2.10 Hazards and Hazardous Materials

This section describes the potential impacts of the Cannabis Program related to hazardous materials and public health. The analysis includes a description of the existing environmental conditions, the applicable regulations, the methods used for assessment, and the potential direct and indirect impacts of project implementation. Hazards related to wildfire are addressed in Section 2.19, "Wildfire."

Comments were received in response to the notice of preparation (NOP) pertaining to pesticide and hazardous chemical use. These issues are addressed in the impact analysis below. All comments received in response to the NOP are presented in Appendix A of this PEIR.

A summary of impacts evaluated in this section is provided in Table 2.10.1.

Table 2.10.1 Hazards and Hazardous Materials Summary of Impacts

Issue Number	Issue Topic	Project Direct Impact	Project Cumulative Impact	Impact after Mitigation
1	Transport, Use, Disposal, or Accidental Release of Hazardous Materials; Hazards to Schools; and Existing Hazardous Materials Sites	Alternatives 1–5: Less than Significant	Alternatives 1–5: Less than Significant	Alternatives 1–5: Less than Significant
2	Airports	Alternative 1: No Impact Alternatives 2–5: Less than Significant	Alternative 1: No Impact Alternatives 2–5: Less than Significant	Alternative 1: No Impact Alternatives 2–5: Less than Significant
3	Emergency Response and Evacuation Plans	Alternative 1: No Impact Alternatives 2–5: Less than Significant	Alternative 1: No Impact Alternatives 2–5: Less than Significant	Alternative 1: No Impact Alternatives 2–5: Less than Significant
4	Vectors	Alternative 1: No Impact Alternatives 2–5: Less than Significant	Alternative 1: No Impact Alternatives 2–5: Less than Significant	Alternative 1: No Impact Alternatives 2–5: Less than Significant

2.10.1 Existing Conditions

For purposes of this section, the term "hazardous materials" refers to both hazardous substances and hazardous wastes. A "hazardous material" is defined in the Code of Federal Regulations (CFR) as "a substance or material that…is capable of posing an unreasonable risk to health, safety, and property when transported in commerce" (49 CFR 171.8). California Health and Safety Code Section 25501 defines a hazardous material as follows:

> "Hazardous material" means any material that, because of its quantity, concentration, or physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. "Hazardous materials" include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

"Hazardous wastes" are defined in California Health and Safety Code Section 25141(b) as wastes that:

> …because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause, or significantly contribute to an increase in mortality or an increase in serious illness [or] pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

2.10.1.1 *Hazardous Materials Sites*

Hazardous materials are routinely used, stored, and transported by businesses (including industrial and commercial/retail businesses), public and private institutions (such as educational facilities and hospitals), and households. Because of lack of awareness with regard to handling and disposal, accidents, intentional actions, and historical business practices that predate current regulatory standards, sites are located in the county where hazardous wastes were released to soil or groundwater during storage, use, transfer, and disposal. These include sites that were historically contaminated but have been remediated and sites that are known, or believed, to be contaminated that are currently being characterized or undergoing remediation. Hazardous waste releases may be localized to the originating parcel or may migrate and contaminate nearby areas.

Sites with Known Hazardous Material and Contaminations

Several government databases identify sites that may have been subject to a release of hazardous substances or that may have supported a use that could have resulted in a hazardous condition on-site. Described in further detail below are databases that identify potential environmental conditions and historical uses that may represent a hazardous condition on specific properties located in the unincorporated county.

Department of Toxic Substances Control EnviroStor Database

The California Department of Toxic Substances Control (DTSC) EnviroStor database contains the following site types: Federal Superfund Sites (National Priorities List); State Response, including Military Facilities and State Superfund; Voluntary Cleanup; School Cleanup; and Corrective Action sites. Information includes site name, site type, status, address, any restricted use (recorded deed restrictions), past use(s) that caused contamination, potential contaminants of concern, potential environmental media affected, site history, and planned and completed activities.

In San Diego County, 251 sites are listed in the EnviroStor database. Of these, 20 sites are located in the unincorporated communities of Alpine, Borrego Springs, Boulevard, Camp Pendleton, Campo, Fallbrook, Lakeside, Otay Mesa, Ramona, Rancho Santa Fe, and Spring Valley, and are listed in Table 2.10.2, which is presented at the end of this section. The remaining 231 sites are located within the incorporated areas of the county (DTSC 2024).

GeoTracker Database

The GeoTracker database is a geographic information system that provides online access to environmental data, including underground fuel tanks, fuel pipelines, and public drinking water supplies. GeoTracker contains information about leaking underground storage tanks (LUSTs)

and can identify and display LUST sites within various distances of wells. This provides users with the ability to assess potential threats to their drinking water sources. GeoTracker also has information about cleanup program sites, which includes all nonfederally owned sites and military cleanup sites.

