located in the seismically active Southern California region and could be subject to moderate to strong ground shaking in the event of an earthquake on one of the many active Southern California faults. However, no currently known active surface faults traverse the potential parcels, and the potential parcels are not located within a designated Alquist-Priolo Earthquake Fault Zone. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill development or redevelopment within previously developed lots. Because of the limited amount of vacant land as well as the limited number of future cannabis businesses that could result from Project implementation, it is likely that any such construction of infill development or redevelopment would be limited in scale. All future cannabis businesses associated with the Project would be required to comply with all applicable specifications and regulations related to seismic design in Title 14, Buildings and Construction, of the City's Municipal Code, and the latest standards of the 2022 California Building Code (CBC), which would require structural design that can accommodate maximum ground accelerations expected from known faults. As such, compliance with all applicable building codes and requirements would ensure impacts related to ground rupture would be less than significant. No mitigation is required.

ii) **Strong seismic ground shaking?**

**Less than Significant Impact.** Seismicity is the geographic and historical distribution of earthquakes, including their frequency, intensity, and distribution. The level of ground shaking at a given location depends on many factors, including the size and type of earthquake, distance from the earthquake, and subsurface geologic conditions. The type of construction also affects how particular structures and improvements perform during ground shaking.

Strong seismic ground shaking is anticipated to be the strongest in the middle and upper portions of the City, which are nearest the active faults which include Sierra Madre Fault, Duarte Fault, and Lower Duarte Fault. Due to the proximity of the potential parcels for the future cannabis businesses to these active faults, and due to the prevalent, motion-susceptible alluvium that underlies the City, the potential parcels could experience strong seismic ground shaking (Covina, 2000). It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment of future cannabis businesses were to occur, the City requires that all new construction meet or exceed Title 14, Buildings and Construction, of the City's Municipal Code, and the latest standards of the 2022 CBC for construction which requires structural design that can accommodate maximum ground accelerations expected from known faults. The Project would comply with the CGS Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California, which provides guidance for evaluation and mitigation of earthquake-related hazards. Therefore, implementation of the Project and the associated future cannabis businesses would result in a less than significant impact related to strong seismic ground shaking. No mitigation is required.

iii) **Seismic-related ground failure, including liquefaction?**

**Less than Significant Impact.** Liquefaction is a phenomenon in which loosely deposited, granular soils and fine-grained soils located below the water table undergo rapid loss of shear strength when subjected to strong earthquake-induced ground shaking. Ground shaking of sufficient duration can result in a loss of grain-to-grain contact due to a rapid rise in pore water pressure causing the soil to behave as a fluid for a short period. Liquefaction is known generally to occur in saturated or near-saturated cohesionless soils at depths shallower than 50 feet below the ground surface. Factors known to influence liquefaction potential include composition and thickness of soil layers, grain size, relative density, degree of saturation, groundwater level, and both duration and intensity of ground shaking.

According to the City's General Plan, liquefaction typically occurs in areas where the groundwater is less than 30 feet from the ground surface and where the soils are composed of predominantly poorly consolidated fine sand. In the City, liquefaction has not been a hazard in the past and appears to have very limited future hazard potential because the water table is generally more than 50 feet deep and there are no areas of loose, cohesionless soils (Covina,

2000). It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment of future cannabis businesses were to occur and liquefaction zones were discovered, complying with the 2022 CBC and the CGS Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California, would reduce impacts from liquefaction within the potential parcels to maximum extent possible under currently accepted engineering practices. These engineering practices could include densification of soils, soil reinforcement, and drainage/dewatering to reduce pore water pressure within the soil. Therefore, implementation of the Project and the associated future cannabis businesses would result in a less than significant impact related to liquefaction. No mitigation is required.

iv) **Landslides?**

**Less than Significant Impact.** Earthquake-induced landslides often occur in areas where previous landslides have moved and in areas where the topographic, geologic, geotechnical and subsurface groundwater conditions are conducive to permanent ground displacements. In the City, which is predominantly flat, no documented cases of major landslides have occurred. However, there is potential for landslides in certain sections of the Covina Hills area, which is comprised of hilly terrain and has many fill slopes (Covina, 2000). The Project and associated future cannabis businesses are located in relatively flat and highly urbanized areas of the City. As such, a less than significant impact would occur in this regard. No mitigation is required.

b) **Result in substantial soil erosion or the loss of topsoil?**

**Less than Significant Impact.** Soil erosion refers to the process by which soil or earth material is loosened or dissolved and removed from its original location. Erosion can occur by varying processes and may occur in a project area where bare soil is exposed to wind or moving water (both rainfall and surface runoff). The processes of erosion are generally a function of material type, terrain steepness, rainfall or irrigation levels, surface drainage conditions, and general land uses. Topsoil is used to cover surface areas for the establishment and maintenance of vegetation due to its high concentrations of organic matter and microorganisms.

It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment were to occur, construction of the future cannabis businesses could result in ground surface disruption during excavation, grading, and trenching that could create the potential for erosion to occur. Wind erosion would be minimized through soil stabilization measures required by the SCAQMD Rule 403 (Fugitive Dust), such as daily watering. Potential for water erosion would be reduced by implementation of standard erosion



control measures imposed during site preparation and grading activities. As discussed in more detail in Section X, *Hydrology and Water Quality*, future cannabis businesses associated with the Project would be subject to all existing regulations associated with the protection of water quality. Construction activities would be carried out in accordance with applicable City standard erosion control practices required pursuant to the 2022 CBC and the requirements of the National Pollutant Discharge Elimination Systems (NPDES) General Construction Permit issued by the LARWQCB, as applicable. Consistent with these requirements, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared that incorporates Best Management Practices (BMPs) to control water erosion during the construction periods of all future cannabis businesses associated with the Project. Therefore, with compliance with applicable regulatory requirements, impacts regarding soil erosion or the loss of topsoil would be less than significant. No mitigation is required.

- c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

**Less than Significant Impact.** As previously discussed under Responses VII.a.iii and VII.a.iv above, liquefaction and landslide hazards were concluded to be less than significant. Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. The downslope movement is due to the combination of gravity and earthquake shaking. Such movement can occur on slope gradients of as little as one degree. Lateral spreading typically damages pipelines, utilities, bridges, and structures. Lateral spreading of the ground surface during a seismic activity usually occurs along the weak shear zones within a liquefiable soil layer and has been observed to generally take place toward a free face (i.e., retaining wall, slope, or channel) and to a lesser extent on ground surfaces with a very gentle slope. As stated under Response VII.a.iii, liquefaction has not been a hazard in the past and appears to have very limited future hazard potential because the water table is generally more than 50 feet deep and there are no areas of loose, cohesionless soils. Further, due to the absence of any channel, slope, or river within the potential parcels, the potential for lateral spreading occurring on or off the future sites are considered to be low. Subsidence occurs when a void is located or created underneath a surface, causing the surface to collapse. Common causes of subsidence include withdrawal of groundwater or oil resources or wells beneath a surface. As no oil wells are located within the potential parcels, subsidence associated with extraction activities is not anticipated.

Conformance to the 2022 CBC and the CGS Special Publications 117, *Guidelines for Evaluating and Mitigating Seismic Hazards in California* would reduce impacts from stability hazards within the potential parcels for the future cannabis businesses to the maximum extent possible under currently accepted engineering practices. These engineering practices could include densification of soils, soil reinforcement, and drainage/dewatering to reduce pore water pressure within the soil. As such, implementation of the Project would result in less than significant impacts related to stability hazards. No mitigation is required.

d) **Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

**Less than Significant Impact.** Expansive soils are typically associated with fine-grained clayey soils that have the potential to shrink and swell with repeated cycles of wetting and drying. Although not anticipated, expansive soils, if encountered within the potential parcels, would be removed and/or replaced as part of standard construction practices pursuant to the City and the 2022 CBC building requirements. Therefore, implementation of the Project would result in less than significant impacts associated with expansive soils and substantial risks to life or property would not occur. No mitigation is required.

e) **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

**No Impact.** The potential parcels for the future cannabis businesses are located in urbanized areas where municipal wastewater infrastructure currently exists. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment was to occur, the future cannabis businesses associated with the Project would connect to existing infrastructure and would not use septic tanks or alternative waste water disposal systems. Therefore, no impact would occur in this regard.

f) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less than Significant Impact with Mitigation Incorporated.** Paleontological resources are the fossilized remains of plants and animals, including vertebrates (animals with backbones; mammals, birds, fish, etc.), invertebrates (animals without backbones; starfish, clams, coral, etc.), and microscopic plants and animals (microfossils), and can include mineralized body parts, body impressions, or footprints and burrows. They are valuable, non-renewable, scientific resources used to document the existence of extinct life forms and to reconstruct the environments in which they lived. A significant impact would occur if a project would destroy a unique paleontological resource or site, or a unique geologic feature.

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses which would have the potential to impact paleontological resources. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any construction would occur. However, if the construction of infill

development or redevelopment of future cannabis businesses were to occur, the Project would be required to comply with existing federal, state, and local regulations that protect paleontological resources. Further, future cannabis businesses would undergo the City's discretionary review process, where applicable, including completion of subsequent project-level planning and environmental review under CEQA. Such projects could nonetheless result in significant impacts to unique paleontological resources or sites under CEQA. Given the nature of the projects, it is unlikely that unique geologic features would be impacted. However, implementation of mitigation measure **GEO-1** would reduce impacts to a less-than-significant level.

### Mitigation Measure

**GEO-1: Paleontological Resources Assessment and Monitoring.** For future cannabis projects associated with the Project that involve ground disturbance, the project applicant shall retain a paleontologist who meets the Society of Vertebrate Paleontology's (SVP 2010) definition for qualified professional paleontologist (Qualified Paleontologist) to prepare a paleontological resources assessment report. The report shall include methods and results of the paleontological resources assessment. The report shall also include recommendations as to whether mitigation for worker training monitoring, and/or inadvertent discoveries is warranted.

### References

- CGS (California Geological Survey). 2008. Special Publication 117A, Guidelines for Evaluating and Mitigating Seismic Hazards in California.  
[https://www.conservation.ca.gov/cgs/Documents/Program-SHP/SP\\_117a.pdf](https://www.conservation.ca.gov/cgs/Documents/Program-SHP/SP_117a.pdf), accessed September 2022.
- CGS. 2019. Alquist-Priolo Earthquake Fault Zones. Available at:  
<https://www.conservation.ca.gov/cgs/alquist-priolo>. Accessed August 23, 2022.
- City of Covina. 2000. City of Covina General Plan. Available at:  
[https://covina.ca.gov/sites/default/files/fileattachments/planning\\_commission/page/1073/land\\_use.pdf](https://covina.ca.gov/sites/default/files/fileattachments/planning_commission/page/1073/land_use.pdf). Accessed August 24, 2022.
- City of Covina. 2022. City of Covina Municipal Code. Available at:  
<https://www.codepublishing.com/CA/Covina/#!/Covina14/Covina1404.html#14.04>.  
 Accessed August 24, 2022.
- Dibblee, T.W. and Minch, J.A. 2007. Geologic map of the Venice and Inglewood quadrangles, Los Angeles County, California, Dibblee Geological Foundation, Dibblee Foundation Map DF-322, 1: 24,000.
- DGS (California Department of General Services). 2022. 2022 Triennial Edition of Title 24 California Building Code. Available at: <https://www.dgs.ca.gov/BSC/Codes>. Accessed August 24, 2022.
- DOC (California Department of Conservation). 2019. California Earthquake Hazards Zone Application. Available at: <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>. Accessed August 23, 2022.

## Greenhouse Gas Emissions

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>VIII. GREENHOUSE GAS EMISSIONS —</b>				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**
- b) **Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**(a–b) Less Than Significant Impact.** Gases that trap heat in the atmosphere and contribute to global climate change are referred to as greenhouse gases (GHGs). Global climate change is a change in the average weather on Earth that can be measured by wind patterns, storms, precipitation, and temperature. Although there is disagreement as to the rate of global climate change and the extent of the impacts attributable to human activities, most in the scientific community agree that there is a direct link between increased emissions of GHGs and long-term global temperature increases. State regulated GHGs include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). CO<sub>2</sub> is the most abundant GHG in the atmosphere. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified in equivalent mass of CO<sub>2</sub>, denoted as CO<sub>2</sub>e. Mass emissions are calculated by converting pollutant specific emissions to CO<sub>2</sub>e emissions by applying the proper global warming potential (GWP) value. These GWP ratios are available from the U.S. Environmental Protection Agency (USEPA) and are published in the California Climate Action Registry (CCAR) General Reporting Protocol. By applying the GWP ratios, project related CO<sub>2</sub>e emissions can be tabulated in metric tons per year. For example, CH<sub>4</sub> has a GWP of 25 (over a 100-year period) and N<sub>2</sub>O has a GWP of 298 (over a 100-year period); therefore, one metric ton (MT) of CH<sub>4</sub> and N<sub>2</sub>O are equivalent to 25 MT and 298 MT, respectively, of CO<sub>2</sub> equivalents (MTCO<sub>2</sub>e). The GWP ratios are available from the United Nations Intergovernmental Panel on Climate Change (IPCC) and are published in the *Fourth Assessment Report (AR4)*. By applying the GWP ratios, project-related CO<sub>2</sub>e emissions can be tabulated in MT per year. Large emission sources are reported in million metric tons (MMT) of CO<sub>2</sub>e.<sup>2</sup>

<sup>2</sup> A metric ton is 1,000 kilograms; it is equal to approximately 1.1 U.S. tons and approximately 2,204.6 pounds.

Impacts of GHGs are borne globally, as opposed to localized air quality effects of criteria air pollutants and toxic air contaminants. The quantity of GHGs that it takes to ultimately result in climate change is not precisely known; however, it is clear that the quantity is enormous, and no single project would measurably contribute to a noticeable incremental change in the global average temperature, or to global, local, or micro climates. From the standpoint of CEQA, GHG impacts to global climate change are inherently cumulative.

The City has not adopted a numerical significance threshold for assessing impacts related to GHG emissions that would be applicable to the Project and has not formally adopted a local plan for reducing GHG emission. When no guidance exists under CEQA, the lead agency may look to and assess general compliance with comparable regulatory schemes.<sup>3</sup> In its January 2008 CEQA and Climate Change white paper, the California Air Pollution Control Officer's Association (CAPCOA) identified a number of potential approaches for determining the significance of GHG emissions in CEQA documents. In its white paper, CAPCOA suggests making significance determinations on a case-by-case basis when no significance thresholds have been formally adopted by a lead agency.

The Office of Planning and Research released a technical advisory on CEQA and climate change that provided some guidance on assessing the significance of GHG emissions, and states that "lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice," and that while "climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment."<sup>4</sup> Furthermore, the technical advisory states that "CEQA authorizes reliance on previously approved plans and mitigation programs that have adequately analyzed and mitigated GHG emissions to a less than significant level as a means to avoid or substantially reduce the cumulative impact of a project."<sup>5</sup>

State CEQA Guidelines Section 15064.4 gives lead agencies the discretion to determine whether to assess the significance of GHG emissions quantitatively or qualitatively. Section 15064.4 recommends considering certain factors, among others, when determining the significance of a project's GHG emissions, including the extent to which the proposed project may increase or reduce GHG emissions as compared to the existing environment; whether a proposed project exceeds an applicable significance threshold that the lead agency determines applies to a proposed project; and extent to which a proposed project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs. The California Natural Resources Agency (CNRA) Final Statement of Reasons for Regulatory Action from December 2009 similarly provides that project-level quantification of emissions should be conducted where

<sup>3</sup> See *Protect Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1107 [“[A] lead agency’s use of existing environmental standards in determining the significance of a project’s environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and resolution.”]. Lead agencies can, and often do, use regulatory agencies’ performance standards. A project’s compliance with these standards usually is presumed to provide an adequate level of protection for environmental resources. See, e.g., *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 99 (upholding use of regulatory agency performance standard).

<sup>4</sup> Governor’s Office of Planning and Research, *Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*, (2008).

