



NOTICE OF PREPARATION AND PROGRAM EIR PUBLIC SCOPING MEETING

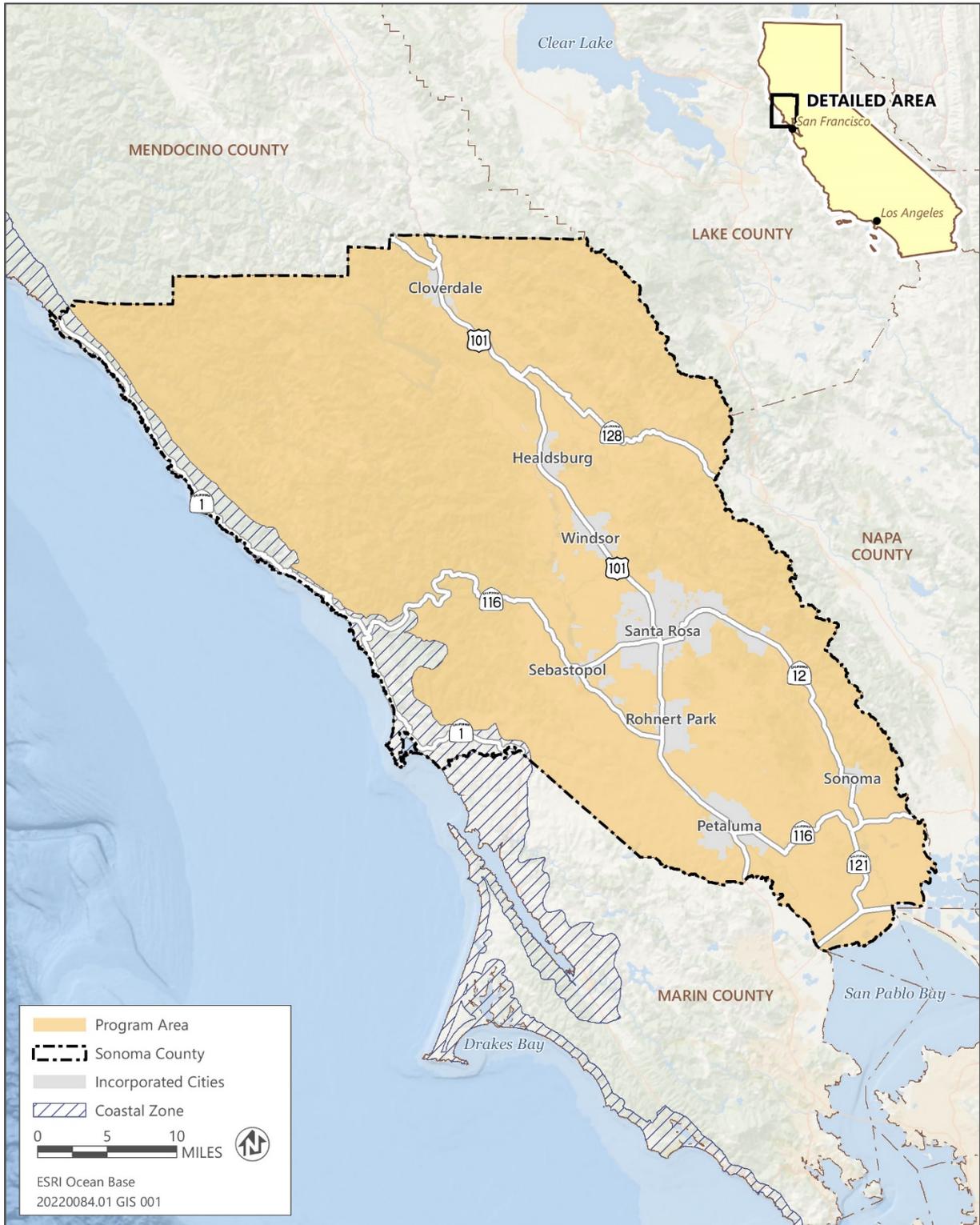
Sonoma County Comprehensive Cannabis Program Update