In San Diego County, 5,840 LUSTs, cleanup program, and military cleanup sites are listed in the GeoTracker database. Of these, 5,520 sites are listed as "Completed – Case Closed," with the remaining 327 sites listed as "Open." Of these 327 "Open" sites, 24 are located in the unincorporated communities of Camp Pendleton, Campo, Fallbrook, Julian, Jamul, Lakeside, Pauma Valley, Pala, Ramona, Rancho Santa Fe, Valley Center, and Warner Springs, and are listed in Table 2.10.3, presented at the end of this section (SWRCB 2024).

Active Cease and Desist Orders and Cleanup and Abatement Orders List

The list of active cease and desist orders (CDO) and cleanup and abatement orders (CAO) from the State Water Resources Control Board (SWRCB) is a compilation of "all cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13004 of the Water Code, that concern the discharge of wastes that are hazardous materials." The orders that are "active," meaning the necessary actions have not yet been completed, are on this list. SWRCB updates this list by deleting sites when there is no longer any discharge of wastes or where the necessary cleanup or abatement actions were taken.

In San Diego County, 47 "active" CDO and CAO sites are listed. Of these, 10 sites are located in the unincorporated communities of Bonsall, Borrego Springs, Julian, Lakeside, Rancho Santa Fe, Ramona, Poway, Spring Valley, and Valley Center and are listed in Table 2.10.4, presented at the end of this section (CalEPA 2024).

County of San Diego Site Assessment and Mitigation Program Case List

The primary purpose of the San Diego County Site Assessment and Mitigation (SAM) Program, within the Land and Water Quality Division of the Department of Environmental Health and Quality (DEHQ), is to protect human health, water resources, and the environment within San Diego County by providing oversight of assessments and cleanups in accordance with the California Health and Safety Code and the California Code of Regulations (CCR). SAM's Voluntary Assistance Program also provides staff consultation, project oversight, and technical or environmental report evaluation and concurrence (when appropriate) on projects pertaining to properties contaminated with hazardous substances. The DEHQ SAM Program maintains the SAM list of contaminated sites that have previously or are currently undergoing environmental investigations or remedial actions.

The SAM Program covers all of San Diego County and includes remediation sites of all sizes. The SAM case list is revised and updated regularly, and the number of sites on the list is continually changing but may contain upward of 5,000 cases at one time. There is some overlap with the information in other regulatory databases; however, the list also contains sites that often are not covered by some of the larger regulatory databases. If a project is submitted to the County for discretionary review and is located on a site found on the SAM list, the project's status must be determined, and any ongoing remediation requirements are coordinated with the DEHQ SAM project manager (County of San Diego 2011).

2.10.1.2 *Schools*

Children are particularly susceptible to long-term effects from emissions of hazardous materials. Therefore, locations where children spend extended periods, such as schools, are particularly sensitive to hazardous air emissions and accidental release associated with the handling of extremely hazardous materials, substances, or wastes. There are 44 public school districts in San Diego County that serve approximately 480,000 students (San Diego County Office of Education 2024).

2.10.1.3 *Airport Hazards*

San Diego County is served by 8 publicly owned airports. Agua Caliente Airstrip, Borrego Valley Airport, Fallbrook Community Airpark, Jacumba Airport, Ocotillo Airstrip, and Ramona Airport are located within unincorporated areas of the county. The Gillespie Field and McClellan-Palomar Airports are located in incorporated areas. Residents in the unincorporated area are also served by a number of airports located in incorporated cities, including San Diego International Airport (Lindbergh Field), Montgomery Field, Brown Field Municipal Airport, and Oceanside Municipal Airport. In addition, there are 4 military airports located in San Diego County: United States Marine Corps (USMC) Camp Pendleton, Naval Outlying Field Imperial Beach, Marine Corps Air Station (MCAS) Miramar, and Naval Air Station North Island. Only USMC Camp Pendleton is located fully in the unincorporated area of the county. A portion of the MCAS Miramar airport influence area is located in the unincorporated area near Interstate (I)-15 and Pomerado Road. Airport Land Use Compatibility Plans (ALUCPs) are adopted for all of these airports.

ALUCPs are plans that guide property owners and local jurisdictions in determining what types of proposed new land uses are appropriate around airports. They are intended to protect the safety of people, property, and aircraft on the ground and in the air in the vicinity of the airport. They also protect airports from encroachment by new incompatible land uses that could restrict their operations. ALUCPs are based on a defined area around an airport known as the airport influence area (AIA). AIAs are established by factors including airport size, operations, configuration, as well as the safety, airspace protection, noise, and overflight impacts on the land surrounding an airport. Guidelines set forth by the US Department of Defense as part of its Air Installation Compatible Use Zone Program address land use compatibility and safety policies for military airport runways (County of San Diego 2011).