<sup>5</sup> *Ibid.*

it would assist in determining the significance of emissions, even where no numeric threshold applies. In such cases, CNRA's guidance provides that qualitative thresholds can be utilized to determine the ultimate significance of project-level impacts based on a project's consistency with plans, which can include applicable regional transportation plans. Even when using a qualitative threshold, quantification can inform "the qualitative factors" and indicate "whether emissions reductions are possible, and, if so, from which sources."<sup>6</sup>

Neither CARB nor the City has adopted quantitative significance thresholds for assessing impacts related to GHG emissions. On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold for stationary source/industrial projects where the SCAQMD is lead agency. The SCAQMD adopted a 10,000 MTCO<sub>2e</sub> per year significance threshold for industrial facilities for stationary source projects in which the SCAQMD is the lead agency. The SCAQMD has not formally adopted a significance threshold for GHG emissions generated by a project for which SCAQMD is not the lead agency, or a uniform methodology for analyzing impacts related to GHG emissions on global climate change for land use development projects, such as the Project.<sup>7</sup>

State CEQA Guidelines section 15183.5 states that a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project complies with the requirements in a previously adopted mitigation program or plan for the reduction of GHG emissions. Per State CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if a project would comply with an approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area of a project. To qualify, such a plan or program must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency (CCR, Title 14, Section 15064(h)(3)). Examples of such programs include a "water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, [and] plans or regulations for the reduction of greenhouse gas emissions" (CCR, Title 14, Section 15064(h)(3)).

Regardless of which threshold(s) are used, the agency must support its analysis and significance determination with substantial evidence. (CEQA Guidelines, Section 15064.7). The State CEQA Guidelines recommends considering certain factors, among others, when determining the significance of a project's GHG emissions, including the extent to which a project may increase or reduce GHG emissions as compared to the existing environment; whether a project exceeds an applicable significance threshold; and extent to which a project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs.

<sup>6</sup> CNRA, Final Statement of Reasons for Regulatory Action, December 2009, pp. 20–26.

<sup>7</sup> California Air Resources Board, Greenhouse Gases CEQA Significance Thresholds, <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ghg-significance-thresholds>, accessed November 2015.

According to the CAPCOA, “GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.”<sup>8</sup> Due to the complex physical, chemical and atmospheric mechanisms involved in global climate change, there is no basis for concluding that a single project’s increase in annual GHG emissions would cause a measurable change in global GHG emissions necessary to influence global climate change. Section 15064.4(b) of the State CEQA Guidelines states that “in determining the significance of a project’s GHGs, the lead agency should focus its analysis on the reasonable, foreseeable incremental contribution of a project’s emissions to the effects of climate change. A project’s incremental contribution may be cumulatively considerable even if it appears relatively small compared to statewide, national or global emissions.”

Absent a specific threshold, the Project would not have a significant effect on the environment if it is found to be consistent with the applicable plans and policies established within adopted regulatory documents. The Global Warming Solutions Act of 2006, also known as AB 32 and amended by SB 32, requires the State to achieve 40 percent below 1990 GHG emission levels by 2030. To achieve these goals, the CARB has established an emissions cap and developed a Climate Change Scoping Plan to identify mandatory strategies for reducing statewide GHG emissions.

The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The Project is the adoption the Local Cannabis Program Ordinance, the approval of which would not directly result in the development of land uses and would not directly result in GHG emissions. No specific development project is proposed at this time in connection with the Cannabis Ordinance Project. Future GHG emissions may result from future cannabis businesses including cultivation on less than 10,000 square feet associated with the Project. The Project could result in development that would contribute to local and regional short-term or temporary construction related GHG emissions.

All construction activities, even minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), would be required to comply with CARB and SCAQMD regulations and rules regarding minimizing exhaust emissions. These regulations and rules limiting heavy-duty truck idling to 5 minutes or less and using construction contractors with construction equipment fleets that are in compliance with the U.S. Environmental Protection Agency and the State’s heavy-duty equipment and vehicle regulations to minimize GHG emissions, as well as air pollutant emissions. However, because of the limited amount of vacant land as well as the limited number of future cannabis businesses that could result from Project implementation, it is likely that any such new development and construction would be limited in scale. Thus, it is unlikely that new development related to the future cannabis businesses associated with the Project would result in a level of development that would generate substantial construction GHG emissions that would

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<sup>8</sup> California Air Pollution Control Officers Association (CAPCOA), 2008. CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.

have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

Operation of future cannabis businesses would result in long-term occupancy and associated air emissions. However, future cannabis businesses would be limited in number and location, would be located within existing developed areas of the City in proximity to other existing businesses, and would be similar to other permitted retail and light industrial uses. Furthermore, the Project would not change regional growth projections and as such, would not be expected to result in a substantial net increase in vehicle miles traveled and related emissions and would not result in a level of development that would generate operational GHG emissions that would have a significant impact on the environment or conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

The Project would permit up to three future cannabis businesses within specified commercial or light industrial zones that meet the development criteria established in the Cannabis Ordinance Project. However, no specific development project is proposed at this time in connection with the Cannabis Ordinance Project. However, such future development would be subject to permit review and conditions to address new site specific demand for energy resources and compliance with energy reduction strategies to ensure conformance with adopted goals and regulations for GHG emissions. Indoor cultivation could result in GHG emissions as a result of associated energy demands. Given that energy use is a primary component of regional GHG emissions, many regulations and policies adopted by the State as discussed above are targeted at reducing overall energy demands of existing and new development. Indoor cultivation has relatively intensive energy demands, often requiring large amounts of electricity to power equipment, such as grow lights, space heating, water heating, HVAC and dehumidification, CO<sub>2</sub> injection, and drying/curing.<sup>9</sup> The Cannabis Ordinance Project places permit and approval requirements on cannabis businesses, including cultivation on less than 10,000 square feet and manufacturing. Section 17.84.040(F) requires cannabis businesses to submit an operations plan to the Director for approval by the Director and Chief of Police, which among other requirements, includes addressing water preservation. Section 17.84.070(F) places development standards on cannabis businesses that includes cultivation and requires that, among other requirements, the operations plan in Section 17.84.040(F) include a cultivation plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; a description of a legal water source, irrigation plan, and projected water use; and identify the source of electrical power and plan for compliance with applicable Building Codes and related codes. Section 17.84.090(J) places performance standards on cannabis businesses including compliance with the City's lighting standards including, without limitation, fixture type, wattage, illumination levels, shielding, and secure the necessary approvals and permits as needed.

Based on the above, future cannabis businesses associated with the Project would not directly conflict with adopted GHG reduction plans, policies or regulations. In addition, given that any

<sup>9</sup> Based on CEQA Up in Smoke, a presentation given at the San Diego Association of Environmental Professionals, every 2.2 pounds of cannabis produced indoors requires approximately 5,000 kilowatt-hours of energy. For comparison, the production of 2.2 pounds of aluminum, an energy-intensive product, requires 16 kilowatt-hours of energy. (CEQA Up in Smoke, Powerpoint presentation prepared by Best Best & Krieger LLP and Rincon Consultants, San Diego Association of Environmental Professionals, September 28, 2017).



future facilities would be required to comply with adopted regulations and policies to reduce GHG emissions through energy conservation, GHG emission impacts would be less than significant.

## References

- Best Best & Krieger LLP and Rincon Consultants. 2017. CEQA Up in Smoke, PowerPoint presentation. Presented to San Diego Association of Environmental Professionals. September 28, 2017
- CAPCOA (California Air Pollution Control Officers Association). 2008. CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.
- CARB (California Air Resources Board). Greenhouse Gases CEQA Significance Thresholds, <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ghg-significance-thresholds>.
- CNRA (California Natural Resources Agency). Final Statement of Reasons for Regulatory Action, December 2009, pp. 20–26.
- OPR (Governor's Office of Planning and Research). 2008. Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).
- Protect Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal. App. 4th 1099, 1107.
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## Hazards and Hazardous Materials

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>IX. HAZARDS AND HAZARDOUS MATERIALS —</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

Would the Project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**
- 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?**

**Less than Significant Impact (a–b).**

### Construction

It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that

limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment of future cannabis businesses were to occur, construction equipment and materials would include fuels, oils and lubricants, solvents and cleaners, cements and adhesives, paints and thinners, degreasers, cement and concrete, and asphalt mixtures, which are all commonly used in construction. Routine uses of any of these substances could pose a hazard to people or the environment and would be considered potentially significant.

Construction activities would be required to comply with numerous hazardous materials regulations designed to ensure that hazardous materials are transported, used, stored, and disposed of in a safe manner to protect worker safety, and to reduce the potential for a release of construction-related fuels or other hazardous materials into the environment, including stormwater and downstream receiving water bodies. Contractors would be required to prepare and implement Hazardous Materials Business Plans (HMBPs) that would require that hazardous materials used for construction would be used properly and stored in appropriate containers with secondary containment to contain a potential release. In Los Angeles County, HMBPs are submitted to the local Certified Unified Program Agency (CUPA), which in this case would be the Los Angeles County Fire Department Health Hazardous Materials Division (LACFD HHMD), for their review for compliance with hazardous materials regulations. The California Fire Code (CFC) would also require measures for the safe storage and handling of hazardous materials, which are included in the CUPA review of HMBPs

Construction contractors would be required to prepare a SWPPP for construction activities according to the NPDES Construction General Permit requirements. The SWPPP would list the hazardous materials (including petroleum products) proposed for use during construction; describe spill prevention measures, equipment inspections, equipment and fuel storage; protocols for responding immediately to spills; and describe BMPs for controlling site runoff. The SWPPP would be submitted to the LARWQCB, which would review both the SWPPP and the required inspection reports for compliance with the Construction General Permit.

In addition, the transportation of hazardous materials would be regulated by the U.S. Department of Transportation (USDOT), Caltrans, and the California Highway Patrol (CHP). Together, federal and state agencies determine driver-training requirements, load labeling procedures, and container specifications designed to minimize the risk of accidental release. In the event of a spill that releases hazardous materials at the potential parcels for the future cannabis businesses, a coordinated response would occur at the federal, state, and local levels. The LACFD HHMD is the local hazardous materials response team. In the event of a hazardous materials spill, the LACFD and CPD would be simultaneously notified and sent to the scene to respond and assess the situation.

Finally, implementation of some projects may include the demolition and removal of existing buildings and structures. Some buildings and structures may include hazardous building materials, such as asbestos-containing material (ACM), lead-based paint (LBP), polychlorinated biphenyls (PCBs), mercury, and Freon (i.e., refrigerants). If improperly managed, the demolition activities could result in exposures to construction workers, the public, and the environment.

Numerous existing regulations require that demolition and renovation activities that may disturb or require the removal of materials that consist of, contain, or are coated with ACM, LBP, PCBs, mercury, Freon, and other hazardous materials must be inspected and/or tested for the presence of hazardous materials. If present, the hazardous materials must be managed and disposed of in accordance with applicable laws and regulations. Compliance with existing regulations is a condition of demolition and construction permits.

In the case of ACM and LBP, all work must be conducted by a State-certified professional, which would ensure compliance with all applicable regulations. If ACM and/or LBP are determined to exist onsite, a site-specific hazard control plan must be prepared detailing removal methods and specific instructions for providing protective clothing and equipment for abatement personnel. A State-certified LBP and/or an ACM removal contractor would be retained to conduct the appropriate abatement measures as required by the plan. Wastes from abatement and demolition activities would be disposed of at a landfill permitted to accept such waste. Once all abatement measures have been implemented, the contractor would conduct a clearance examination and provide written documentation to the appropriate regulatory agency documenting that testing and abatement have been completed in accordance with all federal, state, and local laws and regulations.

Equipment and materials with PCBs, mercury, and Freon, are managed thru the Universal Waste Rule. In the case of PCBs, electrical transformers and older fluorescent light ballasts not previously tested and verified to not contain PCBs must be tested. If PCBs are detected above action levels, the materials must be disposed of at a licensed facility permitted to accept the materials. In the case of mercury in fluorescent light tubes and switches, the identification, removal, and disposal of the materials must be removed without breakage and disposed of at a licensed facility permitted to accept the materials. In the case of Freon or other refrigerants, the refrigerants must be directed to licensed recycling and reuse facilities permitted to handle the refrigerants.

Compliance with the numerous laws and regulations discussed above that govern the transportation, use, handling, and disposal of hazardous building materials would limit the potential for impacts due to the transportation, use, handling, disposal, or accidental release of hazardous building materials, and this impact would be less than significant. No mitigation is required.

### ***Operation***

Once constructed, future cannabis businesses associated with the Project operating within the City may use chemicals associated with cultivation and manufacturing, some of which may be hazardous materials. The routine use or an accidental spill of hazardous materials could result in inadvertent releases, which could adversely affect construction workers, the public, and the environment.

Businesses that use hazardous materials would be required to prepare and implement a HMBP that would require that hazardous materials used in operations be used properly, stored in appropriate containers with secondary containment to contain a potential release, and disposed of

at facilities permitted to accept the waste. All hazardous materials are required to be stored and handled according to manufacturer's directions and local, state and federal regulations. The CFC would also require measures for the safe storage and handling of hazardous materials. In addition, businesses would be required to comply with the local MS4 permit development standards, which would reduce pollutants and runoff flows from new developments using BMPs and low-impact development (LID)/post-construction standards. Further, the operations plan identified in Section 17.84.040(F) shall include a cultivation plan that meets or exceeds minimum legal standards for proper storage of fertilizers, pesticides, and other regulated projects to be used the site.

Preparation of an operations plan and compliance with the numerous laws and regulations discussed above that govern the transportation, use, handling, and disposal of hazardous materials would limit the potential for impacts due to the transportation, use, handling, disposal, or accidental release of hazardous materials, and this impact would be less than significant. No mitigation is required.

c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less than Significant Impact.** The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. All future cannabis businesses would be prohibited within 600 feet of a school providing instruction in kindergarten or any grades 1 through 12, day care center, youth center, or park.

Construction activities associated with future cannabis businesses associated with the Project would include the handling of hazardous materials, as discussed above. The routes to the specific construction sites would depend on the location of future cannabis businesses but could pass near schools. The accidental release or spill of hazardous materials transported through the vicinity near a school could expose school children, school staff, and workers to hazardous materials. Further, the prolonged use of construction equipment could produce hazardous emissions, if in proximity to a school.

Although all future cannabis businesses would be prohibited within 600 feet of a school, there are numerous regulations covering the transportation, use, storage, and disposal of hazardous materials during construction activities. The required compliance with these regulations would ensure that nearby schools would not be exposed to hazardous materials, and the impacts would be less than significant. No mitigation is required.

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?**

**Less than Significant Impact with Mitigation Incorporated.** Government Code Section 65962.5, amended in 1992, requires the California EPA (CalEPA) to develop and update annually the Cortese List, which is a list of hazardous waste sites and other contaminated sites. While

Government Code Section 65962.5 references the preparation of a list, many changes have occurred related to web-based information access since 1992 and information regarding the Cortese List is now compiled on the websites of the California Department of Toxic Substances Control (DTSC), the State Water Board, and CalEPA. The DTSC maintains the EnviroStor database, which includes sites on the Cortese List and also identifies potentially hazardous sites where cleanup actions (such as a removal action) or extensive investigations are planned or have occurred. The database provides a listing of Federal Superfund sites (National Priorities List (NPL); State Response sites; Voluntary Cleanup sites; and School Cleanup sites. Geotracker is the State Water Resources Control Board's data management system for managing sites that impact groundwater, especially those that require groundwater cleanup as well as permitted facilities such as operating underground storage tanks (USTs) and land disposal sites. CalEPA's database includes lists of sites with active Cease and Desist Orders (CDO) or Cleanup and Abatement Orders (CAO) from the State Water Board.

### **Construction**

As discussed above, it is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration). However, if the construction of infill development or redevelopment of future cannabis businesses were to occur, the construction could include the excavation of soil or removal of groundwater (dewatering), some of which may have chemical concentrations above regulatory action levels. If the future cannabis businesses associated with the Project involve the excavation of soils or extraction of groundwater from a site with existing contamination, and the contaminated materials are improperly handled, it could expose construction workers, the public, and the environment to hazardous materials. This would be a potentially significant impact.