- Date:** February 6, 2023
- To:** State Clearinghouse, Responsible and Trustee Agencies, and Interested Parties and Organizations
- Project Title:** Sonoma County Comprehensive Cannabis Program Update
- Comment Period:** February 6, 2023 through March 23, 2023
- Scoping Meeting:** March 8, 2023, at 6:00 p.m. PST
- Lead Agency:** County of Sonoma
- Project Location:** Unincorporated Countywide, outside of coastal zone (refer to Figure 1)
- Lead Agency Contact:** Crystal Acker, Supervising Planner
County of Sonoma
2550 Ventura Avenue
Santa Rosa, California 95403
Cannabis@sonoma-county.org

The Sonoma County Permit and Resource Management Department (Permit Sonoma) is preparing a comprehensive cannabis program update, including a new commercial cannabis land use ordinance and potential General Plan Amendments. Permit Sonoma has determined that a Program Environmental Impact Report (EIR) will be necessary to evaluate the potential physical environmental impacts of the Cannabis Program Update pursuant to the California Environmental Quality Act (CEQA). The County requests comments and guidance on the scope and content of the Program EIR from responsible and trustee agencies, interested public agencies, organizations, and the general public in compliance with CEQA (California Public Resources Code, Section 21000 et seq.), and the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). In accordance with State CEQA Guidelines Sections 15082(a) and 15375, the County prepared and released this Notice of Preparation (NOP) of an EIR.

This NOP provides a brief summary of the Comprehensive Cannabis Program Update, the County's preliminary identification of the potential environmental issues to be analyzed in the EIR, and information on how to provide written comments and verbal comment (as part of a Public Scoping Meeting) on the scope of the EIR.

The County invites any and all input and comments regarding the preparation of the Program EIR. If applicable, please indicate a contact person for your agency or organization. If your agency is a responsible agency as defined by CEQA Guidelines Section 15381, your agency may use the environmental documents prepared by the County when considering permits or approvals for actions regarding the project.



Source: adapted by Ascent Environmental in 20231

Figure 1 Program Area

Public Scoping Meeting:

The County will hold a public scoping meeting to provide an opportunity for agency staff and interested members of the public to submit verbal comments on the scope of the environmental issues to be addressed in the EIR. The scoping meeting will be held on Wednesday, March 8, 2023, at 6:00 p.m. Pacific Standard Time (PST). To join the meeting by computer or provide comment by phone, use the Zoom link or phone number on the Cannabis Program Update webpage:

<https://sonomacounty.zoom.us/j/93030525461?pwd=NndtNWVvSkVmZ0Y0K0Vik2Z6c0swUT09>

The scoping meeting will include a presentation on elements of the Cannabis Program Update, a summary of the NOP and broader CEQA process to come, and an opportunity to provide comments on the scope of the EIR.

The scoping presentation will be recorded and available to view after March 15, 2023 at :

<https://sonomacounty.ca.gov/administrative-support-and-fiscal-services/county-administrators-office/projects/cannabis-program/cannabis-program-update-and-eir>

If you have questions regarding this NOP or the scoping meeting, please contact Crystal Acker at 707-565-8357 or via email at Cannabis@sonoma-county.org.

Written Comments:

If applicable, please indicate a contact person for your agency or organization when submitting comments. Submit written comments to either of the below within 45 days of the date of this notice by 5:00 p.m. on March 23, 2023:

- Email: Cannabis@sonoma-county.org
- Regular mail: Permit Sonoma, Attn: Crystal Acker
2550 Ventura Avenue, Santa Rosa, California 95403

All commenters who provide an email address will be added to the Interested Parties List for future updates on the Cannabis Program. Individuals may also be added to the list through the County's Electronic Subscription Services

https://service.govdelivery.com/accounts/CASONOMA/subscriber/new?topic_id=CASONOMA_312 or by sending a request to be added to Cannabis@sonoma-county.org.