2.10.1.4 *Wildland Fire Hazards*

A vast amount of the undeveloped lands in the county support natural habitats, such as grasslands, sage scrub, chaparral, and some coniferous forest. The California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas of significant fire hazards in the county through their Fire and Resource Assessment Program. These maps place areas of the county into different fire hazard severity zones (FHSZs) based on fuels, terrain, weather, and other relevant factors. The FHSZs are divided into 3 levels of fire hazard severity: Moderate, High, and Very High. The majority of the county is in the High and Very High FHSZs, except for the Desert and eastern Mountain Empire Subregions, which are in the Moderate FHRZ. There are also areas of moderate FHSZ and unzoned areas in the more densely populated communities around the county.

San Diego County has a long history of wildland fires. In San Diego County, fire season is typically from May through November, depending on variations in weather conditions. However, the threat of a wildland fire is always present and is influenced by weather conditions throughout the year.

Further discussion related to wildfire is located in Section 2.19, “Wildfire.”

2.10.1.5 *Vectors*

A vector is any insect, arthropod, rodent, or other animal of public health significance that can cause human discomfort or injury or is capable of harboring or transmitting the causative agents of human disease. In the county, the most significant vector populations consist of mosquitoes, rodents, flies, and fleas, and sources are standing water and composting and manure facilities. Diseases that can be transmitted include arboviruses, Zika, dengue, yellow fever, and chikungunya viruses (via mosquitos); plague and hantavirus (via rodents); dysentery, salmonella, e-coli infection, and cholera (via flies); and plague, tapeworm, and typhus (via fleas).

Vector sources occur where site conditions provide habitat suitable for breeding. Any source of standing water, including ponds, reservoirs, natural and constructed wetlands, irrigation ponds, detention basins, percolation and infiltration basins, and other stormwater conveyance and treatment systems that hold standing water can be breeding grounds for mosquitoes and other vectors. Best management practices (BMPs) for managing stormwater runoff often provide aquatic habitats suitable for mosquitos and other vectors, and the presence of large quantities of manure can increase vector related problems, particularly from the breeding of flies (County of San Diego 2011).

2.10.1.6 *Emergency Response and Evacuation Plans*

Potential hazards or events that may trigger an emergency response action in the county include earthquakes, tsunamis, floods, wildland fires, landslides, droughts, hurricanes, tropical storms, and freezes. Emergency response actions could also be triggered from a hazardous material incident; water or air pollution; a major transportation accident; a water, gas, or energy shortage; an epidemic; a nuclear accident; or terrorism.

To address disasters and emergency situations at the local level, the Unified Disaster Council (UDC) is the governing body of the Unified San Diego County Emergency Services Organization. The UDC is chaired by a member of the San Diego County Board of Supervisors and comprised of representatives from the 18 incorporated cities. The County of San Diego Office of Emergency Services (OES) serves as staff of the UDC. In San Diego County, there is a comprehensive emergency plan known as the Operational Area Emergency Plan. The following stand-alone emergency plans exist in the operational area:

- San Diego County Nuclear Power Plant Emergency Response Plan,
- San Diego County Operational Area Oil Spill Contingency Element of the Area Hazardous Materials Plan,
- San Diego County Operational Area Emergency Water Contingencies Plan,
- Unified San Diego County Emergency Services Organization Operational Area Energy Shortage Response Plan,

- Unified San Diego County Emergency Services Organization Recovery Plan,
- San Diego County Multi-Jurisdictional Hazard Mitigation Plan,
- San Diego Urban Area Tactical Interoperable Communications Plan, and
- San Diego County Draft Terrorist Incident Emergency Response Protocol.

In addition to the above plans, OES maintains Dam Evacuation Plans for the operational area. Dam inundation is further discussed in Section 2.11, "Hydrology and Water Quality."

The Multi-Jurisdiction Hazard Mitigation Plan was developed with the participation of all jurisdictions in the county along with every incorporated city and the unincorporated county. The plan provides an overview of the risk assessment process, identifies hazards present in the jurisdiction, includes hazard profiles, and provides vulnerability assessments. The plan also identifies goals, objectives, and actions for each jurisdiction in the county. Hazards profiled in the plan consist of wildfire, structure fire, flood, coastal storms, erosion, tsunami, earthquakes, liquefaction, rain-induced landslide, dam failure, hazardous materials incidents, nuclear materials release, and terrorism (County of San Diego 2023).