As discussed above, there are numerous regulations covering the transportation, use, storage, and disposal of hazardous materials during construction activities. The required compliance with these regulations would reduce the exposure to hazardous materials. However, in order to ensure that future cannabis businesses plan for the potential to encounter existing contamination and inadvertently expose construction personnel, the public, or the environment, the project applicants shall implement mitigation measures **HAZ-1** through **HAZ-3**, as described below. To evaluate whether Project development on commercial and light industrial properties have potential issues with contaminated materials, project applicants would be required to implement mitigation measures **HAZ-1** through **HAZ-3**, as described below. Implementing the general protection measure and mitigation measures **HAZ-1** through **HAZ-3** would reduce this potentially significant impact to a less than significant level.

### **Mitigation Measures**

**HAZ-1: Phase I Environmental Site Assessment:** Prior to the initiation of any construction requiring ground-disturbing activities on commercial and light industrial properties, as well as listed active hazardous materials cleanup sites, project applicants shall complete a Phase I environmental site assessment for that property in accordance with American Society for Testing and Materials Standard E1527 for those active

hazardous materials sites to ascertain their current status. Any recommended follow up sampling (i.e., Phase II activities) set forth in the Phase I assessment shall be implemented prior to construction. The results of Phase II studies, if necessary, shall be submitted to the local overseeing agency and any required remediation or further delineation of identified contamination shall be completed prior to commencement of construction.

**HAZ-2: Health and Safety Plan:** For those properties for which the Phase I assessment identifies hazardous materials issues, before the start of ground-disturbing activities, including grading, trenching, or excavation, or structure demolition, the project applicants for the specific work proposed shall require that the construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HASP) in accordance with federal Occupational Safety and Health Administration regulations (29 CFR 1910.120) and California Occupational Safety and Health Administration regulations (8 CCR Section 5192).

The HASP shall be implemented by the construction contractor to protect construction workers, the public, and the environment during all ground-disturbing and structure demolition activities. The HASP shall include designation of a site health and safety officer, a summary of the anticipated risks, a description of personal protective equipment and decontamination procedures, and procedures to follow if evidence of potential soil or groundwater contamination is encountered.

**HAZ-3: Soil and Groundwater Management Plan:** In support of the HASP described in Mitigation Measure **HAZ-2**, the project applicants shall require that its contractor(s) develop and implement a Soil and Groundwater Management Plan (SGMP) for the management of soil and groundwater before any ground-disturbing activity. The SGMP shall describe the hazardous materials that may be encountered, the roles and responsibilities of on-site workers and supervisors, training for site workers focused on the recognition of and response to encountering hazardous materials, and protocols for the materials (soil and/or dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner.

### **Operation**

Once constructed, contaminated materials associated with implementation of PMAs would have been removed and/or treated, people and the environment would not be exposed to hazardous materials, and this impact would be less than significant. No mitigation is required during operations.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

**No Impact.** There are no airports within two miles of any of the potential parcels. As such, the potential parcels are not within any delineated safety or noise hazard zones. The Project would not result in a safety hazard or excessive noise, and there would be no impact.

- f) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**Less than Significant Impact.**

***Construction***

The Hazard Mitigation Plan for the City does not specifically delineate evacuation routes to be utilized during an emergency (Covina, 2019).

The potential parcels for the future cannabis businesses are located in an established urban area that is well served by the surrounding roadway network. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within the existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment of future cannabis business were to occur, it is expected that the majority of construction activities would be mostly confined on-site, construction activities may involve temporary lane closures along roadways adjacent to the potential parcels, while curbside improvements are being made (e.g., sidewalks, driveways, underground facilities and infrastructure). However, through-access for drivers, including emergency personnel, along all roadways will still be provided. In these instances, the construction contractors of future cannabis businesses associated with the Project would implement traffic control measures (e.g., construction flagmen, signage, etc.) consistent with required City encroachment permit(s) to maintain flow and access. Furthermore, in accordance with the City's Public Works Department, construction contractors would develop a Construction Management Plan, subject to City review and approval, that includes designation of a haul routes to ensure that adequate emergency access is maintained during construction. Therefore, construction of the Project is not expected to impair or interfere with an established emergency response or evacuation plan, and the construction impacts would be less than significant. No mitigation is required.

***Operation***

With respect to operation of the Project, the LACFD, which provides fire and paramedic services for the City, and other relevant City departments would review the final design and on-site circulation of the future cannabis businesses associated with the Project, to ensure that there is no interference with an emergency response or evacuation plan. Therefore, operation of the Project is not expected to interfere or impair an emergency response or evacuation plan, and the operational impact would be less than significant. No mitigation is required.

- g) **Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

**Less than Significant Impact.** The California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program (FRAP) published Fire Hazard Severity Zone (FHSZ) maps. According to the map of Very High Fire Hazard Severity Zones (VHFHSZ) in



Local Responsibility Area (LRA) for the City, the potential parcels are not within a VHFHSZ, although there are VHFHSZs in the lower southwestern corner of the City limits (CAL FIRE, 2011).

New developments within the potential parcels could potentially require construction which, if unregulated, could lead to fire ignition. Nevertheless, all construction activities would be required to comply with all applicable fire protection and prevention regulations specified in the CFC, Hazardous Materials Transportation regulations, and Cal/OSHA regulations. These requirements include various measures such as accessibility of firefighting equipment, proper storage of combustible liquids, no smoking in service and refueling areas, and worker training for firefighter extinguisher use. Compliance with all applicable laws and regulations would further minimize the potential for construction activities to cause a wildland fire.

In addition, facilities that use or store hazardous and flammable materials would be required to comply with all applicable fire codes and fire protection requirements established by the CFC, Hazardous Materials Transportation regulations, and Cal/OSHA requirements. As such, the operation of the future cannabis businesses associated with the Project would not substantially increase the risk of wildland fires within the potential parcels.

For these reasons, the Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires, and thus this impact is considered less than significant. No mitigation is required.

## References

CAL FIRE (California Department of Forestry and Fire Protection). 2011. City of Covina.

City of Covina. 2019. Hazard Mitigation Plan.

DTSC (Department of Toxic Substances Control). 2022. EnviroStor database. Hazardous materials sites within the City of Covina.

SWRCB (State Water Resources Control Board). 2022. GeoTracker database, Hazardous materials sites within the City of Covina.

## Hydrology and Water Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>X. HYDROLOGY AND WATER QUALITY —</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 which would:				
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion

The potential parcels for the future cannabis businesses are located in the San Gabriel River Watershed in the eastern portion of Los Angeles County (LARWQCB Water Quality Control Plan [Basin Plan] 2014). The potential parcels are developed lots generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. There are no natural water features within the potential parcels. However, a channelized and concrete lined portion of Charter Oak Creek is present near the South Barranca Avenue and East Rowland Street intersection.

The CWA authorizes the USEPA to regulate point sources that discharge pollutants into the waters of the United States under the NPDES permitting program. The EPA delegates the responsibility for the protection of surface water and groundwater quality to the State Water Resources Control Board (SWRCB) and RWQCBs. Future cannabis businesses associated with the Project are located within the jurisdiction of the LARWQCB which administer and enforces

the Basin Plan policies and other water quality programs within the coastal watersheds of Los Angeles County. The City is currently covered by the following NPDES permits (Covina, 2022):

- Order No. R4-2012-0175 NPDES Permit No. CAS004001 Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) discharges within the Coastal Watersheds of Los Angeles County, Except Those Discharges Originating from the City of Long Beach MS4.
- Order No. 97-03-DWQ: NPDES General Permit No. CAS000001, WDRS for Discharges of Storm Water Associated with Industrial Activities, Excluding Construction Activities.
- Order No. 2009-0009-DWQ (As amended by 2010-0014-DWQ and 2012-006-DWQ): NPDES General Permit No. CAS000002 for Storm Water Discharges Associated with Construction and Land Disturbance Activities.

Would the Project:

- a) **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

**Less than Significant Impact.** The potential parcels for the future cannabis businesses are located in urbanized environments consisting mainly of impervious surfaces such as roof tops, asphalt parking lots and roadways. Stormwater runoff is collected through existing inlets, catchment basins and underground storm drains that are maintained either privately or by the City (LARWQCB, 2014). It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if construction did occur it could increase stormwater pollutants that could impair surface and groundwater through typical construction activities such as demolition, site preparation, grading and excavation, paving and landscaping. In addition, it is anticipated that additional impervious surfaces would be created during development and redevelopment of the potential parcels that could result in an increase of stormwater pollutants. An increase in pollutants such as trash, fertilizers, cleaning agents, sediments, and spilled or leaked petroleum products on surface parking lots could violate water quality standards and waste discharge requirements set by the LARWQCB.

The City would design and construct new facilities to capture and convey stormwater runoff and pollution in accordance with the existing LA County NPDES permits. Consistent with these requirements, a SWPPP would be prepared that incorporates BMPs to control water erosion during the construction and operation of future cannabis businesses that would be developed upon completion of the Project. The operations plan identified in Section 17.84.040(F) shall include a cultivation plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; and watershed protection. The operations plan shall also include a description of a legal water source, irrigation plan, and projected water use. Therefore, adherence to applicable local, state and federal water quality control plans and permits during future cannabis businesses associated with the Project would reduce impacts to surface

and groundwater quality. As such, impacts would be less than significant in this regard. No mitigation is required.

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

**Less Than Significant Impact.** The Project does not involve the use of groundwater supplies and would not interfere with groundwater recharge. As described above, stormwater runoff would be collected and managed during construction and operation of the future cannabis businesses associated with the Project in accordance with local, state and federal requirements.

Upon completion of the Project, future cannabis businesses could increase demand for potable water. Covina Irrigating Company (CIC) is the primary water provider for the City. CIC's water supply is obtained from the Main San Gabriel Groundwater Basin and from the San Gabriel River. The CIC extracts groundwater and treats surface water from the Main San Gabriel Basin and delivers treated potable water to the City (Covina 2017). The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. Employees would be generated by the future cannabis businesses associated with the Project, similar to other commercial and light industrial uses. It is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a use that currently generates employees. Further, the operations plan identified in Section 17.84.040(F) shall include a cultivation plan that meets or exceeds minimum legal standards for water usage, conservation and use; drainage, runoff, and erosion control; and watershed protection. The operations plan shall also include a description of a legal water source, irrigation plan, and projected water use. Therefore, implementation of the Cannabis Ordinance Project would not substantially decrease groundwater supplies or impede groundwater recharge. As such, impacts would be less than significant. No mitigation is required.

- 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 which would:**
  - i) **result in substantial erosion or siltation on- or off-site;**

**Less than Significant Impact.** Future cannabis businesses associated with the Project could be constructed within existing degraded parcels that do not contain streams or rivers. Erosion and siltation could occur off-site from stormwater runoff due to excavation and stockpiling of soils on-site during construction. As described above, construction of facilities, if needed, would be subject to provisions and conditions of applicable NPDES and SWPPP permits as well as BMPs. In addition, the increase in stormwater runoff anticipated with the increase of impervious surfaces from the future cannabis businesses would be managed through incorporation of new infrastructure to existing facilities. Further, operations plan identified in Section 17.84.040(F)

shall include a cultivation plan that meets or exceeds minimum legal standards for drainage, runoff, and erosion control.

Therefore, substantial erosion or siltation would not occur as a result of altering drainage patterns including streams and rivers or with the addition of impervious surfaces. As such, impacts would be less than significant. No mitigation is required.

- ii) **substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?**

**Less than Significant Impact.** The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses.

Upon completion of the Project, it is anticipated that design and construction would commence on the various facilities, resulting in the addition of impervious surfaces that could increase the rate at which surface water flows on and offsite. However, as described above, the City would comply with the NPDES and SWPPP permitting requirements to collect and convey surface runoff offsite to designated facilities for reuse or recharge. The rate at which surface water runoff would be managed through the addition or upgrade of existing facilities. The impacts would be less than significant and would not result in substantial flooding on or offsite. No mitigation is required.

- 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**

**Less than Significant Impact.** Refer to Sections a), c(i), and c(ii) above.

- iv) **impede or redirect flood flows?**

**Less than Significant Impact.** Refer to Section c) above.

- d) **In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

**Less than Significant Impact.** The City, except for the area around Walnut Creek in Covina Hills, has not experienced major flooding problems in recent years due to the development of adequate flood control infrastructure. The City does not contain any Special Flood Hazard Areas, and is not located in a tsunami zone due to its distance from the Pacific Ocean. However, due to presence of the upstream Puddingstone Reservoir and Dam complex, and because the City lies in a seismically active region, the City could be susceptible to seiches, which could cause major flooding due to inadequate stormwater catchment and conveyance facilities (Covina, 2000).

As described throughout this section, the City would incorporate design features if needed, for the future cannabis businesses to adequately capture and convey the increase in stormwater runoff. As such, impacts would be less than significant. No mitigation is required.

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

**Less than Significant Impact.**

Refer to Sections a) and b) above.

**References**

City of Covina. 2017. 2015 Urban Water Management Plan.

[https://covina.ca.gov/sites/default/files/fileattachments/public\\_works/page/451/final\\_2015\\_uwmp\\_-\\_city\\_of\\_covina.pdf](https://covina.ca.gov/sites/default/files/fileattachments/public_works/page/451/final_2015_uwmp_-_city_of_covina.pdf). Accessed September 2022.

City of Covina. 2022. City of Covina General plan, Safety Element, 2000.

[https://covina.ca.gov/sites/default/files/fileattachments/planning\\_commission/page/1073/safety\\_element.pdf](https://covina.ca.gov/sites/default/files/fileattachments/planning_commission/page/1073/safety_element.pdf). Accessed September 2022.

City of Covina. 2022. Stormwater Pollution Prevention. 2022.

<https://covina.ca.gov/publicworks/page/stormwater-pollution-prevention>. Accessed September 2022.

LARWQCB (Los Angeles County Regional Water Quality Control Board). 2014. Water Quality Control Plan (Basin Plan) 2014.

[https://www.waterboards.ca.gov/losangeles/water\\_issues/programs/basin\\_plan/2020/Chapter\\_1/Chapter\\_1.pdf](https://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/2020/Chapter_1/Chapter_1.pdf). Accessed September 2022.

# Land Use and Planning

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XI. LAND USE AND PLANNING</b> — Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

a) **Physically divide an established community?**

**Less than Significant Impact.** The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The amendments to the Zoning Code would require future cannabis businesses to be located within specified commercial or light industrial zones located at least 600 feet from schools, youth centers, daycare centers, and parks. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. Specifically, the Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). The potential parcels for the future cannabis businesses are located in highly urbanized areas of the City which are predominately developed with commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill development or redevelopment within previously developed lots; thereby not substantially altering the current land intensity or land use patterns within the City. Infill development and redevelopment within existing commercial and light industrial uses would not create physical divisions in a community. As such, impacts would be less than significant in this regard. No mitigation is required.

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?**

**Less than Significant Impact.** The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of

cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The Cannabis Ordinance Project would amend Municipal Code Title 5, Business Licenses and Regulations to add a new Chapter 5.80 to establish the future cannabis business permit regulations and amend Title 17, Zoning, to add a new Chapter 17.84, Cannabis Prohibitions and Regulations, to establish the applicable zoning prohibitions and regulations for the future cannabis businesses. Specifically, the Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). Employment increases have the potential to generate indirect population growth, as they may draw additional persons and their households to the City. Employees would be generated by the future cannabis businesses associated with the Project, similar to other commercial and light industrial uses. It is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a use that currently generates employees. The Cannabis Ordinance Project applies on an as-requested, project-by-project basis. As such, the negligible indirect resident population and employment generated from the future cannabis businesses associated with the Project has not yet been determined as specific cannabis projects have not yet been proposed and submitted to the City.