Project Background:

Sonoma County's first regulation of cannabis as an industry was the County's original dispensary ordinance (Ord. No. 5715), as adopted March 20, 2007 and amended on February 7, 2012 and which imposed a cap of nine dispensaries in the unincorporated County (Ord. No. 5967). The County's first comprehensive Cannabis Land Use Ordinance (Ord. No. 6189) was adopted under a Negative Declaration on December 20, 2016, and amended in 2018 to make minor changes to allowed uses (e.g., allow adult use) and enhance neighborhood compatibility (e.g., 10-acre minimum parcel size for cultivation) within the scope of the adopted Negative Declaration.

Sonoma County currently regulates commercial cannabis land uses in the unincorporated areas of the County under Zoning Code Sections 26-88-250 through 26-88-256 and regulates personal cannabis cultivation under Section 26-88-258. These provisions contain allowable cannabis uses and permit requirements by zoning district and include development criteria and operating standards for commercial cannabis activities.

The proposed Cannabis Program Update complies with a June 8, 2021 directive from the Board of Supervisors to complete a comprehensive update of the cannabis program and prepare an EIR in compliance with CEQA. On March 15, 2022, the Board adopted a Cannabis Program Update Framework (Attachment 1) to guide development of the project description, CEQA alternatives, and draft ordinance.

Project Description:

The Cannabis Program Update would result in a series of zoning changes that may retain, replace, expand on, or eliminate existing provisions of the current cannabis ordinance. The primary goals of the Cannabis Program Update are to consider the need for expanded or new cannabis land uses within the unincorporated County, further enhance neighborhood compatibility and environmental protections (which could result in restriction or elimination of cannabis land uses), and streamline the cannabis permitting process. The Cannabis Program Update is currently being developed consistent with County Resolution No. 22-0088, "Cannabis Program Update Framework" (Framework), which requires:

- Defining which activities are allowed or prohibited, and what authorization is required for allowed activities (i.e.) by right; ministerial zoning permit; discretionary use permit; business license.
- Consideration of one or more General Plan Amendments, including to address the relationship between cannabis and traditional agriculture and other existing uses.
- Policy development informed by data and factual analyses, including:
 - Neighborhood separation criteria, based on residential and cannabis use types, as it relates to odor, groundwater, visual, safety (including road access and wildfire), and noise impacts.
 - Criteria for and mapping of "Rural Neighborhood Enclave," based on residential density and community character.
 - Criteria for and mapping of Exclusion Zones related to groundwater availability, topography, infrastructure (e.g., road access, lack of electrical/other utilities), safety concerns (including wildfire risk and emergency response times), and biological habitat protection. If designated Exclusion Zones are adopted, the cannabis land use ordinance will include Exclusion Zone maps.
- Permit streamlining, consisting of:
 - Site development and operating standards for ministerial permits and by right uses.
 - Criteria for and mapping of Inclusion Zones, based on groundwater availability, infrastructure (e.g., road access, availability of electrical/public water/sewer/stormwater facilities), safety concerns (including wildfire risk and emergency response times), biological habitat protection, and proximity/density of sensitive uses. If designated Inclusion Zones are adopted, the cannabis land use ordinance will include Inclusion Zone maps.
 - Other permit streamlining options, such as development of a CEQA streamlining checklist for discretionary permits to limit additional project-specific environmental review.

The Program area consists of all non-coastal General Plan Land Use categories and corresponding Zoning Districts. The Local Coastal Plan does not allow commercial cannabis activities; the Cannabis Ordinance Update will not result in changes to the Local Coastal Plan or inclusion of cannabis land uses within the Coastal Zone.