Helicopters and small planes are used in a variety of emergency response actions, such as search and rescue operations and retrieving water to extinguish wildfires. During an emergency response, aircraft tend to fly low to the ground thus increasing the potential hazards to other aircraft and objects within the airspace. CAL FIRE and the San Diego County Sheriff's Office Aerial Support Detail, Air Support to Regional Enforcement Agencies (ASTREA) base carry out emergency response actions. The San Diego County Sheriff's Office ASTREA operates aircraft throughout San Diego County on a daily basis. These aircraft are involved in law enforcement, search and rescue, and fire-related missions (County of San Diego 2011).

2.10.1.7 *Hazardous Materials Associated with Agriculture*

As discussed in Section 2.3, "Agricultural and Forest Resources," commercial cannabis is defined by the state as an agricultural product (Business and Professions Code Section 26060(a)). The commercial cannabis cultivation process involves the same practices as other agricultural products generated currently in the county. Agricultural enterprises have historically stored, handled, and applied pesticides and herbicides throughout San Diego County. Agricultural chemicals used before the 1970s often included highly persistent compounds, such as dichlorodiphenyltrichloroethane (DDT). Inorganic compounds containing heavy metals, such as arsenic, lead, and mercury, were commonly used before the 1950s. Chemicals commonly used in the past have the potential to leave residual inorganic or organic components in shallow soils that could persist for decades. If present in elevated concentrations, these residues could pose a health risk to persons who come in direct contact with surface soils.

Modern agricultural chemicals are generally less persistent organic compounds. Typical concerns are pesticide-handling areas that lack concrete pads, berms, or cribs to contain spills or leaks during handling and storage, and rinse water from washout facilities for pesticide-application equipment that has not been properly collected and treated before discharge. Equipment repair and petroleum storage areas might also be of concern. Further information on the use of pesticides associated with commercial cannabis cultivation is addressed below.

2.10.2 Regulatory Framework

2.10.2.1 *Federal*

Management of Hazardous Materials

Various federal laws address the proper handling, use, storage, and disposal of hazardous materials, as well as require measures to prevent or mitigate injury to health or the environment if such materials are accidentally released. The US Environmental Protection Agency (EPA) is the agency primarily responsible for enforcement and implementation of federal laws and regulations pertaining to hazardous materials. Applicable federal regulations pertaining to hazardous materials are primarily contained in CFR Titles 29, 40, and 49. Hazardous materials, as defined in the code, are listed in 49 CFR 172.101. Management of hazardous materials is governed by the following laws.

- The Toxic Substances Control Act of 1976 (15 US Code [USC] Section 2601 et seq.) regulates the manufacturing, inventory, and disposition of industrial chemicals, including hazardous materials. Section 403 of the Toxic Substances Control Act establishes standards for lead-based paint hazards in paint, dust, and soil.
- The Resource Conservation and Recovery Act of 1976 (42 USC Section 6901 et seq.) is the law under which EPA regulates hazardous waste from the time the waste is generated until its final disposal (“cradle to grave”).
- The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (also called the Superfund Act or CERCLA) (42 USC Section 9601 et seq.) gives EPA authority to seek out parties responsible for releases of hazardous substances and ensure their cooperation in site remediation.
- The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499; USC Title 42, Chapter 116), also known as SARA Title III or the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), imposes hazardous materials planning requirements to help protect local communities in the event of accidental release.
- The Spill Prevention, Control, and Countermeasure (SPCC) rule includes requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC plans. The SPCC rule is part of the Oil Pollution Prevention regulation, which also includes the Facility Response Plan rule.

Transport of Hazardous Materials

The US Department of Transportation (DOT) regulates transport of hazardous materials between states and is responsible for protecting the public from dangers associated with such transport. The federal Hazardous Materials Transportation Law, 49 USC Section 5101 et seq. (formerly the Hazardous Materials Transportation Act, 49 USC Section 1801 et seq.) is the basic statute regulating transport of hazardous materials in the United States. Hazardous materials transport regulations are enforced by the Federal Highway Administration, the US Coast Guard, the Federal Railroad Administration, and the Federal Aviation Administration.

Comprehensive Environmental Response, Compensation, and Liability Act

CERCLA was established to protect the public and the environment from the effects of past hazardous waste disposal activities and new hazardous material spills. It created a tax on the chemical petroleum industries to generate funds to clean up abandoned or uncontrolled hazardous waste sites for which no responsible party could be identified. CERCLA also granted authority to EPA to respond directly to hazardous waste spills and required those responsible for a spill or accidental release of hazardous materials to report the release to EPA. SARA (Public Law 99-499) amended some provisions of CERCLA. It increased the focus on human health problems posed by hazardous waste releases, stressed the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites, and encouraged greater citizen participation in making decisions on how sites should be cleaned up.