Overall, the Cannabis Ordinance Project would not reduce or eliminate any environmentally protective regulations in the City's Municipal Code or Zoning Code. The Project does not include any features that would circumvent any mitigation policies in the City's General Plan. The amendments to the City's Municipal Code and Zoning Code will guide and regulate future cannabis businesses consistent with the policies and objectives of the City's General Plan. As such, the Project would not conflict with land use plans, policies, or regulations that have been adopted for the purpose of avoiding or mitigating the environmental effect. Further, the existing environmental protections in the City's land use plans and policies would remain in place. As such, a less than significant impact would occur in this regard. No mitigation is required.

## References

City of Covina. 2022. City of Covina Zoning Code. Available at:  
<https://www.codepublishing.com/CA/Covina/html/Covina17/Covina17.html>. Accessed September 2022.



## Mineral Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XII. MINERAL RESOURCES</b> — Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Would the Project:

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- 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?**

**No Impact (a–b).** According to the City’s General Plan Natural Resources and Open Space Element, there are currently no extractable mineral resources due to long-term urbanization (Covina, 2000). Further, the City’s Zoning Code prohibits the extraction or production of aggregate mineral resources. In addition, the State Division of Oil and Gas has indicated that there are no significant energy-producing minerals or oil, gas, or geothermal fields within the City (DOC, 2010). Further, the potential parcels are located in a highly urbanized area of the City consist of developed lots generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. Therefore, the potential for the loss of a known mineral or locally important mineral resource is low. As such, no impact would occur in this regard.

## References

City of Covina. 2000. City of Covina’s General Plan, Natural Resources and Open Space Element, page D-9. Adopted April 18, 2000.

DOC (California Department of Conservation). 2010. San Gabriel Valley P-C Region Showing MRZ-2 (Mineral Resource Zone) Areas and Active Mine Operations. 2010.

## Noise

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XIII. NOISE</b> — Would the project result in:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Would the Project:

- 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?**

**Less Than Significant Impact.** The City’s noise standards are developed from those of several Federal and State agencies including the Federal Highway Administration (FHWA), the USEPA, the Department of Housing and Urban Development (HUD), the American National Standards Institute (ANSI), and the State of California Department of Health Services (DHS). These standards set limits on the noise exposure level for various land uses.

### **City of Covina General Plan Noise Element**

The California Government Code Section 65302(f) requires that a noise element be included in the General Plan of each county and city in the State. The City of Covina General Plan Noise Element sets the goals and policy direction for the management of noise in the City.

Chapter IV of the City’s General Plan Noise Element states that “the goal is: An environment in which potential adverse impacts of noise on the City’s residents and workers are identified and prevented and mitigated.” The following Policy Areas are relevant to the Project:

**Policy Area 1 (Transportation Noise Sources)** has the following relevant policies:

The City shall:

1. Examine the noise environment of proposed residential or other noise-sensitive uses located within all 60 dBA Ldn noise contours to ensure compatibility and, pertaining to residential activities, adherence to applicable State noise insulation standards.

2. Attempt to mitigate or eliminate the possible noise problems of proposed residential or other noise-sensitive uses located within all 65 dBA Ldn noise contours to ensure compatibility and, pertaining to residential activities, adherence to applicable State noise insulation standards.
3. Consider “noise-sensitive uses” to include, but not be limited to, all residential housing types, public and private primary and secondary schools, libraries, parks/recreation areas, hospitals/medical facilities, nursing homes, and churches.
4. Consider establishing acceptable limits of noise levels for various land uses throughout the community, in accordance with State guidelines, as a means of determining noise-compatible land uses.
5. Ensure the inclusion of noise-mitigation measures and features in the design, orientation, and routing of new and improved streets and circulation and transportation facilities, where necessary and consistent with funding capability.
6. Require noise-reduction techniques and features in site planning, architectural design, project landscaping, building materials, and/or construction, where necessary or required by law.
14. Require that new or expanded developments minimize the noise impacts of trips that they generate on residential neighborhoods by controlling the location of driveways and parking.

**Policy Area 2 (Commercial and Industrial Noise Sources)** has the following pertinent policies:

The City shall:

1. Consider establishing acceptable limits of noise levels for various land uses throughout the community, in accordance with State guidelines, as a means of determining noise-compatible land uses.
2. Discourage the location of noise-sensitive land uses in noisy environments.
3. Consider “noise-sensitive uses” to include, but not be limited to, all residential housing types, public and private primary and secondary schools, libraries, parks/recreation areas, hospitals/medical facilities, nursing homes, and churches.
4. Require noise-reduction techniques and features in site planning, architectural design, project landscaping, building materials, and/or construction, where necessary or required by law.
5. Require that parking lots and structures and loading areas be designed to minimize on-site noise impacts and off-site incursions by calling for the use of appropriate walls, buffers, and materials and by insisting upon the configuration of on-site or interior spaces that minimize sound amplification and transmission.

**Policy Area 4 (Construction Noise Sources and General Matters)** has the following pertinent policies:

The City shall:

1. Continue implementing the Covina Noise Ordinance to regulate the hours of operation and excessive noise associated with on-site construction activities, particularly activities occurring in or near residential uses, permitting exceptions only under special circumstances.
2. Where necessary, require the construction of barriers to shield noise-sensitive uses from intrusive, construction-related noise.
3. Require that construction activities incorporate feasible and practical techniques, measures, and procedures that minimize the noise impacts on all adjacent uses.
4. Consider requiring sound attenuation devices on construction equipment to reduce noises associated with building activities.
11. Maintain a coordinated, cooperative, and inter-departmental approach in handling various noise-related issues and problems.
12. Endeavor to promote the importance of the General Plan and its implementation to the public, businesses, developers, Covina employees, and other interested parties through appropriate channels.

**City of Covina Municipal Code Noise Ordinance**

The City’s Noise Ordinance, contained in the Municipal Code, Division IV. Offenses Against Public Peace, Chapter 9.40 Noise, identifies exterior noise standards for any source of sound at any location within the City, and specific noise restrictions, exemptions, and variances for exterior noise sources. Several of the ordinance requirements are applicable to aspects of the project and are discussed below.

The City’s maximum exterior noise standards set forth in the Municipal Code Chapter 9.40, Section 9.40.040 are provided in **Table 3-1, City of Covina Sound Level Limit**.

**TABLE 3-1  
CITY OF COVINA SOUND LEVEL LIMIT**

Noise Zone	Receiving Land Use Category	Daytime Hours (7 a.m. to 10 p.m.) dBA	Nighttime Hours (10 p.m. to 7 a.m.) dBA
I	Residential: estate or agricultural	50	40
II	Residential: low density	55	45
III	Residential: medium and high density	60	50
IV	Commercial	65	55
V	Industrial	70	60

SOURCE: City of Covina Municipal Code, Chapter 9.40, Section 9.40.040.

For medium and high density residential-zoned areas, the sound level limit is 60 dBA during the daytime and 50 dBA during the nighttime. For commercial-zoned areas, the sound level limit is 65 dBA during the daytime and 55 dBA during the nighttime. The following standards are used to evaluate compliance:

- Standard No. 1: Exterior noise cannot exceed levels set forth in Table 3-1 for a cumulative period of more than 30 minutes in any hour.
- Standard No. 2: Exterior noise cannot exceed levels set forth in Table 3-1 plus 5 dBA for a cumulative period of more than 15 minutes in any hour.
- Standard No. 3: Exterior noise cannot exceed levels set forth in Table 3-1 plus 10 dBA for a cumulative period of more than 5 minutes in any hour.
- Standard No. 4: Exterior noise cannot exceed levels set forth in Table 3-1 plus 15 dBA for a cumulative period of more than one minute in any hour.
- Standard No. 5: Exterior noise cannot exceed levels set forth in Table 3-1 plus 20 dBA at any time.

If the measurement location is on a boundary between a commercial or industrial land use category and a residential category, the noise level limit of the lower category plus five decibels shall apply.

City of Covina Municipal Code Chapter 9.40, Section 9.40.110 Construction, establishes regulations for construction activity within the City.

A. It is unlawful for any person within any residential land use category or within a radius of 500 feet therefrom to operate equipment or perform any outside construction or repair work on any building, structure, or project; or to operate any pile driver, steam shovel, pneumatic hammer, electric saw, grinder, steam or electric hoist, or other construction-type equipment or device between the hours of 8:00 p.m. of any one day and 7:00 a.m. of the next day, at any time on any Sunday or at any time on any public holiday in such a manner that a reasonable person of normal sensitivity residing in the area is caused discomfort or annoyance, unless beforehand a permit therefor has been duly obtained in accordance with the provisions of subsection (B) of this section. No permit shall be required to perform emergency work.

“Public holiday” as used in this subsection shall mean the day upon which each of the following holidays is recognized and celebrated as a holiday by the employees of the city: Independence Day, Labor Day, Veterans Day, Thanksgiving, Christmas Eve, Christmas Day, New Year’s Eve, New Year’s Day, Washington’s Birthday, Memorial Day, or any other holiday recognized as such by the city.

B. A permit may be issued authorizing the work prohibited by this section whenever it is found that the public interest will be served thereby. An application for such a permit shall be in writing and shall be accompanied by an application fee in an amount that may be set from time to time by a resolution of the city council. The application shall set forth in detail facts showing that the public interest will be served by the issuance of such permit, and the application shall be made to the planning division of the community development department. The chief planning official shall be responsible for the administration and enforcement of the provisions of this section and shall have the authority to issue such permits. He/she shall coordinate the processing of each application for a permit with such departments and divisions as he/she deems will be affected by the issuance of the permit. (Ord. 09-1975 § 1, 2009; Ord. 1665 § 2, 1988.)

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The City, including the commercial and light industrial zoned areas, are highly urbanized and the commercial and light industrial areas are generally located along major roadways. It is anticipated that development of future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment activities would occur, new construction would comply with applicable building codes and regulations regarding noise. Commercial cannabis uses would result in similar noise and vibration levels that result from other commercial and light industrial uses. As with all uses, commercial cannabis activities would be required to comply with the City's noise standards. The Cannabis Ordinance Project also places prohibitions on cannabis businesses. Section 17.84.070(F) prohibits outdoor commercial cultivation. Section 17.84.150(C) and (D) prohibits excessive noise and excessive vehicular traffic or parking occurring at or near the cannabis business, that could generate excessive noise. Therefore, given the limited development and requirements above, impacts would be less than significant.

The existing noise environment in the City is primarily generated by traffic noise, transit, and typical activity that occurs in an urban environment. The purpose of the Cannabis Ordinance Project is to establish the applicable prohibitions and regulations for the future cannabis businesses. The amendments to the Zoning Code would require future cannabis businesses to be located within specified commercial or light industrial zones located at least 600 feet from schools, youth centers, daycare centers, and parks. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. Specifically, the Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). The principal sources of noise from commercial cannabis activities would be generated by heating, ventilation, and air conditioning (HVAC) systems, vehicle trips by employee and customer trips to and from a facility, and delivery of goods and equipment. No increase in noise is anticipated from the residential cultivation as the Ordinance would limit activity to the cultivation of up to six plants on the grounds of a private residence within a residential zone. Noise generated by commercial cannabis activities would be similar to other commercial and industrial uses and would be characteristic of and included within the existing noise environment. Any future commercial cannabis facilities would be required to comply with the City's noise ordinance.

b) **Generation of excessive groundborne vibration or groundborne noise levels?**

**Less than Significant Impact.** With regard to vibration, the City has not adopted policies or guidelines relative to groundborne vibration. However, Caltrans has developed a guidance

manual for evaluating potential vibration impacts (“Transportation and Construction Vibration Guidance Manual” dated April 2020). The manual gathers data from multiple sources including the Federal Transit Administration (FTA). The FTA has also developed a guidance manual for evaluating potential vibration impacts (“Transit Noise and Vibration Impact Assessment Manual” dated September 2018). The guidance manuals provide thresholds for potential impacts on human comfort and damage to buildings, as well as guidance for reducing potential vibration impacts and addressing vibration issues. For example, potential building damage criteria range from 0.12 inches per second (in/sec) peak particle velocity (PPV) for buildings extremely susceptible to vibration damage to 0.5 in/sec PPV for reinforced-concrete, steel or timber (no plaster).

The retail and manufacturing of commercial cannabis that would be allowed by the Project would not generate groundborne vibration or noise. Thus, the Project would not result in activity that would expose people to or generate excessive groundborne vibration or groundborne noise levels. In addition, the Project would not result in a substantial permanent increase in ambient noise levels above levels existing without the Project. While it is anticipated that commercial cannabis businesses including cultivation of cannabis on less than 10,000 square feet would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), some construction activities could occur that could generate temporary or periodic increase in ambient noise levels. However, any construction activities would be required to comply with applicable City noise regulations. Therefore, noise impacts and vibration would be less than significant.

- 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 two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** Future cannabis businesses associated with the Project would not result in impacts relevant to airport land use plans, airports, or private airstrips as the Project is not located within the vicinity of a private airstrip, airport land use plan, or public or public use airport. The nearest airport to the potential parcels is Brackett Field Airport which is not located within two miles of the potential parcels. No impacts would occur in this regard.

## References

California Government Code Section 65302(f), ARTICLE 5. Authority for and Scope of General Plans [65300 - 65303.4], 1965.

Caltrans (California Department of Transportation). 2020. Transportation and Construction Vibration Guidance Manual. April.

City of Covina. 2000. General Plan Noise Element. April.

City of Covina. First adopted 1988, last update 2022. Municipal Code, Chapter 9.40.

FHWA (Federal Highway Administration). 2006. Roadway Construction Noise Model User’s Guide.

FTA (Federal Transit Administration). 2018. Transit Noise and Vibration Impact Assessment. September.

USEPA (U.S. Environmental Protection Agency). 1974. EPA Identifies Noise Levels Affecting Health and Welfare. April.

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# Population and Housing

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XIV. POPULATION AND HOUSING</b> — Would the project:				
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Would the Project:

- 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)?**

**Less than Significant Impact.** According to the SCAG forecasted projections, the City is anticipated to experience growth of 1,500 residents, 800 households, and 2,600 jobs between 2016 and 2045 (SCAG, 2020). Regional employment projections are based on General Plan buildout for jurisdictions. Adoption of the Project would not amend General Plan designations and therefore, would not change regional growth projections. The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. Since the Project would not propose residential uses, implementation of the Project would not directly generate population growth within the City. Employment increases have the potential to generate indirect population growth, as they may draw additional persons and their households to the City. Employees would be generated by the future cannabis businesses associated with the Project, similar to other commercial and light industrial uses. It is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a use that currently generates employees. The Cannabis Ordinance Project applies on an as-requested, project-by-project basis. As such, the negligible indirect residential population and employment generated from the future cannabis businesses associated with the Project has not yet been determined as specific cannabis projects have not yet been proposed and submitted to the City. While precise employment numbers are unknown at this time, the number of new employment opportunities are anticipated to be filled by current residents in the City. Therefore, any net growth in employment that would result from implementation of the Project would be within the SCAG projections and would not induce substantial population growth in the area either directly or indirectly. Impacts related to population growth would be less than significant. Further, the future cannabis businesses associated with the Project would not include any type of roadway or other major infrastructure improvements that could indirectly generate population growth.

b) **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. Specifically, the Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). The potential parcels for the future cannabis businesses are located in highly urbanized areas of the City predominantly developed with commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. As such, implementation of the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. No impact would occur in this regard.

## References

SCAG (Southern California Association of Governments). 2020. Demographics and Growth Forecast. Available at: <https://scag.ca.gov/read-plan-adopted-final-connect-social-2020>. Accessed September 2022.

U.S. Census Bureau. 2021. United States Census Bureau, QuickFacts, Covina City, California. Population Estimates, July 1, 2021. <https://www.census.gov/quickfacts/covinacitycalifornia>. Accessed September 2022.