Project Alternatives:

The EIR will evaluate a reasonable range of project alternatives that, consistent with CEQA, meet most of the project objectives and would avoid or substantially lessen any potential significant effects that may be identified. To ensure the County has a range of scenarios to consider during future discretionary proceedings, alternatives will include a No Project Alternative (continuation of existing regulations), and one or more reduced project alternatives tied to various policy options.

The EIR will identify the environmentally superior alternative, and also will identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the reasons why.

Next Steps:

After the Draft EIR is completed, the County will issue a Notice of Availability of a Draft EIR to inform the public and interested agencies, groups, and individuals of how to access the Draft EIR and provide comments.

The draft EIR will be available for review at Permit Sonoma, located at 2550 Ventura Avenue, Santa Rosa, California 95403 and on the Cannabis Program Update & Environmental Impact Report webpage at: <https://sonomacounty.ca.gov/administrative-support-and-fiscal-services/county-administrators-office/projects/cannabis-program/cannabis-program-update-and-eir>.

Potential Environmental Effects:

The County has determined that implementing the Cannabis Program Update may result in significant environmental impacts; therefore, an EIR will be prepared. As allowed under State CEQA Guidelines Section 15060(d) and 15063 (when it has been determined that an EIR will clearly be required), the County has elected not to prepare an initial study and will instead begin work directly on the EIR.

The EIR will analyze the reasonably foreseeable and potentially significant adverse effects of the proposed project (both direct and indirect). The EIR also will evaluate the cumulative impacts of the project when considered in conjunction with other related past, present, and reasonably foreseeable future projects. The analysis in the EIR will be programmatic and will evaluate the effectiveness of the proposed land use requirements and development performance standards to address environmental impacts associated with the regulated cannabis activities. Where potentially significant environmental impacts are identified, the EIR will also discuss mitigation measures (e.g., in the form of modifications to the ordinance) that may reduce or avoid significant impacts. The EIR will analyze the potential for significant environmental impacts (direct and indirect) in the following topic areas:

Aesthetics/Visual Resources	Land Use and Planning
Agricultural & Forest Resources	Mineral Resources
Air Quality	Noise
Biological Resources	Public Services
Cultural Resources	Transportation
Energy	Tribal Cultural Resources
Geology and Soils	Utilities and Service Systems
Greenhouse Gas Emissions	Wildfire
Hazards and Hazardous Materials	Cumulative Impacts
Hydrology and Water Quality	

These topic areas will be evaluated in the EIR, and feasible and practicable mitigation measures will be recommended to reduce any potentially significant impacts. The Cannabis Ordinance Update is not anticipated to result in significant impacts to population and housing or recreation because it would not involve the generation of substantial new employment or a need for housing that could generate additional demand on recreation resources. Brief descriptions of proposed analyses follow:

Aesthetics/Visual Resources. The analysis will address whether project implementation could generally change visual character within the County, especially from important viewpoints (i.e., designated Scenic Resources: Scenic Corridors, Scenic Landscape Units, and Community Separators). The EIR will consider, at minimum, fencing, lighting, stockpiles of equipment used in outdoor cultivation operations such as containers and growth media, temporary hoop houses, and permanent structural development. The analysis will also include a discussion of potential impacts from light and/or glare associated with mixed-light cultivation greenhouses.

Agricultural & Forest Resources. The EIR will describe the County's current agricultural resources and land uses, including lands subject to Williamson Act Land Conservation contracts, consistent with the Sonoma County General Plan. The General Plan identifies preservation of agricultural land for agricultural uses as the primary goal for the three agricultural land use categories: Land Intensive Agriculture, Land Extensive Agriculture, and Diverse Agriculture. To support that goal, the General Plan includes many policies to protect and enhance agricultural lands and to encourage land uses related to agricultural production, agricultural support, and visitor-serving uses that promote agriculture. The analysis will address compatibility of cannabis operations with traditional agricultural land uses and potential conversion of agricultural lands to non-agricultural uses. The analysis will also include a discussion of potential impacts associated with a General Plan Amendment to include cannabis within the meaning of "agriculture" and "agricultural use" as used in the Sonoma County General Plan.