Resource Conservation and Recovery Act

The Resource Conversation and Recovery Act (RCRA) sets national goals for protecting human health and the environment from the potential hazards of waste disposal, conserving energy and natural resources, reducing the amount of waste generated, and ensuring that wastes are managed in an environmentally sound manner. To achieve these goals, RCRA established 3 interrelated programs: the solid waste program, the hazardous waste program, and the underground storage tank (UST) program.

The hazardous waste program established a system for controlling hazardous wastes from the time they are generated to the time they are disposed of (“cradle-to-grave” management). Under RCRA, owners and operators of hazardous waste treatment, storage, and disposal facilities must follow a set of standards (e.g., facility design and operations, contingency planning and emergency preparedness, and recordkeeping) to minimize risk and impacts on human health and the environment, codified in 40 CFR Part 264.

Federal Insecticide, Fungicide, and Rodenticide Act

Pesticides are regulated under the Federal Insecticide, Fungicide, and Rodenticide Act by EPA. This includes labeling and registration of pesticides as to how they may be used. EPA delegates pesticide enforcement activities in California to the California Department of Pesticide Regulation (CDPR), under Title 3 of the CCR and the California Food and Agricultural Code. CDPR registers pesticides for use in California and licenses pesticide applicators and pilots, advisors, dealers, brokers, and businesses.

Currently, no pesticides are registered for use on commercial cannabis. Therefore, commercial cultivators are limited to using only those pesticides that are exempt from residue-tolerance requirements and that are either (1) registered and labeled for a use that is broad enough to include use on commercial cannabis (e.g., unspecified green plants) or (2) exempt from registration requirements as a minimum-risk pesticide under Section 25(b) of the Federal Insecticide, Fungicide, and Rodenticide Act.

Hazardous Materials Transportation Act

DOT has developed regulations in Titles 10 and 49 of the CFR pertaining to the transport of hazardous substances and hazardous wastes. The Hazardous Materials Transportation Act is administered by the Research and Special Programs Administration of DOT. The act provides

DOT with a broad mandate to regulate the transport of hazardous materials with the purpose of adequately protecting the nation against risk to life and property that is inherent in the commercial transportation of hazardous materials. DOT regulations that govern the transportation of hazardous materials are applicable to any person who transports, ships, or causes to be transported or shipped or who is involved in any way with the manufacture or testing of hazardous materials packaging or containers.

Occupational Safety and Health Administration Worker Safety Requirements

The federal Occupational Safety and Health Administration (OSHA) is the agency responsible for assuring worker safety in the handling and use of chemicals identified in the Occupational Safety and Health Act of 1970 (Public Law 91-596, 9 USC Section 651 et seq.). OSHA has adopted numerous regulations pertaining to worker safety, contained in CFR Title 29. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for handling hazardous substances and addressing other potential industrial hazards. OSHA also establishes criteria by which each state can implement its own health and safety program. The Hazard Communication Standard (29 CFR Part 1910) requires that workers be informed of the hazards associated with the materials they handle. These standards include exposure limits for a wide range of specific hazardous materials, including pesticides, as well as requirements that employers provide personal protective equipment (i.e., protective equipment for eyes, face, or extremities; protective clothing; respiratory devices) to their employees wherever it is necessary (i.e., when required by the label instructions) (29 CFR 1910.132). Workers must be trained in safe handling of hazardous materials, use of emergency response equipment, and building emergency response plans and procedures. Containers must be labeled appropriately, and material safety data sheets must be available in the workplace.

Emergency Planning and Community Right-to-Know Act—Toxic Release Inventory

Section 313 of the Emergency Planning and Community Right-to-Know Act established the Toxic Release Inventory (TRI). TRI is a publicly available database containing information on disposal and other releases of toxic chemicals from industrial facilities. As stipulated in 40 CFR Part 372, owners or operators of facilities that release toxic chemicals above a certain threshold (25,000 pounds or more per year) are required to submit information about (1) on-site releases and other disposals of toxic chemicals; (2) on-site recycling, treatment, and energy recovery associated with TRI chemicals; (3) off-site transfers of toxic chemicals from TRI facilities to other locations; and (4) pollution prevention activities at facilities.

2.10.2.2 *State*

Management of Hazardous Materials

In California, both federal and state community right-to-know laws are coordinated through the Governor's Office of Emergency Services. The federal law, SARA Title III or EPCRA, described above, encourages and supports emergency planning efforts at the state and local levels and provides local governments and the public with information about potential chemical hazards in their communities. Because of the community right-to-know laws, information is collected from facilities that handle (e.g., produce, use, store) hazardous materials above certain quantities. The provisions of EPCRA apply to 4 major categories:

- emergency planning,
- emergency release notification,
- reporting of hazardous chemical storage, and
- inventory of toxic chemical releases.