## Public Services

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XV. PUBLIC SERVICES —</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 following public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 following public services:**

- i) **Fire protection?**

**Less than Significant Impact.** Fire protection and emergency medical services for the City, including the potential parcels for the future cannabis locations, are provided by the LACFD, who is contracted with the City. The LACFD provides 24-hour, all-risk emergency services to a population of approximately 4.1 million residents living and working in 60 cities and all of the County’s unincorporated communities in a service area of approximately 2,311 square miles. The LACFD is comprised of the Emergency Operations Bureau, the Business Operations Bureau, and the Leadership and Professional Standards Bureau. The emergency operations field divisions are comprised of the North Region, the Central Region, and the East Region within the LACFD service area, which are divided into nine divisions and 22 battalions (LACFD, 2021). The LACFD provides emergency services in response to a wide range of incidents including structure fires, wildfires, commercial fires, hazardous materials incidents, urban search and rescue, and swift water rescue. In 2020, the LACFD responded to a total of 379,517 incidents which included 307,025 emergency medical responses, 9,813 fire incidents (i.e., structures, vehicles, rubbish, brush/grass, outside storage, and miscellaneous property), and 62,679 other incidents (i.e., false alarms, mutual aid provided, hazardous materials, and miscellaneous incidents). In 2020, the

LACFD lifeguard division responded to 26,103 incidents which included medical calls, ocean rescues, missing persons, boat rescues/distress, oxygen therapy, and drownings. The LACFD consists of approximately 4,775 personnel including chief officers, captains, firefighter specialists, firefighter paramedics, firefighters, call firefighters, fire suppression aides, pilots, administrative support, lifeguards, dispatchers, foresters, and hazardous materials specialists. The LACFD is comprised of 177 fire stations with 228 engine companies (i.e., type I, type III, and type VI), 34 truck companies (i.e., quints and light forces), 112 paramedic units (i.e., squads, assessment engines, air squads, and assessment quint/light force), and reserve equipment. The lifeguard division includes 24 lifeguard stations, 159 lifeguard towers, 58 beach patrol vehicles, 8 rescue boats, 2 paramedic rescue boats, and 2 baywatch paramedic squads. The air and wildland division includes 10 helicopters, 9 fire suppression camps, 18 fire suppression crews, and 19 pieces of heavy equipment (i.e., excavators, heavy dump trucks, track loaders, and rubber tire loaders) (LACFD, 2020).

The City, including the potential parcels for the future cannabis businesses, are located within Division II of the East Region's emergency operations field division. Division II includes Battalions No. 2 and 16 and serves the cities of Azusa, Baldwin Park, Bradbury, Claremont, Covina, Duarte, Glendora, Irwindale, and San Dimas. Three LACFD fire stations provide fire protection and emergency medical services for the City, including the potential parcels: Fire Station No. 152, located at 807 Cypress Street, Covina; Fire Station No. 153, located at 1577 East Cypress Street, Covina; and Fire Station No. 154, located at 401 North Second Avenue, Covina (LACFD, 2020). The LACFD operates under a regional concept in its approach to providing fire protection and emergency medical services, wherein emergency response units are dispatched as needed to an incident anywhere in the LACFD's service territory based on distance and availability, without regard to jurisdictional or municipal boundaries.

### **Construction**

It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment of future cannabis businesses were to occur, construction activities may temporarily increase the demand for fire protection and emergency medical services, and may cause the occasional exposure of combustible materials, such as wood, plastics, sawdust, coverings and coatings, to heat sources including machinery and equipment sparking, exposed electrical lines, welding activities, and chemical reactions in combustible materials and coatings. However, in compliance with the requirements of the Occupational Safety and Health Administration (OSHA), all construction managers and personnel would be trained in fire prevention and emergency response. Further, fire suppression equipment specific to construction would be maintained on the potential parcels. As applicable, construction activities of future cannabis businesses associated with the Project would be required to comply with the 2022 CBC and the 2019 CFC, of which the City has adopted as the City's Fire Code.

Construction activities for future cannabis businesses may involve temporary lane closures for curbside improvements (e.g., sidewalks, driveways, underground facilities and infrastructure). Construction-related traffic could result in increased travel time due to flagging or stopping of traffic to accommodate trucks entering and exiting the potential parcels during construction. As such, construction activities could increase response times for emergency vehicles to local business and/or residences within the surrounding areas, due to travel time delays to through traffic. However, the impacts of such construction activity would be temporary and on an intermittent basis. Further, a Construction Management Plan for future cannabis businesses associated with the Project would be prepared in order to minimize disruptions to through traffic flow, maintain emergency vehicle access to the potential parcels and neighboring land uses, and schedule worker and construction equipment delivery to avoid peak traffic hours. As a component of the Construction Management Plan, the times of day and locations of all temporary lane closures would be coordinated so that they do not occur during peak periods of traffic congestion, to the extent feasible. Truck routes for material and equipment deliveries, as well as for soil export and disposal, would require approval by the City's Public Works Department prior to construction activities. The Construction Management Plan would be prepared for review and approval prior to commencement of any construction activity. These practices, as well as techniques typically employed by emergency vehicles to clear or circumvent traffic (i.e., lights and sirens), are expected to limit the potential for significant delays in emergency response times during construction of the future cannabis businesses. Therefore, impacts regarding emergency response times and emergency access during construction of future cannabis businesses associated with the Project would be less than significant. No mitigation is required.

### **Operation**

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. As discussed in Section XIV, *Population and Housing*, it is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a commercial or light industrial use that currently generates employees. Implementation of the Project could result in a negligible increase in indirect residential population, temporary and permanent employment, and visitors in the City which could increase the demand for fire protection and emergency medical services. As discussed above, three LACFD fire stations provide fire protection and emergency medical services for the City, including the potential parcels (LACFD, 2020). The LACFD operates under a regional concept in its approach to providing fire protection and emergency medical services, wherein emergency response units are dispatched as needed to an incident anywhere in the LACFD's service territory based on distance and availability, without regard to jurisdictional or municipal boundaries. Due to the close proximity of multiple fire stations to the potential parcels, service calls are anticipated to be responded to within LACFD's desired response times.

Future cannabis businesses associated with the Project would be subject to compliance with fire protection design standards, as necessary, per the 2022 CBC, 2019 CFC, and LACFD, to ensure adequate fire protection and emergency medical services. The LACFD's standard conditions of approval generally require that plans for building construction, fire flow requirements, fire

protection devices (i.e., fire sprinklers and alarms), fire hydrants and spacing, fire access including ingress/egress, turning radii, driveway width, and grading would be prepared for review and approval by the City and LACFD. It is anticipated that the development of the future cannabis businesses associated with the Project would primarily locate within existing structures or to be considered infill development or redevelopment and would likely replace an existing building of similar type and intensity, thereby not substantially altering the current land use intensity or land use patterns within the City. Further, improvement plans of future cannabis businesses would be subject to review and approval by the City and LACFD at the time such development is proposed. As such, impacts regarding fire protection and medical services would be less than significant. No mitigation is required.

ii) **Police protection?**

**Less than Significant Impact.** Police protection services for the City are provided by the CPD. The CPD is comprised of the Operations Division and the Police Support Services Division. The Operations Division is comprised of eight divisions, which include patrol, service area policing, traffic unit, school resource officers, Covina Jail, helicopter support, special response team, and parking enforcement. The Administration Services Division supports the CPD and is comprised of investigations, police records, police communications, police administration, crime prevention, and animal control (CPD, 2022). The CPD police station is located at 444 North Citrus Avenue.

**Construction**

As discussed above, it is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. However, if the construction of infill development or redevelopment of future cannabis businesses were to occur, equipment and building materials could be temporarily stored on-site, which could result in theft, graffiti, and vandalism. However, the potential sites are located in areas with high vehicular activity from adjacent roadways. In addition, future construction sites would be fenced along the perimeter, with the height and fence materials subject to review and approval by the City's Public Works Department. As discussed above, temporary lane closures may be required for curbside improvements (e.g., sidewalks, driveways, underground facilities and infrastructure). However, these closures would be temporary in nature and in the event of partial lane closures, both directions of travel on area roadways and access to the potential parcels would be maintained. Further, as discussed above, a Construction Management Plan for future cannabis businesses associated with the Project would be prepared in order to minimize disruptions to through traffic flow, maintain emergency vehicle access to the potential parcels and neighboring land uses, and schedule worker and construction equipment delivery to avoid peak traffic hours. Emergency vehicle drivers have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Given the visibility of the potential parcels from adjacent roadways and surrounding properties, existing CPD presence in the City, maintained emergency access, and construction fencing, the Project is not expected to increase demand on existing police services to a meaningful extent. As such, future cannabis businesses

associated with the Project would have a less than significant temporary impact on police protection during the construction phases. No mitigation is required.

### **Operation**

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses.

As discussed in Section XIV, *Population and Housing*, it is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a commercial or light industrial use that currently generates employees. Implementation of the Project could result in a negligible increase in indirect residential population, temporary and permanent employment, and visitors in the City which could increase the demand for police protection. With future cannabis businesses on the potential parcels, patrol routes in the immediate area would be slightly modified to include the potential parcels, as necessary. For retailers that sell adult-use cannabis and cannabis products, hours of operations would be 9:00 a.m. to 9:00 p.m. and would provide access only to individuals over 21 years of age or 18 years of age if the individual possesses a doctor's recommendation. Pursuant to SB 1186, the City will not be restricting the hours of operation of a cannabis retailer that sells medicinal cannabis or medicinal cannabis products. Restrooms would remain locked and the inventory areas shall always remain secured. Resale, loitering onsite, and drive-through sales would be prohibited. Security features shall include, but not be limited to, security fencing, security lighting, well-maintained exterior areas, after-hours security, secured storage areas for products, panic buttons, security alarm systems, video surveillance, 24-hour security personnel, controlled entrance to the future cannabis businesses, track/trace system for products, and emergency plans. Consumption of cannabis, alcohol, and tobacco onsite would be prohibited. For delivery, businesses may only deliver to customers within a city or county that does not expressly prohibit delivery by ordinance. Pursuant to SB 1186, a city or county may not restrict the delivery of medicinal cannabis or medicinal cannabis products to qualified patients or their primary caregivers. The Cannabis Ordinance requires an approved operations plan related to vehicle security and protection of employees and product during loading and in transit. To ensure that police protection considerations are incorporated into the Project design, prior to issuance of building permits for future cannabis businesses, the CPD would be provided the opportunity to review and comment upon improvement plans in order to facilitate opportunities for improved emergency access and response; ensure the consideration of design strategies that facilitate public safety and police surveillance; and other specific design recommendations to enhance public safety and reduce potential demands upon police protection services. It is anticipated that the development of the future cannabis businesses associated with the Project would primarily locate within existing structures or to be considered infill development or redevelopment and would likely replace an existing building of similar type and intensity, thereby not substantially altering the current land use intensity or land use patterns within the City. Further, improvement plans of future cannabis businesses would be subject to review and approval by the City and CPD at the time such development is proposed. As such, impacts regarding police protection services would be less than significant. No mitigation is required.

iii) **Schools?**

**Less than Significant Impact.** The need for new school facilities is typically associated with a population increase that generates an increase in enrollment large enough to cause new schools to be constructed. The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. Since the Project would not propose residential uses, implementation of the Project would not directly generate population growth within the City. Employment increases have the potential to generate indirect population growth, as they may draw additional persons and their households to the City. It is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a commercial or light industrial use that currently generates employees. Implementation of the Project could result in a negligible increase in indirect residential population, temporary and permanent employment, and visitors in the City which could increase the demand for schools. The Cannabis Ordinance Project applies on an as-requested, project-by-project basis. As such, the negligible indirect resident population and employment generated from the future cannabis businesses associated with the Project has not yet been determined as specific cannabis projects have not yet been proposed and submitted to the City. It is anticipated that the potential parcels of the future cannabis business would be served by different schools, which would lessen the number of students that each school would support. Pursuant to Education Code Section 17620 and California Government Code Section 65995, development impact fees may be levied for residential, commercial, and industrial construction. Further, as stated in California Government Code Section 65996, payment of school impact fees in accordance with California Government Code Section 65995 and/or Education Code Section 17620 is deemed to constitute full and complete mitigation for potential impacts to schools caused by development. As such, impacts regarding schools would be less than significant. No mitigation is required.

iv) **Parks?**

**Less than Significant Impact.** The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. Since the Project would not propose residential uses, implementation of the Project would not directly generate population growth within the City. Employment increases have the potential to generate indirect population growth, as they may draw additional persons and their households to the City. It is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a commercial or light industrial use that currently generates employees. Implementation of the Project could result in a negligible increase in indirect residential population, temporary and permanent employment, and visitors in the City could use nearby parks facilities. The City's park system consists of nine parks and two ball fields. The City owns seven of nine parks, two parks are leased from the CVUSD, and recreational activities in the ball fields are conducted under leases with the Charter Oak Unified School District (COUSD). The parks in the City vary in size and facilities from the Three Oak Park, a 0.2-acre passive area



oriented for employees of an adjacent office park in the southeastern portion of the City, to Wingate Park, a 16-acre park which contains ball fields, basketball courts, tennis courts, a roller rink, trails and picnic areas in the eastern portion of the City. Covina Park, a 10-acre multi-amenity facility located west of the City's downtown, is the City's oldest and most heavily used park. Additionally, the 11-acre Walnut Creek Regional Park, which is owned and operated by the County, lies within the City limits. At the time of adoption of the City's General Plan, the City had 1.3 acres of open space for every 1,000 residents. This ratio is considered significantly below the National Park and Recreation Association's guideline of 2.5-4.0 acres of parkland for every 1,000 residents (Covina, 2000). While the City is currently deficient in parkland acreage, implementation of the Project would not substantially exacerbate this issue. It is anticipated that the potential parcels of the future cannabis business would be served by different parks, which would lessen the number of indirect residents, temporary and permanent employees, and visitors that each park facility would support. Further, project applicants of future cannabis businesses associated with the Project would be required to pay development fees that would help support park facilities. Payment of fees would help address any incremental increase in demand for parks facilities that may be caused by future cannabis businesses. As such, impacts regarding parks would be less than significant. No mitigation is required.

v) **Other public facilities?**

**Less than Significant Impact.** Library services within the city are provided by the Covina Public Library, located at 234 North Second Avenue. The negligible residents, temporary and permanent employees, and visitors generated from future cannabis businesses associated with the Project could use the library facilities and services, but the increase in use would not be significant relevant to the Citywide demand. Further, project applicants of future cannabis businesses associated with the Project would be required to pay development fees that would help support library facilities and services. As such, impacts regarding libraries would be less than significant.

The negligible residents, temporary and permanent employees, and visitors generated from the future cannabis businesses associated with the Project would utilize and, to some extent, impact the maintenance of public facilities, including roads. However, it is not anticipated that development of the Project would significantly increase the use of government services beyond current levels. Construction activities would result in temporary increased use of the surrounding roads. However, the use of such facilities would not require maintenance beyond normal requirements. The project applicants of future cannabis businesses associated with the Project would be required to pay all applicable impact fees of the City. Overall, less than significant impacts to governmental services, including roads, would occur. No mitigation is required.

## References

City of Covina. 2000. City of Covina's General Plan, Natural Resources and Open Space Element, adopted April 18, 2000.

CPD (City of Covina Police Department). 2022. City of Covina Police Department Website. Police Operations Division Website, <https://covinapd.org/> and <https://covinapd.org/services/>. Accessed September 2022.

LACFD (Los Angeles County Fire Department). 2021. Los Angeles County Fire Department Overview Booklet, August 2021, [https://fire.lacounty.gov/wp-content/uploads/2021/09/Department-Overview-Booklet\\_single-pages\\_9.09.21-A.pdf](https://fire.lacounty.gov/wp-content/uploads/2021/09/Department-Overview-Booklet_single-pages_9.09.21-A.pdf). Accessed September 2022.

LACFD. 2020. Los Angeles County Fire Department 2020 Statistical Summary, <https://fire.lacounty.gov/wp-content/uploads/2021/06/2020-Statistical-Summary-FINAL-DRAFT.pdf>. Accessed September 2022.

State of California Enrollment Certification/Projection School Facility Program, revised June 2008, <https://www.dgsapps.dgs.ca.gov/OPSC/ab1014/sab50-01instructions.pdf>. Accessed September 2022.