The EIR will describe the County's current forested/timber resources and land uses consistent with the Sonoma County General Plan. The analysis will address compatibility of cannabis operations with timber resources and potential conversion of timberlands.

Air Quality. The EIR will evaluate the potential criteria air pollutant emissions associated with construction- and operation-related activities associated with cannabis operations. The analysis will address toxic air contaminants, potential impacts on sensitive receptors, and generator use from cannabis operations. The EIR will evaluate potential cannabis plant odor impacts associated with cannabis activities, including cultivation and processing.

Biological Resources. The EIR will analyze potential impacts on biological resources from project implementation. It will include a description of known biological resources, including regionally sensitive and locally-important watersheds, fish-bearing streams, riparian habitat, the Laguna de Santa Rosa and other wetland areas, sensitive natural communities, sensitive habitats, movement corridors, wildlife nursery sites, special-status plant and wildlife species, and federal-designated Critical Habitat. The impact analysis will also consider potential conflicts with applicable policies or regulations protecting biological resources, including General Plan polices for Biotic Resources and provisions of the State Water Resources Control Board Cannabis Cultivation Policy – Guidelines for Cannabis Cultivation. The EIR will address other mandatory findings of significance related to biological resources.

Cultural Resources and Tribal Cultural Resources. The EIR will include a discussion of applicable federal, state, and local policies and regulations related to defined cultural resources; a brief summary of the prehistory and history of the County; a description of known historic properties or historical resources; and an evaluation of impacts on historical, archaeological, and tribal cultural resources. The EIR will address other mandatory findings of significance related to cultural resources.

Energy. The EIR will evaluate whether cannabis operations allowed under the Cannabis Program Update would result in a wasteful, inefficient, or unnecessary use of energy (stationary and mobile). The section will consider Title 24 building efficiency requirements, including renewable energy, and state cannabis licensing provisions regarding the use of renewable energy, especially related to high energy consumption indoor and mixed light cultivation activities. Construction energy use will also be addressed in the EIR.

Geology, Soils, and Mineral Resources. The EIR will describe the geological setting of the County, including topography and soil characteristics, as well as County and state regulations related to geology, soils, paleontological resources, and seismicity. This information will be used to evaluate impacts related to geological hazards, seismic-related effects, unstable soil and slopes, soil erosion, impacts on paleontological resources, loss of availability to mineral resources of value, and other geologic issues.

Greenhouse Gas Emissions. The EIR analysis will determine whether commercial cannabis operations under the Cannabis Program Update would generate significant greenhouse gas (GHG) emissions and result in a cumulatively considerable contribution to the global impact of climate change. The analysis will factor in the degree to which cannabis cultivation replaces other agricultural production or forest conditions. Changes in carbon sequestration associated with changes in vegetation from establishment of cultivation areas and plant growing cycles will be considered. Proposed GHG reduction measures will be real, permanent, quantifiable, verifiable, and enforceable.

Hazards and Hazardous Materials. Cannabis operations may involve the use of potentially hazardous materials that could result in impacts on public health and the environment or the accidental release of hazardous materials into the environment. Applicable local and state regulations and databases will be identified and considered. Using available information, including the California Department of Pesticide Regulation's standards and guidance on pest management practices for cannabis cultivation, Sonoma County Agriculture / Weights and Measures Best Management Practices for Cannabis Cultivation, and measures included in the State Water Resources Control Board Cannabis Policy, the EIR will identify typical hazardous materials used in cannabis operations and associated impacts. The EIR will also consider any impacts related to proximity to schools and airports, the effect on emergency response and evacuation plans, the potential for increased wildland fires, and the program's effect on vector control.