The corresponding state law is Chapter 6.95 of the California Health and Safety Code (Hazardous Materials Release Response Plans and Inventory). Under this law, qualifying businesses are required to prepare a Hazardous Materials Business Plan, which would include hazardous materials and hazardous waste management procedures and emergency response procedures, including emergency spill cleanup supplies and equipment. At such time as the applicant begins to use hazardous materials at levels that reach applicable state or federal thresholds, the plan is submitted to the administering agency.

DTSC, which is a division of the California Environmental Protection Agency (CalEPA), has primary regulatory responsibility over hazardous materials in California, working in conjunction with EPA to enforce and implement hazardous materials laws and regulations. As required by Section 65962.5 of the California Government Code, DTSC maintains a hazardous waste and substances site list for the state, known as the Cortese List. Individual regional water quality control boards (RWQCBs) are the lead agencies responsible for identifying, monitoring, and cleaning up LUSTs.

California Environmental Protection Agency

CalEPA implements and enforces environmental laws that regulate air, water, and soil quality; pesticide use; and waste recycling and reduction. CalEPA consists of the California Air Resources Board, CDPR, the California Department of Resources Recycling and Recovery, DTSC, the Office of Environmental Health Hazard Assessment, and SWRCB.

Transport of Hazardous Materials and Hazardous Materials Emergency Response Plan

The State of California has adopted DOT regulations for the movement of hazardous materials originating in the state and passing through the state; state regulations are contained in Title 26 of the CCR. State agencies with primary responsibility for enforcing state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol (CHP) and the California Department of Transportation (Caltrans). Together, these agencies determine container types used and license hazardous waste haulers to transport hazardous waste on public roads. However, transportation of hazardous materials is also restricted to certain routes in California as identified by the Federal Motor Carrer Safety Administration (FMCSA 2020).

California has developed an emergency response plan to coordinate emergency services provided by federal, state, and local governments and private agencies. Response to hazardous materials incidents is one part of the plan. The plan is managed by the Governor's Office of Emergency Services, which coordinates the responses of other agencies in the project area.

Management of Construction Activities

Through the Porter-Cologne Water Quality Act and the National Pollution Discharge Elimination System (NPDES) program, the RWQCBs have the authority to require proper management of hazardous materials during project construction. For a detailed description of the Porter-Cologne Water Quality Act, the NPDES program, and the role of the San Diego RWQCB, see Section 2.11, “Hydrology and Water Quality.”

SWRCB adopted the statewide NPDES General Permit (Order WQ 2022-0057-DWQ). The State of California requires that projects disturbing more than 1 acre of land during construction file a Notice of Intent with the RWQCB to be covered under this permit. Construction activities subject to the General Permit are clearing, grading, stockpiling, and excavation. Dischargers are required to eliminate or reduce non-stormwater discharges to storm sewer systems and other waters. A stormwater pollution prevention plan (SWPPP) must be developed and implemented for each site covered by the permit. The SWPPP must include BMPs designed to prevent construction pollutants from contacting stormwater and keep products of erosion from moving off-site into receiving waters throughout the construction and life of the project; the BMPs must address source control and, if necessary, pollutant control.

Worker Safety

The California Occupational Safety and Health Administration (Cal/OSHA) assumes primary responsibility for developing and enforcing workplace safety regulations within the state. Cal/OSHA standards are typically more stringent than federal OSHA regulations and are presented in Title 8 of the CCR. Cal/OSHA conducts on-site evaluations and issues notices of violation to enforce necessary improvements to health and safety practices.

Title 8 of the CCR also includes regulations that provide for worker safety when blasting and explosives are utilized during construction activities. These regulations identify licensing, safety, storage, and transportation requirements related to the use of explosives in construction.

California Accidental Release Prevention Program

The goal of the California Accidental Release Prevention Program (19 CCR Chapter 4.5) is to reduce the likelihood and severity of consequences of any releases of extremely hazardous materials. Any business that handles regulated substances (chemicals that pose a major threat to public health and safety or the environment because they are highly toxic, flammable, or explosive, including ammonia, chlorine gas, hydrogen, nitric acid, and propane) must prepare a risk management plan. The risk management plan is a detailed engineering analysis of the potential accident factors present at a business and the measures that can be implemented to reduce this accident potential. The plan must provide safety information, hazard data, operating procedures, and training and maintenance requirements. The list of regulated substances is found in Section 2770.5 of the program regulations.