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## Recreation

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XVI. RECREATION —</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Would the Project:

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

**Less than Significant Impact.** The negligible residents, temporary and permanent employees, and visitors generated from future cannabis businesses of the Project could use nearby park and recreational facilities. The City’s park system consists of nine parks and two ball fields. Additionally, the 11-acre Walnut Creek Regional Park, which is owned and operated by the County, lies within the City limits. The City has a limited trail-related network that supplements the park system, include a few streets that are designated as bicycle ways and two equestrian/hiking trails that run through the City. As discussed under Section XV, *Public Services*, at the time of adoption of the City’s General Plan, the City had 1.3 acres of open space for every 1,000 residents. This ratio is considered significantly below the National Park and Recreation Association’s guideline of 2.5-4.0 acres of parkland for every 1,000 residents. As such, the City is currently deficient in parkland acreage (Covina, 2000). It is anticipated that the potential parcels of the future cannabis business would be served by different parks, which would lessen the number of indirect residents, temporary and permanent employees, and visitors that each park facility would support. Further, project applicants of future cannabis businesses associated with the Project would be required to pay development fees that would help support parks and recreational facilities. Payment of fees would help address any incremental increase in demand for parks and recreational facilities that may be caused by future cannabis businesses. As such, impacts regarding recreational facilities would be less than significant. No mitigation is required.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**No Impact.** The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis

products within the City by permitting up to three future cannabis businesses. The Cannabis Ordinance Project would amend Municipal Code Title 5, Business Licenses and Regulations to add a new Chapter 5.80 to establish the future cannabis business permit regulations and amend Title 17, Zoning, to add a new Chapter 17.84, Cannabis Prohibitions and Regulations, to establish the applicable zoning prohibitions and regulations for the future cannabis businesses. The future cannabis businesses do not include recreational facilities and do not require the construction or expansion of recreational facilities. As such, no impacts would occur in this regard.

## **References**

City of Covina. 2000. City of Covina's General Plan, Natural Resources and Open Space Element, adopted April 18, 2000.

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# Transportation

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XVII. TRANSPORTATION —</b> Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

- a) **Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less than Significant Impact.** The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The Cannabis Ordinance Project would amend Municipal Code Title 5, Business Licenses and Regulations, to add a new Chapter 5.80 to establish the future cannabis business permit regulations and amend Title 17, Zoning, to add a new Chapter 17.84, Cannabis Prohibitions and Regulations, to establish the applicable zoning prohibitions and regulations for the future cannabis businesses. Specifically, the Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). Trips would be generated by the future cannabis businesses, including distribution and deliveries, associated with the Project, similar to other commercial and light industrial uses. It is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a use that currently generates trips. Commercial cannabis uses that occur as a result of the Project would be required to adhere to adopted policies and regulations that reduce the number of vehicle trips associated with vehicle miles traveled (VMT). Further, the Cannabis Ordinance Project applies on an as-requested, project-by-project basis. As such, the types and sizes of future cannabis businesses associated with the Project cannot be determined until specific projects have been proposed and submitted to the City. Therefore, the Project is not anticipated to substantially increase the amount of vehicle traffic or conflict with a program plan, ordinance or

policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. A less than significant impact would occur in this regard.

**b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

**Less than Significant Impact.** The City adopted their VMT Thresholds in June 2020, which established the following screening criteria for certain land development projects that would be presumed to result in a less than significant VMT impact:

1. Local-serving retail less than 50,000 square feet (sf), including schools, daycare, student housing, etc.;
2. Small projects generating less than 110 trips per day;
3. Residential and office projects located in areas with low-VMT;
4. Projects near transit stations or a major transit stop that is located along a high quality transit corridor; or
5. Residential projects with a high percentage of affordable housing.

The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill development or redevelopment within previously developed lots. According to the screening criteria above, the new cannabis businesses permitted under the Project would not apply under screening criteria 3 or 5 as the new businesses would not include an office or residential component.

However, the future cannabis businesses including cultivation on less than 10,000 square feet associated with the Project could be screened out from further VMT analysis under screening criteria 1 as the Project would constitute as local-serving retail uses and are anticipated to have relatively small building footprints. While the size and location of the new cannabis businesses are unknown at this time, it is reasonable to assume that the new businesses could be less than 50,000 square feet, which would screen the project out of further VMT analysis. In addition, due to the potentially small size of the future cannabis businesses, it is anticipated that the future cannabis businesses would not substantially increase existing vehicle trips on the City's roadway system as these projects primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a commercial or light industrial use that currently generates trips. Therefore, if the future cannabis businesses could

demonstrate that trips generated by the new businesses could be less than 110 trips per day, screening criteria 2 would apply. Lastly, if the future cannabis businesses would be located near a transit station or along a high quality transit corridor, then the Cannabis Ordinance Project would be screened out for further VMT analysis under screening criteria 4.

While it is expected that the future cannabis businesses associated with the Project would be screened out based on application of screening criteria 2, 3, or 4, the Cannabis Ordinance Project would be required to demonstrate that it meets the screening criteria during the project entitlement process. In the event that a future cannabis business cannot be screened out from further VMT analysis, then a project-specific VMT analysis would be conducted to demonstrate the project's impacts to VMT in accordance with City regulations. If impacts are determined to be significant, mitigation measures would be identified to reduce impacts to a less than significant level, as feasible. Therefore, based on the application of the screening levels and compliance with City's VMT Thresholds, the Project would result in less than significant impacts to VMT.

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

**Less than Significant Impact.** It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration) and that limited, if any, construction activities would occur. If construction activities were to occur, it is expected that the majority of construction activities for future cannabis businesses associated with the Project would be mostly confined on-site. However, construction activities could encroach into the public right-of-way along roadways adjacent to the potential parcels while curbside improvements are being made (e.g., sidewalks, driveways, underground facilities and infrastructure). In addition, slow-moving and large construction vehicles may be present in and around the potential parcels, which could reduce visibility and increase roadway congestion for other roadway users. However, in accordance with the City's Public Works Department, construction contractors would develop a Construction Management Plan, subject to City review and approval, that would ensure that safe travel conditions are maintained for vehicles, bicycles, pedestrians, and transit vehicles. Therefore, construction of the Project would not introduce any geometric design features or incompatible uses, and this impact would be less than significant.

Future cannabis businesses associated with the Project would not make any modifications to the public roadway network, as all development would occur within existing parcels. Conceptual on-site circulation for the potential parcels that could be developed with implementation of the Project have not yet been developed. As detailed on-site circulation designs are developed, any new or reconfigured driveways and internal circulation would need to comply with the City's Engineering Standards, which include design specifications to ensure safe and efficient travel of vehicles, bicycles, pedestrians, and transit vehicles. Therefore, the Project would not introduce any geometric design features or incompatible uses, and this impact would be less than significant. No mitigation is required.

d) **Result in inadequate emergency access?**

**Less than Significant Impact.** The potential parcels for the future cannabis businesses are located in an established urban area that is well served by the surrounding roadway network. While it is expected that the majority of construction activities associated with future cannabis businesses associated with the Project would be mostly confined on-site, construction activities may involve temporary lane closures along roadways adjacent to the potential parcels while curbside improvements are being made (e.g., sidewalks, driveways, underground facilities and infrastructure). However, through-access for drivers, including emergency personnel, along all roadways will still be provided. In these instances, the construction contractors of future cannabis businesses associated with the Project would implement traffic control measures (e.g., construction flagmen, signage, etc.) consistent with required City encroachment permit(s) to maintain flow and access. Furthermore, in accordance with the City’s Public Works Department, construction contractors would develop a Construction Management Plan, subject to City review and approval, that includes designation of a haul routes to ensure that adequate emergency access is maintained during construction. Therefore, construction of the Project is not expected to result in inadequate emergency access, and a less than significant construction impact would occur.

With respect to operation of the Project, the LACFD, which provides fire and paramedic services for the City, and other relevant City departments would review the final design and on-site circulation of future cannabis businesses associated with the Project, to ensure that there is adequate emergency access. Therefore, operation of the Project is not expected to result in inadequate emergency access, and a less than significant construction impact would occur. No mitigation is required.

## References

City of Covina. 2020. Planning Commission Resolution No. 2020-011PC – Recommending to the City Council to adopt Vehicle Miles Traveled (VMT) Threshold of Significance for the purposes of analyzing transportation impacts under the California Environmental Quality Act (CEQA). Available at: [https://covinaca.gov/sites/default/files/fileattachments/planning\\_commission/meeting/9201/doc.pdf](https://covinaca.gov/sites/default/files/fileattachments/planning_commission/meeting/9201/doc.pdf). Accessed August 26, 2022.

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## Tribal Cultural Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XVIII. TRIBAL CULTURAL RESOURCES —</b>				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
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), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

Would the Project:

- a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**
  - 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), or**
  - 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**No Impact (ai–aii).** The City was required to conduct tribal consultation in accordance with AB 52. The City mailed out one AB 52 consultation letter to the Gabrieleño Band of Mission Indians – Kizh Nation on August 16, 2022. The letter provided a brief description of the Project and its location, with maps, the City’s contact information, and a notification that the tribe has 30 days to

request consultation pursuant to PRC section 21080.3.1. No response to the letter was received. The AB 52 Native American consultation documentation is provided in **Appendix A**, of this IS/MND. As no tribal cultural resources were identified, the Project would have no impact on tribal cultural resources. Nevertheless, future cannabis businesses associated with the Project would be required to comply with applicable federal, state, and local regulations and, as appropriate, to undergo the City’s discretionary review process, including completion of subsequent project-level planning and environmental review under CEQA. These projects would similarly require compliance with AB 52 to ensure that tribal cultural resources are properly identified.

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## Utilities and Service Systems

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XIX. UTILITIES AND SERVICE SYSTEMS —</b>				
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

**Less than Significant Impact.** The City proposes to amend the City's Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. Since the Project would not propose residential uses, implementation of the Project would not directly generate population growth within the City. Employment increases have the potential to generate indirect population growth, as they may draw additional persons and their households to the City. Employees would be generated by the future cannabis businesses associated with the Project, similar to other commercial and light industrial uses. It is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a use that currently generates employees. The Cannabis Ordinance Project applies on an as-requested, project-by-project basis. As such, the negligible indirect residential population and employment generated from the future cannabis businesses associated with the Project has not yet been determined as specific cannabis projects have not yet been proposed and submitted to the

City. While precise employment numbers are unknown at this time, the number of new employment opportunities are anticipated to be filled by current residents in the City. Further, the future cannabis businesses associated with the Project would be replacing a commercial or light industrial use that currently consumed water, generated wastewater, produced stormwater drainage, consumed electricity, natural gas, and telecommunication services. Further, the operations plan identified in Section 17.84.040(F) shall include a cultivation plan that meets or exceeds minimum legal standards for water usage and conservation. The operations plan shall also include a description of a legal water source, irrigation plan, and projected water use and identify the source of electrical power and plan for compliance with applicable buildings codes and related codes. As such, a less than significant impact would occur in this regard.

b) **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

**Less than Significant Impact.** Water service is provided to the potential parcels for the future cannabis businesses through the CIC, which obtains water from the Main San Gabriel Groundwater Basin and from the San Gabriel River (Covina, 2022). The City's water supply sources include purchased treated local groundwater and treated surface water from the CIC and imported surface water supplies from the Three Valleys Municipal Water District, which is water that is imported by the Metropolitan Water District (MWD) of Southern California (Covina, 2022). According to the City's 2015 Urban Water Management Plan (UWMP), the reliable quantities of projected normal year water supply for Year 2025 is 5,762 AF per year; Year 2030 is 5,821 AF; Year 2035 is 5,800 AF; and Year 2040 is 5,940 AF. The projected single dry year water supply for Year 2025 is 5,506 AF per year; Year 2030 is 5,562 AF per year; Year 2035 is 5,618 AF per year; and Year 2040 is 5,676 per year. The projected multiple dry year water supply for Year 2025 is 5,506 AF per year for the first year, 5,734 AF per year for the second year, and 5,751 AF per year for the third year; Year 2030 is 5,562 AF per year for the first year, 5,792 AF per year for the second year, and 5,809 AF per year for the third year; Year 2035 is 5,618 AF per year for the first year, 5,851 AF per year for the second year, and 5,868 AF per year for the third year; and Year 2040 is 5,676 AF per year for the first year, 5,911 AF per year for the second year, and 5,928 AF per year for the third year (Covina, 2017). Because the exact nature, location, and operation of future cannabis businesses associated with the Project are unknown, quantification of water consumption would not be feasible and would be too speculative. Further, it is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a commercial or light industrial use that currently consume water. Further, the operations plan identified in Section 17.84.040(F) shall include a cultivation plan that meets or exceeds minimum legal standards for water usage. The operations plan shall also include a description of a legal water source, irrigation plan, and projected water use for compliance with applicable buildings codes and related codes. As such, it is further anticipated that the estimated water consumption of future cannabis businesses associated with the Project would be within the CIC's future projected water supply for normal, dry, and multiple dry years. Further, the Cannabis Ordinance Project would comply with CALGreen, which requires water-efficient appliances and fixtures, thereby ensuring efficient use of water at the potential parcels. Lastly, the project applicants would be required to pay water connection fees. The CIC would use these fees,

at least in part, to fund projects and programs necessary to meet the regulatory obligation with respect to treatment requirements, treatment capacity, and supply reliability. As such, a less than significant impact would occur in this regard. No mitigation is required.

- 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?**

**Less than Significant Impact.** The Project would deliver sewage into the City's sewer collection system, which is operated and maintained by the City's Public Works Department and treated by the Sanitation Districts of Los Angeles County (LACSD) (Covina, 2017). The water reclamation plants serving the City include SJCWRP and the Joint Water Pollution Control Plant. The SJCWRP has the capacity to provide tertiary treatment for approximately 100 million gallons per day (MGD) (LACSD, 2022a). The Joint Water Pollution Control Plant currently has the capacity to provide primary and secondary treatment for approximately 400 MGD of wastewater (LACSD, 2022b). Because the exact nature, location, and operation of future development and redevelopment associated with the Project are unknown, quantification of wastewater generation would not be feasible and would be too speculative. Further, it is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a commercial or light industrial use that currently generated wastewater. However, based on the capacities of the SJCWRP and the Joint Water Pollution Control Plant, it is further anticipated the wastewater generated by the future cannabis businesses associated with the Project would be minimal and would not exceed current capacities of these wastewater plants. As such, impacts would be less than significant in this regard. No mitigation is required.

- 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?**

**Less than Significant Impact.** Construction activities associated with future cannabis businesses associated with the Project would generate minor amounts of solid waste. The City's Construction and Demolition Debris Management Program requires 75 percent of all construction waste materials be recycled. The City maintains an exclusive franchise agreement with Athens Services to carry out the City's Construction and Demolition Diversion Program for construction contractor (Covina, 2022b). The City's requirement of 75 percent construction waste diversion rate would reduce solid waste from construction associated with the future cannabis businesses associated with the Project. The remaining 25 percent of construction materials that are not required to be recycled would either be disposed of or voluntarily recycled at a solid waste facility with available capacity. Any hazardous wastes that are generated during construction activities would be managed and disposed of in compliance with all applicable federal, state, and local laws.