Hydrology and Water Quality. The EIR will describe the existing hydrologic setting of the County and surrounding area and will summarize appropriate federal, state, and County regulations and policies related to these issues, including the State Water Resources Control Board Cannabis Policy. The EIR will evaluate the effects of the Cannabis Program Update on runoff and drainage patterns, pollutant discharges to surface water and groundwater related to agricultural chemical use, groundwater overdraft, well interference, streamflow depletion, and potential flooding hazards. The analysis will also address surface water and groundwater resource impacts associated with the water supply needs of cannabis operations under normal, dry, and multiple-dry years.

Land Use and Planning. The EIR will evaluate the Cannabis Program Update relative to Sonoma County General Plan Land Use policies, focusing on consistency with existing policies adopted for the purpose of reducing environmental impacts. The EIR will examine the potential for impacts associated with land use compatibility and will evaluate any potential for division of existing communities. It also will address other mandatory findings of significance related to impacts on human beings.

Noise. The EIR will describe the existing noise environment within the County and will identify existing areas with concentrations of noise-sensitive receptors and major noise sources; ambient levels; and natural factors, if any, that relate to the attenuation of noise, including topographic features. The impact of noise from specific equipment used for construction, cultivation (e.g., generators, air filtration and ventilation equipment, well pumps, and mechanical trimmers), manufacturing, and processing activities. The EIR will also assess exposure to excessive noise from allowed cannabis activities under the Cannabis Program Update, including cannabis tourism and related visitor-serving uses.

Public Services. The Cannabis Program Update would allow for expanded or new cannabis operations that could generate additional need for law enforcement and fire protection services. The EIR will evaluate whether new cannabis operations under the Cannabis Program Update could result in 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 related to these public services.

Transportation. The EIR will describe the existing transportation system and will analyze how cannabis operations under the Cannabis Program Update may affect the operation of County roadway facilities and state highway facilities, as well as increased vehicle miles traveled. The EIR will evaluate the potential increase in vehicle miles traveled associated with cannabis operations under the Cannabis Program Update and address potential impacts on roadway conditions from increased operational truck traffic and visitor-serving uses, as well as on traffic safety. Impacts on transit, bicycle, and pedestrian transportation will also be addressed.

Utilities and Service Systems. The EIR will evaluate whether implementing the Cannabis Program Update may affect the provision of utilities and related service systems, including the need to construct new or expanded water, wastewater, stormwater drainage, electrical, natural gas, or telecommunication facilities, the construction of which would result in significant environmental effects. The impact analysis will also consider solid waste service demands associated with cannabis operations (e.g., cultivation waste products, including hoop house membrane materials, growth media and containers, and green waste) and whether there would be adverse impacts on disposal capacity or reduction goals.

Wildfire. The EIR will describe the existing wildland fire hazard setting in the County, including all available information resources, such as fire hazard severity zones designated in the County General Plan, California Public Utility Commission Fire Threat Districts, Sonoma County Wildfire Risk Index, and will discuss recent and historic wildfire-prone areas in the County. The EIR will evaluate the Cannabis Program Update relative to Sonoma County General Plan Public Safety policies, focusing on consistency with existing policies adopted for the purpose of reducing environmental impacts associated with wildfire risk. The analysis will address cannabis operations' potential effects on the severity of wildfire hazards and evacuation conflicts (i.e., physical road condition and configuration to support concurrent emergency access by first responders and evacuation by residents), wildfire risk (i.e., site characteristics which influence fire likelihood and fire behavior), emergency response times, and availability of water for fire-fighting purposes.

Cumulative Impacts. The cumulative impact analysis will be based on existing land use plans for the County and the surrounding counties. The analysis will evaluate whether implementing the Cannabis Program Update would result in an incremental contribution to significant cumulative impacts that is considerable. The EIR will also evaluate potential impacts related to multiple cannabis operations in specific geographical areas (i.e., over-concentration).

Other CEQA Required Analyses. The EIR will evaluate whether the Cannabis Program would have the potential to induce population and economic growth within the County, identify any significant and unavoidable impacts, and disclose significant irreversible changes to the environment.