Hazardous Waste Control Law and Universal Waste Rule

Under Title 22 of the CCR and the California Hazardous Waste Control Law, DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. California’s Universal Waste Rule allows individuals and businesses to transport, handle, and

recycle certain common hazardous wastes, termed “universal wastes,” in a manner that differs from the requirements regarding most hazardous wastes. Universal wastes include televisions, computers, and other electronic devices, as well as batteries, fluorescent lamps, mercury thermostats, and other mercury-containing equipment. The hazardous waste regulations (22 CCR Division 4.5, Chapter 11) identify 7 categories of hazardous wastes that can be managed as universal wastes. Any unwanted item that falls within one of these waste streams can be handled, transported, and recycled following the simple requirements set forth in the universal waste regulations.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) (27 CCR) was mandated by the State of California in 1993. The Unified Program was created to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities for 6 hazardous materials programs. The program has the following 6 elements:

- Hazardous Waste Generators and Hazardous Waste On-Site Treatment
- Underground Storage Tanks
- Aboveground Petroleum Storage Act
- Hazardous Materials Release Response Plans and Inventories
- California Accidental Release Prevention
- Uniform Fire Code Hazardous Materials Management Plans and Hazardous Materials Inventory Statements

At the local level, implementation of a Unified Program is accomplished by identifying a Certified Unified Program Agency (CUPA) that coordinates all of these activities to streamline the process for local businesses. The Hazardous Materials Division is approved by Cal/EPA as the CUPA for San Diego County.

Construction General Permit for Stormwater Discharges Associated with Construction Activity

As described above, the state requires that projects disturbing more than 1 acre of land during construction file a Notice of Intent with the RWQCB to be covered under the statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities. Construction activities subject to the Construction General Permit include clearing, grading, stockpiling, and excavation. Dischargers are required to eliminate or reduce non-stormwater discharges to storm sewer systems and other waters. A SWPPP must be developed and implemented for each site covered by the permit. The SWPPP must include BMPs designed to prevent construction pollutants from contacting stormwater.

Government Code Section 65962.5: Cortese List

Government Code Section 65962.5 requires that DTSC compile and update a list of hazardous waste facilities; land designated as hazardous waste property; hazardous waste disposals on public land; sites that contain potential hazards to public health and safety or the environment, the risk of fire or explosion, and toxic hazards; and all sites included in the Abandoned Site

Assessment Program. This law is commonly referred to as the "Cortese List" (after the legislator who authored the legislation that enacted it). The list, or a site's presence on the list, has bearing on the local permitting process, as well as on compliance with CEQA. Because this statute was enacted more than 20 years ago, some of the provisions refer to agency activities that are no longer being implemented, and in some cases, the information to be included in the Cortese List does not exist.

California Department of Transportation

Caltrans is the state agency responsible for design, construction, maintenance, and operation of the California State Highway System, as well as the segments of the Interstate Highway System that lie within California. Caltrans District 11 is responsible for the operation and maintenance of I-5, I-8, I-15, I-805, State Route (SR) 11, SR 52, SR 54, SR 56, SR 75, SR 76, SR 78, SR 94, SR 125, SR 163, SR 282, SR 905, US Highway 80, US Highway 101, and US Highway 395 in the project area. Caltrans requires a transportation permit for any transport of heavy construction equipment or materials that necessitates the use of oversized vehicles on state highways.

California Highway Patrol

CHP is the state agency responsible for providing uniform traffic law enforcement throughout the state by assuring the safe, convenient, and efficient transportation of people and goods on the state highways system. Drivers who haul hazardous agricultural materials must obtain a Hazardous Agricultural Materials (HAM) certificate, per application CHP 516, which is required to be filled out and submitted in order to receive a HAM certificate. However, Section 12804.2 of the California Vehicle Code (CVC) exempts a person from the requirement to obtain a hazardous materials or tank endorsement on their driver license, provided the person:

- is employed in agricultural operation;
- is driving a vehicle that does not require a commercial driver license and is controlled by a farmer;
- is transporting agricultural products or machinery to or from a farm;
- has completed training meeting the requirements outlined in Section 172.704(a) of Title 49 of the CFR;
- possesses a verification of training document, commonly known as a HAM Certificate, when operating a vehicle requiring the display of placards pursuant to Section 27903 of the CVC;
- is operating the vehicle at a distance of not more than 50 miles from farm to farm or from point of distribution to point of application; or
- is in possession of a CHP 344, Hazardous Materials Transportation Basic Incident Safety Procedures.