Future cannabis businesses would produce solid waste on a regular basis, in association with operation and maintenance activities. As discussed above, solid waste generated by the Project

would be collected by Athens Services and transported to a local or regional landfill. Athens Services uses regional landfills in both Los Angeles County and San Bernardino County to dispose of waste from its collection, transfer, and disposal services. The Los Angeles County landfills have an estimated remaining permitted capacity of 142.67 million tons (County of Los Angeles, 2020). The remaining life of Los Angeles County landfills ranges from approximately 8 years for the Pebbly Beach Landfill to 35 years for the Savage Canyon Landfills (County of Los Angeles, 2020). San Bernardino County landfills have an estimated remaining capacity of 164,209,140 tons (County of San Bernardino, 2018). The remaining life of the San Bernardino County landfills is over 15 years (County of San Bernardino, 2018). Because the exact nature, location, and operation of future development and redevelopment associated with the Project are unknown, quantification of solid waste generation would not be feasible and would be too speculative. Further, it is anticipated that development of the future cannabis businesses would primarily locate within existing structures, or to a lesser extent, be considered infill development or redevelopment, thereby replacing a commercial or light industrial use that currently produced solid waste. It is further anticipated that solid waste generated by future cannabis businesses associated with the Project each year would be negligible relative to the remaining permitted capacity of both County landfills. As such, a less than significant impact would occur in this regard. No mitigation is required.

e) **Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**Less than Significant Impact.** All local governments, including the City, are required under AB 939, the Integrated Waste Management Act of 1989, to develop source reduction, reuse, recycling, and composting programs to reduce tonnage of solid waste going to landfills. The project applicants of future cannabis businesses associated with the Project are required to comply with all local, state, and federal requirements for integrated waste management (i.e., recycling, green waste) and solid waste disposal. Specifically, all future development and redevelopment would require to comply with the City's Recycling and Waste Handling Requirement for construction and demolition debris, which requires at least 75 percent of all building and demolition materials to be recycled (Covina, 2022a). As discussed above, Athens Services currently transports all of the City's residential and commercial recycling to a material recovery facility (MRF), where recyclable materials are sorted, and recyclables are separated and processed (Covina, 2022b). As a result, future cannabis businesses, which would be served by Athens Services, would be in compliance with applicable laws for recycling and disposal of solid waste. As such, a less than significant impact would occur in this regard. No mitigation is required.

## References

City of Covina. 2017. City of Covina, 2015 Urban Water Management Plan, February 2017, [https://covinaca.gov/sites/default/files/fileattachments/public\\_works/page/451/final\\_2015\\_uwmp\\_-\\_city\\_of\\_covina.pdf](https://covinaca.gov/sites/default/files/fileattachments/public_works/page/451/final_2015_uwmp_-_city_of_covina.pdf). Accessed September 2022.

City of Covina. 2022a. City of Covina Website, Construction & Demolition Debris Management, <https://covinaca.gov/publicworks/page/construction-demolition-debris-management>. Accessed September 2022.

City of Covina. 2022b. City of Covina Website, Construction & Demolition Debris Management Program, Background and Reference, [https://covinaca.gov/sites/default/files/fileattachments/public\\_works/page/579/background\\_and\\_reference.pdf](https://covinaca.gov/sites/default/files/fileattachments/public_works/page/579/background_and_reference.pdf). Accessed September 2022.

County of Los Angeles. 2020. Los Angeles County Public Works, County of Los Angeles Countywide Integrated Waste Management Plan, 2020 Annual Report, dated October 2021.

County of San Bernardino. 2018. County of San Bernardino Solid Waste Management Division, County of San Bernardino Countywide Siting Element, Countywide Integrated Waste Management Plan, amended 2018.

LACSD (Los Angeles County Sanitation Districts). 2022a. San Jose Creek Water Reclamation Plant website, <https://www.lacsd.org/services/wastewater-sewage/facilities/san-jose-creek-water-reclamation-plant#:~:text=The%20facility%20currently%20has%20a,some%20of%20the%20attached%20documents>. Accessed September 2022.

LACSD. 2022b. Joint Water Pollution Control Plan (JWPCP) website, <https://www.lacsd.org/services/wastewater-sewage/facilities/joint-water-pollution-control-plant>. Accessed September 2022.

LARWQCB (Los Angeles County Regional Water Quality Control Board). 2014. Los Angeles County Regional Water Quality Control Board (LARWQCB) Water Quality Control Plan (Basin Plan) 2014.

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## Wildfire

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XX. WILDFIRE</b> — If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

Would the Project:

- a) **Substantially impair an adopted emergency response plan or emergency evacuation plan?**
- 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?**
- 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?**
- 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?**

**No Impact (a–d).** The CAL FIRE maps FHSZs, based on factors such as fuel, slope, and fire weather to identify the degree of fire hazard throughout California (i.e., moderate, high, or very high). While FHSZs do not predict when or where a wildfire will occur, they do identify areas where wildfire hazards could be more severe and therefore are of greater concern. The potential parcels are not designated as a State Responsibility Area nor are the potential parcels near a State Responsibility Area (CAL FIRE, 2020). According to the CAL FIRE, Covina Fire Hazards Severity Zone Map for the Local Responsible Areas, the potential parcels are designated as a non-



Very High FHSZ (CAL FIRE, 2020). The potential parcels are outside of areas identified by CAL FIRE as having substantial or very high risk (CAL FIRE, 2020). Further, the potential parcels are located in a highly urbanized areas of the City and consist of developed lots generally comprising of commercial and light industrial uses, asphalt surface parking lots, and ornamental landscaping and trees. No increase of wildfire hazard is expected as a result of the Project and the associated future cannabis businesses. Therefore, no impacts would occur in this regard.

## References

CAL FIRE (California Department of Forestry and Fire Protection). 2020. California Department of Forestry and Fire Protection, California Fire Hazard Severity Zone Viewer. [online]: <https://egis.fire.ca.gov/FHSZ/>. Accessed September 2022.

City of Covina. 2000. City of Covina's General Plan, Safety Element, adopted April 18, 2000.

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## Mandatory Findings of Significance

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE —</b>				
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Discussion

Would the Project:

- 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?**

**Less than Significant Impact with Mitigation Incorporated.** As discussed under Section IV, *Biological Resources*, almost all native bird species, except game birds, are protected by State and federal statutes when they are actively nesting. Some avian species may nest, forage, and roost within ornamental shrubs and trees planted as part of existing landscaping and some species will nest on or in buildings and other man-made structures. It is anticipated that development of the future cannabis businesses including cultivation of cannabis on less than 10,000 square feet associated with the Project would primarily locate within existing structures and require minor renovation activities or extensive interior upgrades or modifications (i.e., upgrades to electrical, lighting, irrigation, ventilation, refrigeration), or to a lesser extent, be considered infill development or redevelopment within previously developed lots. Therefore, Project implementation may result in demolition, new construction, or renovations of structures, such activities may affect nesting birds within the potential parcels. Therefore, measures to avoid adverse effects on nesting birds are recommended to be implemented prior to or during construction and demolition activities associated with Project and future cannabis businesses. Implementation of mitigation measure **BIO-1** will reduce any potentially significant impacts to

nesting birds to less than significant. No impacts to riparian or sensitive natural communities will occur as the result of implementation of the Project.

As discussed under Section V, *Cultural Resources*, there could be as-yet-unidentified subsurface archaeological resources present. Impacts to unknown archaeological resources qualifying as historical resources could result in a significant impact to historical resources. However, implementation of mitigation measures **CUL-1** and **CUL-2**, which would require the preparation of a Historic Resources Assessment and an Archaeological Resources Assessment would reduce impacts to less than significant. Future cannabis businesses associated with the Project would involve ground disturbing activities that, depending on their location, could result in disturbance of human remains or a unique paleontological resource or site or unique geologic feature. Such development could result in significant impacts to human remains under CEQA. However, implementation of mitigation measure **GEO-1** would reduce impacts to less than significant.

### Mitigation Measures

Refer to mitigation measures **BIO-1**, **CUL-1**, **CUL-2**, and **GEO-1**.

- 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)?**

**Less than Significant Impact with Mitigation Incorporated.** A cumulative impact could occur if the Project would result in an incrementally considerable contribution to a significant cumulative impact in consideration of the past, present, and reasonably foreseeable future projects for each resource area. The City proposes to amend the City’s Municipal Code and Zoning Code to allow for the commercial sale, cultivation, manufacture, and distribution of cannabis and cannabis products within the City by permitting up to three future cannabis businesses. The Cannabis Ordinance Project does not permit future cannabis businesses within residential zones. Specifically, the Cannabis Ordinance Project would permit development of the future cannabis retailers within potential parcels designated as C-3 (Central Business), C-3A (Regional or Community Shopping Center), C-4 (Commercial Zone, Highway) and C-5 (Specified Highway), and future cannabis microbusinesses including cultivation of cannabis on less than 10,000 square feet within potential parcels designated as M-1 (Industrial Zone). The types and sizes of future cannabis businesses associated with the Project cannot be determined until specific projects have been proposed and submitted to the City. Because the exact nature, location, and operation of future cannabis businesses associated with the Project are unknown, defining a cumulative study area would be too speculative at this time. However, with implementation of mitigation measures **BIO-1**, **CUL-1**, **CUL-2**, **GEO-1**, and **HAZ-1** through **HAZ-3**, future cannabis businesses associated with the Project would not have impacts that are individually limited, but cumulatively considerable and a less than significant impact would occur.

### Mitigation Measures

Refer to mitigation measures **BIO-1**, **CUL-1**, **CUL-2**, **GEO-1**, and **HAZ-1** through **HAZ-3**.

- c) **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less than Significant Impact with Mitigation Incorporated.** Based on the analysis of the Project's impacts in Sections I through XX, there is no indication that the cannabis businesses associated with the Project could result in substantial adverse effects on human beings. While there would be a variety of effects related to biological resources, cultural resources, paleontological resources, and hazards and hazardous materials, these impacts would be less than significant with mitigation incorporated, as necessary. The analysis herein concludes that direct and indirect environmental effects will, at most, require mitigation to reduce potentially significant impacts to less than significant levels. Generally, environmental effects will result in less than significant impacts. Based on the analysis in this Draft IS/MND, the City finds that direct and indirect impacts to human beings will be less than significant with mitigation incorporated, as necessary.

**Mitigation Measures**

Refer to mitigation measures **BIO-1, CUL-1, CUL-2, GEO-1, and HAZ-1** through **HAZ-3**.

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# SECTION 4

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## Mitigation Monitoring Reporting Program

### 4.1 CEQA Requirements

**Table 4-1** is a Mitigation Monitoring and Reporting Program (MMRP) for the City of Covina’s Local Cannabis Program Ordinance Project, which has been prepared pursuant to State CEQA Guidelines Section 15097 and PRC Section 21081.6. This MMRP lists all applicable mitigation measures from the IS/MND. The appropriate timing of implementation and responsible party are identified to ensure proper enforcement of the mitigation measures from the IS/MND to reduce Project impacts to less than significant levels. Mitigation measures are presented in the same order as they occur in the IS/MND.

The columns in the MMRP table provide the following information:

- **Mitigation Measure(s):** The action(s) that will be taken to reduce the impact to a less than significant level.
- **Implementation Action:** The action(s) listed out, according to the identified mitigation measure that would be implemented by the responsible agency.
- **Responsible Implementation Agency:** The agency or private entity responsible for ensuring implementation of the mitigation measure. For the Project, the City of Covina, as the CEQA Lead Agency, remains responsible for ensuring that implementation of the mitigation measures occur in accordance with the MMRP (State CEQA Guidelines Section 15097(a)).
- **Timing of Verification:** The general timing for implementing each mitigation measure.
- **Verification Date:** The date in which the mitigation measure has been completed.

The MMRP will be kept on file at the following address:

City of Covina, Community Development Department  
125 E. College Avenue  
Covina CA 91723

**TABLE 4-1  
MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CITY OF COVINA’S LOCAL CANNABIS PROGRAM ORDINANCE PROJECT**

Mitigation Measure	Implementation Action	Responsible Implementation Agency/Party	Timing of Verification	Verification Date
<b>Biological Resources</b>				
<p><b>BIO-1: Nesting Birds.</b> Vegetation removal shall be conducted between September 1 and January 31, outside the typical nesting season for birds in the region. If vegetation removal must occur during the typical nesting season (February 1 – August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 100 to 300-foot buffer around existing trees and landscaped areas, to identify any potential active nests. Buffer distances should be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.</p> <p>If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the monitoring biologist.</p>	<p>Conduct all vegetation removal between September 1 and January 31, outside the typical nesting season for birds in the region.</p> <p>If vegetation removal must occur during the typical nesting season (February 1 – August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 100 to 300-foot buffer around existing trees and landscaped areas, to identify any potential active nests.</p> <p>If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas.</p>	<p>City of Covina Qualified Project Biologist Project Contractor</p>	<p>Prior to and during grading and/or construction.</p>	

Mitigation Measure	Implementation Action	Responsible Implementation Agency/Party	Timing of Verification	Verification Date
<b>Cultural Resources</b>				
<p><b>CUL-1: Historic Resources Assessment.</b> For future cannabis businesses associated with the Project that involve demolition or alteration of buildings and/or structures or the construction of adjacent aboveground infrastructure, the project applicant shall retain an architectural historian meeting the minimum professional qualifications standards (PQS) set forth by the Secretary of the Interior (codified in 36 Code of Federal Regulations [CFR] Part 61; 48 Federal Register 44738-44739) (Qualified Architectural Historian) to conduct a historic resources assessment. The assessment shall include a review of the Built Environment Resource Directory (BERD) and the City's historic landmarks and structures of merit listings ; a review of other pertinent archives and sources; recordation of all historic architectural resources more than 45 years in age on California Department of Parks and Recreation (DPR) 523 forms; evaluation of resources for listing in the California Register of Historical Resources and for designation as a City of Covina historic landmark or structure of merit; and preparation of a technical report documenting the methods and results of the assessment. The report shall also provide recommendations for additional work or mitigation, if needed, which may include but would not be limited to compliance with the Secretary of the Interior's Standards (Ord. 16-2060 § 1, 2016; Ord. 97-1812 § 1, 1997). A copy of the final report shall be filed with the South Central Coastal Information Center.</p>	<p>Prior to the issuance of ground disturbing activities of future development and redevelopment associated with the Project on parcels that contain or are adjacent to buildings or structures more than 45 years old, the City shall retain a qualified architectural historian.</p> <p>The qualified architectural historian shall provide recommendations regarding additional work or treatment for historical resources that will be affected by the Project prior to their demolition or alteration.</p>	<p>City of Covina Qualified Architectural Historian Project Contractor</p>	<p>Prior to and during grading and/or construction.</p>	
<p><b>CUL2: Archaeological Resources Assessment.</b> For future cannabis businesses associated with the Project that involve ground disturbance, the project applicant shall retain an archaeologist meeting the minimum PQS set forth by the Secretary of the Interior (codified in 36 CFR Part 61; 48 Federal Register 44738-44739) (Qualified Archaeologist) to conduct an archaeological resource assessment. The assessment shall include a records search at the South Central Coastal Information Center; a Sacred Lands File search through the Native American Heritage Commission; a subsurface sensitivity assessment; a pedestrian field survey in instances where ground surface is exposed; recordation of all identified archaeological resources on DPR 523 forms; evaluation of resources affected by the project for eligibility for listing in the California Register of Historical Resources and for designation as a City of Covina historic landmark or structure of merit; and preparation of a technical report documenting the methods and results of the assessment. Resources that do not qualify as historical resources shall be considered by the Qualified Archaeologist for qualification as unique archaeological resources as defined in Public Resources Code (PRC) Section 21083.2(g). The report shall also include recommendations as to</p>	<p>Prior to the issuance of ground disturbing activities of future development and redevelopment associated with the Project, the City shall retain a qualified archaeologist.</p> <p>If an archaeological resource is identified as a result of the survey, the qualified archaeologist will prepare and conduct a testing program to delineate the resource's boundaries and identify presence/absence of subsurface deposits.</p>	<p>City of Covina Qualified Archaeologist Project Contractor</p>	<p>Prior to the issuance of ground disturbing activities. Prior to commencement of excavation activities.</p>	

Mitigation Measure	Implementation Action	Responsible Implementation Agency/Party	Timing of Verification	Verification Date
whether mitigation for worker training, monitoring, and/or inadvertent discoveries is warranted. A copy of the final report shall be filed with the South Central Coastal Information Center.				
<b>Geology and Soils</b>				
<p><b>GEO-1: Paleontological Resources Assessment and Monitoring.</b> For future projects cannabis projects associated with the Cannabis Ordinance Project that involve ground disturbance, the project proponent applicant shall retain a paleontologist who meets the Society of Vertebrate Paleontology’s (SVP 2010) definition for qualified professional paleontologist (Qualified Paleontologist) to prepare a paleontological resources assessment report. The report shall include methods and results of the paleontological resources assessment. The report shall also include recommendations as to whether mitigation for worker training monitoring, and/or inadvertent discoveries is warranted</p>	<p>Prior to construction of future development and redevelopment associated with the Project that involve ground disturbance below 10 feet in Pleistocene alluvium or marine Puente Formation sediments, the City shall retain a qualified paleontologist.</p> <p>All initial ground disturbance below 10 feet deep shall be monitored full-time by a qualified paleontological monitor (SVP 2010) working under the direct supervision of the qualified paleontologist.</p> <p>All recovered fossils shall be prepared for identification to the lowest taxonomic level possible, cataloged, and curated at an accredited facility with retrievable storage.</p> <p>The qualified paleontologist shall prepare a final report to be submitted to the City and filed with the curation facility and Natural History Museum of Los Angeles County.</p>	<p>City of Covina Qualified Paleontologist Project Contractor</p>	<p>Prior to and during grading and/or construction.</p>	
<b>Hazards and Hazardous Materials</b>				
<p><b>HAZ-1: Phase I Environmental Site Assessment:</b> Prior to the initiation of any construction requiring ground-disturbing activities on industrial and commercial properties, as well as listed active hazardous materials cleanup sites, Project Applicants shall complete a Phase I environmental site assessment for that property in accordance with American Society for Testing and Materials Standard E1527 for those active hazardous materials sites to ascertain their current status. Any recommended follow up sampling (i.e., Phase II activities) set forth in the Phase I assessment shall be implemented prior to construction. The results of Phase II studies, if necessary, shall be submitted to the local overseeing agency and any required remediation or further delineation of identified contamination shall be completed prior to commencement of construction.</p>	<p>Project Applicants shall complete a Phase I environmental site assessment for that property in accordance with American Society for Testing and Materials Standard E1527 for those active hazardous materials sites to ascertain their current status.</p>	<p>City of Covina</p>	<p>Prior to the initiation of any construction requiring ground-disturbing activities, as well as listed active hazardous materials cleanup sites.</p>	



Mitigation Measure	Implementation Action	Responsible Implementation Agency/Party	Timing of Verification	Verification Date
<p><b>HAZ-2: Health and Safety Plan:</b> For those properties for which the Phase I assessment identifies hazardous materials issues, before the start of ground-disturbing activities, including grading, trenching, or excavation, or structure demolition, the Project Applicants for the specific work proposed shall require that the construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HASP) in accordance with federal Occupational Safety and Health Administration regulations (29 CFR 1910.120) and California Occupational Safety and Health Administration regulations (8 CCR Section 5192).</p> <p>The HASP shall be implemented by the construction contractor to protect construction workers, the public, and the environment during all ground-disturbing and structure demolition activities. The HASP shall include designation of a site health and safety officer, a summary of the anticipated risks, a description of personal protective equipment and decontamination procedures, and procedures to follow if evidence of potential soil or groundwater contamination is encountered.</p>	<p>Project Applicants for the specific work proposed shall require that the construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HASP).</p>	<p>City of Covina Project Contractor Qualified Professional to prepare HASP</p>	<p>Before the start of ground-disturbing activities, including grading, trenching, or excavation, or structure demolition.</p>	
<p><b>HAZ-3: Soil and Groundwater Management Plan:</b> In support of the HASP described in Mitigation Measure HAZ-2, the Project Applicants shall require that its contractor(s) develop and implement a Soil and Groundwater Management Plan (SGMP) for the management of soil and groundwater before any ground-disturbing activity. The SGMP shall describe the hazardous materials that may be encountered, the roles and responsibilities of on-site workers and supervisors, training for site workers focused on the recognition of and response to encountering hazardous materials, and protocols for the materials (soil and/or dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner.</p>	<p>The Project Applicants shall require that its contractor(s) develop and implement a Soil and Groundwater Management Plan (SGMP).</p>	<p>City of Covina Project Contractor</p>	<p>Before the start of ground-disturbing activities, including grading, trenching, or excavation, or structure demolition.</p>	

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# SECTION 5

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## Preparers and Acronyms

### 5.1 Preparers

#### Lead Agency

City of Covina, Community Development Department  
125 E. College Avenue, Covina, CA 91723

- Brian K. Lee, AICP, Community Development Director

#### Initial Study/Mitigated Negative Declaration Preparation

ESA  
80 South Lake Avenue  
Pasadena, CA 91101

- Ruta K. Thomas, Senior Vice President/Southern CA Regional Director (Project Director)
- Brian Allee, Senior Managing Associate (Project Manager)
- Marlie Long, Managing Associate (CEQA Checklist)
- Shannon McAlpine, Environmental Planner (CEQA Checklist)
- Alan Sako, Director (Air Quality, Greenhouse Gas Emissions, Energy, Noise)
- Tony Chung, Principal Associate (Noise)
- Michael Stewart, Air Quality and Acoustical Analyst (Air Quality, Greenhouse Gas Emissions, Energy, Noise)
- Fatima Clark, Cultural Resources Specialist (Cultural Resources)
- Chance Scott, GIS Analyst
- Ron Tietel, Senior Graphic Designer

## 5.2 Acronyms and Abbreviations

Acronym/Abbreviation	Definition
AB	Assembly Bill
ACM	Asbestos-Containing Material
ANSI	American National Standards Institute
AQMP	Air Quality Management Plan
AR4	Fourth Assessment Report
AUMA	Adult Use of Marijuana Act
BERD	Built Environment Resource Directory
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAO	Cleanup and Abatement Orders
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDO	Cease and Desist Orders
CEQA	California Environmental Quality Act
CFC	California Fire Code
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH <sub>4</sub>	Methane
CHP	California Highway Patrol
CIC	Covina Irrigating Company
City	City of Covina
CNRA	California Natural Resources Agency
CO <sub>2</sub>	Carbon Dioxide
County	County of Los Angeles
COUSD	Charter Oak Unified School District
CPD	Covina Police Department
CRHR	California Register of Historical Resources
CSA	Controlled Substances Act
CUP	Conditional Use Permit
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
dBA	A-weighted Sound Pressure Level

<b>Acronym/Abbreviation</b>	<b>Definition</b>
DBH	Diameter at Breast Height
DHS	California Department of Health Services
DOC	California Department of Conservation
DPR	California Department of Parks and Recreation
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FRAP	Fire and Resource Assessment Program
FTA	Federal Transportation Administration
GHG	Greenhouse Gas Emissions
GWP	Global Warming Potential
HASP	Health and Safety Plan
HFCs	Hydrofluorocarbons
HMBPs	Hazardous Materials Business Plans
HUD	Department of Housing and Urban Development
HVAC	Heating, Ventilation, and Air Conditions
I-	Interstate
in/sec	Inches per Second
IPCC	Intergovernmental Panel on Climate Change
IS/MND	Initial Study/Mitigated Negative Declaration
LACFD	Los Angeles County Fire Department
LACFD HHMD	Los Angeles County Fire Department Health Hazardous Materials Division
LACSD	Sanitation Districts of Los Angeles County
LARWQCB	Los Angeles Regional Water Quality Control Board
LBP	Lead-Based Paint
Ldn	Average Equivalent Sound Level Over a 24 Hour Period
LID	Low-Impact Development
LRA	Local Responsibility Area
LSAA	Lake or Streambed Alteration Agreement
MAUCRSA	Medicinal and Adult-Use Cannabis Regulation and Safety Act
MGD	Million Gallons Per Day
MMRP	Mitigation Monitoring and Reporting Program
MMRSA or MCRSA	Medical Marijuana Regulation and Safety Act
MMT	Million Metric Tons
MND	Mitigated Negative Declaration
MRF	Material Recovery Facility
MS4	Municipal Separate Storm Sewer System
MT	Metric Ton
MTCO <sub>2e</sub>	Metric Ton CO <sub>2</sub> Equivalent
N <sub>2</sub> O	Nitrous Oxide

<b>Acronym/Abbreviation</b>	<b>Definition</b>
NAAQS	National Ambient Air Quality Standards
ND	Negative Declaration
NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NWI	National Wetlands Inventory
OSHA	Occupational Safety and Health Administration
PCBs	Polychlorinated Biphenyls
PFCs	Perfluorocarbons
PPV	Peak Particle Velocity
PQS	Professional Qualifications Standards
PRC	Public Resources Code
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SEA	Sensitive Ecological Area
SF <sub>6</sub>	Sulfur Hexafluoride
SGMP	Soil and Groundwater Management Plan
SoCAB	South Coast Air Basin
SRA	Source Receptor Area
SR-	State Route
SVP	Society of Vertebrate Paleontology
SWPPP	Stormwater Pollution Prevention Plan
USACE	U.S. Army Corps of Engineers
USDOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USTs	Underground Storage Tanks
UWMP	Urban Water Management Plan
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
WDR	Waste Discharge Requirement

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# Appendix A

## **AB 52 Documentation**









August 16, 2022

Gabrielino Band of Mission Indians - Kizh Nation

Andrew Salas, Chairperson

P.O. Box 393

Covina, Ca 91723

**Re: Formal Notification of City of Covina's Cannabis Ordinance Project Pursuant to Assembly Bill 52**

Dear Chairperson Salas:

The City of Covina (City) is contacting you in compliance with the California Assembly Bill (AB) 52 (including the California Public Resources Code Section 21080.3.1) because you are listed as the contact person in a tribal request for notice of proposed projects in this geographic area for which the City is the lead agency in compliance with the California Environmental Quality Act.

The City proposes a Cannabis Ordinance that would allow, through a permit, between three to six cannabis distribution (and/or microbusiness) locations within the City. Currently, as no specific development project is proposed in connection with the Cannabis Ordinance, the future locations are unknown at this time. The Cannabis Ordinance would include measures to protect public health and safety including regular facility inspections, requiring identification cards and background checks for employees, prohibiting onsite consumption, prohibiting gatherings before/after operations, requiring onsite security and surveillance systems, implementing a strict enforcement system to address City code violations, and utilizing public benefit funds to facilitate community health and youth programs, among others.

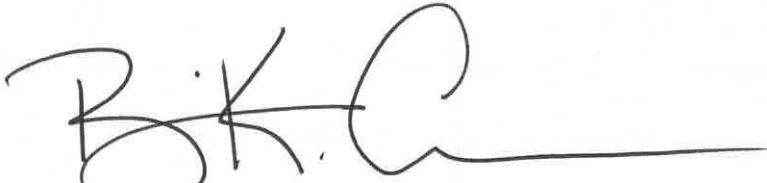
If you wish to initiate formal consultation under AB 52, the deadline to request consultation with the City is set by State law [California Public Resources Code Section 21080.3.1(d)] and requires that you send a written request for consultation to the address below within 30 days of the receipt of this notice. Please send written responses for the proposed project to:

Brian K. Lee, AICP, Director of Community Development  
Community Development Department  
City of Covina  
125 E. College Street  
Covina, CA 91723

If you do not wish to initiate formal consultation on this proposed project, no response to this notice is needed. If you do not wish to formally consult under AB 52 on this proposed project, you may participate in the California Environmental Quality Act process for this project on any issue of concern as an interested California Native American tribe, person, citizen, or member of the public.

If you have any questions, please feel free to contact me at 626-384-5450 or at BLee@covinaca.gov.

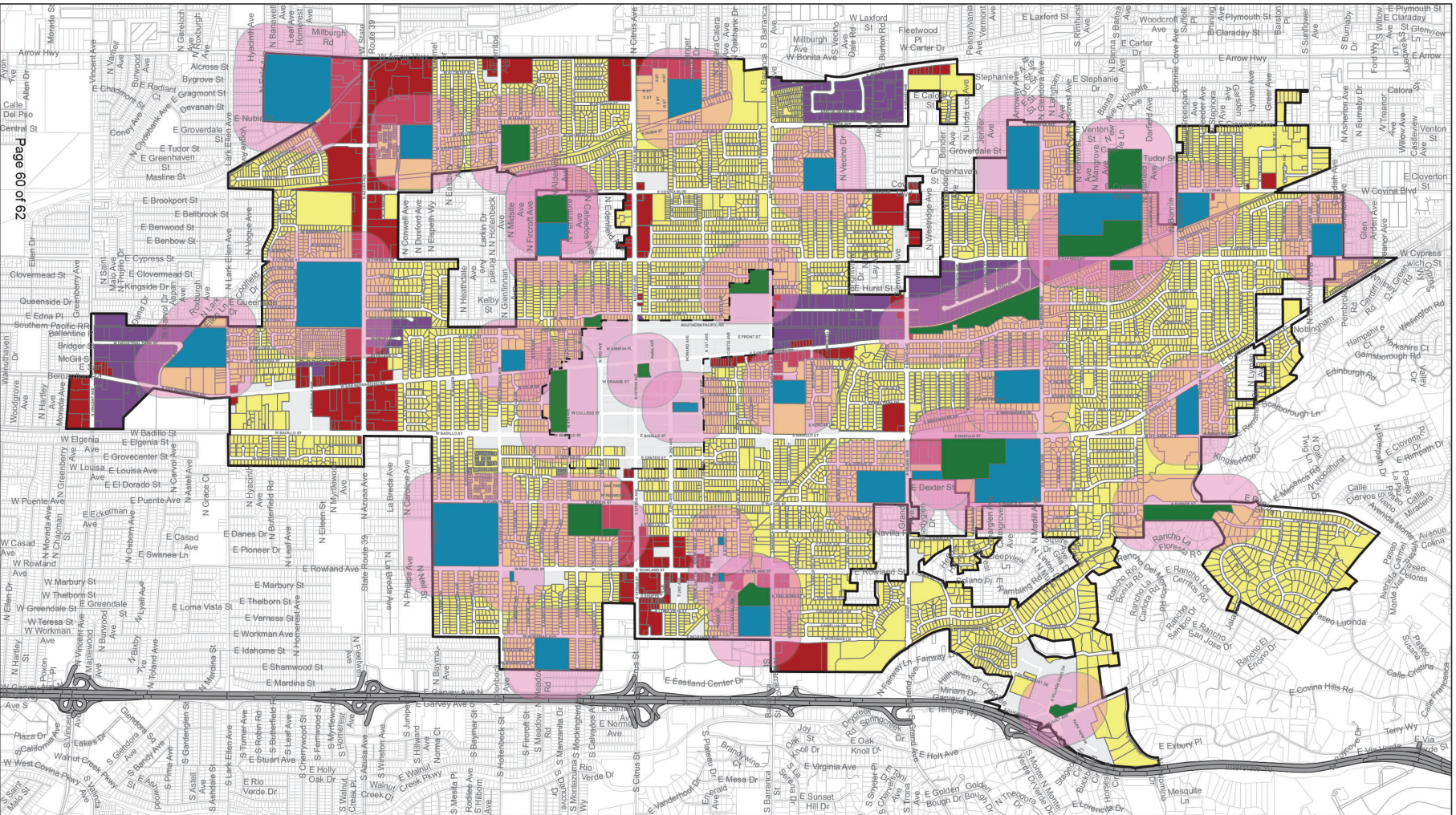
Sincerely,

A handwritten signature in black ink, appearing to read 'B.K. Lee', with a long horizontal flourish extending to the right.

Brian K. Lee, AICP,  
Director of Community Development

Enclosure: Draft Zoning Map





- Zone**
- Commercial
  - Industrial
  - Residential (Non-Permitted)
  - 600-Foot Buffer
  - Schools
  - Parks
  - Town Center Specific Plan

0 1,000 2,000 Feet

Disclaimer: This map of the City of Covina, California has been provided for informational purposes only. Every effort has been made to ensure the accuracy of the map and its data, however, some alterations may not be accurate. The City of Covina provides this map on an "as-is" basis and assumes no liability for changes and/or inaccuracies. The map data is provided solely for informational purposes and is not intended to be used for any other purpose. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose.

SOURCE: City of Covina. Geographic Information Systems. 2021

City of Covina's Cannabis Ordinance Project

**Figure 1**  
Draft Zoning Map with Potential Parcels