California Department of Pesticide Regulation Guidance

Detailed implementation regulations for the CDPR pesticide regulatory program are codified in CCR, Title 3, Division 6. CDPR oversees state pesticide laws, including pesticide labeling, and is vested by EPA to enforce federal pesticide laws in California. CDPR also oversees the

activities of the county agricultural commissioners related to enforcement of pesticide regulations and related environmental laws and regulations locally.

As identified in CCR, Title 3, Division 6, CDPR evaluates proposed pesticide products and registers those pesticides that it determines can be used safely. In addition, CDPR oversight consists of:

- licensing of pesticide professionals,
- site-specific permits required before restricted-use pesticides may be used in agriculture,
- strict rules to protect workers and consumers,
- mandatory reporting of pesticide use by agricultural and pest control businesses,
- environmental monitoring of water and air, and
- testing of fresh produce for pesticide residues.

The regulations require employers of pesticide workers to provide protective clothing, eyewear, gloves, respirators, and any other required protection and require employers to ensure that protective wear is worn according to product labels during application. The regulations also require employers to provide field workers with adequate training in pesticide application and safety, communicate pesticide-related hazards to field workers, ensure that emergency medical services are available to field workers, and ensure adherence to restricted-entry intervals between pesticide treatments (3 CCR Section 6764). CDPR requires that the application of pesticides or other pest control in connection with the indoor or outdoor cultivation of commercial cannabis complies with Division 6 of the Food and Agricultural Code (commencing with Section 11401) and its implementing regulations (3 CCR Section 6000 et seq.).

Pesticide Use in Commercial Cannabis Cultivation

Commercial cannabis pests vary according to cultivar (variety), whether the plants are grown indoors or outdoors, and where the plants are grown geographically. Pesticides legal for use on commercial cannabis must have active ingredients that are exempt from residue tolerance requirements and are either exempt from registration requirements or registered for a use that is broad enough to include use on cannabis. Residue tolerance requirements are set by EPA for each pesticide on each food crop and are the amount of pesticide residue allowed to remain in or on each treated crop with “reasonable certainty of no harm.” Some pesticides found to be safe are exempt from the tolerance requirements. Some of these pesticides are bacterial-based insect pathogens (e.g., *Bacillus thuringiensis*) or biofungicides (e.g., *Bacillus subtilis*, *Gliocladium virens*). Active ingredients exempt from registration requirements are mostly food-grade essential oils, such as peppermint oil or rosemary oil (CDPR 2015).

CDPR designates certain pesticide active ingredients as California “Restricted Materials” when it determines that those pesticides are especially hazardous to human health or the environment and require permitting. Such permits will not be issued for commercial cannabis cultivation sites.

California Code of Regulations: Testing Standards for Commercial Cannabis Goods

As required under CCR, Title 4, Section 15719, licensed commercial cannabis laboratories shall analyze representative samples of cannabis and cannabis products to determine whether residual pesticides are present. A list of pesticides is divided into 2 categories and provided along with their action levels. The sample shall be deemed to have passed the residual pesticides testing if both or the following conditions are met: (1) the presence of any residual pesticide listed in Category I identified in Section 15719 is not detected, and (2) the presence of any residual pesticide listed in in Category II in Section 15719 does not exceed the identified action levels. In addition to residual pesticides testing, cannabis and cannabis products must also be sampled for the following constituents:

- cannabinoids;
- foreign material;
- heavy metals;
- microbial impurities;
- mycotoxins;
- moisture content and water activity;
- residual solvents and processing chemicals;
- terpenoids, if applicable; and
- homogeneity, if applicable.

Pesticide Contamination Prevention Act

The Pesticide Contamination Prevention Act (Sections 13145–13152 of the Food and Agricultural Code) requires CDPR to:

- obtain environmental fate and chemistry data for agricultural pesticides before they can be registered for use in California;
- identify agricultural pesticides with the potential to pollute groundwater;
- sample wells to determine the presence of agricultural pesticides in groundwater;
- obtain, report, and analyze the results of well sampling for pesticides by public agencies;
- formally review any detected pesticide to determine whether its use can be allowed; and
- adopt use modifications to protect groundwater from pollution if formal review indicates that continued use can be allowed.

The act requires CDPR to develop numerical values for water solubility, soil adsorption coefficient, hydrolysis, aerobic and anaerobic soil metabolism, and field dissipation of pesticides to protect groundwater, based in part on data submitted by pesticide registrants. The act also states that CDPR shall establish a list of pesticides that have the potential to pollute groundwater, called the Groundwater Protection List. Any person who uses a pesticide listed on the Groundwater Protection List is required to file a report with the county agricultural

commissioner, and pesticide dealers are required to make quarterly reports to CDPR of all sales of pesticides on the list to persons not otherwise required to file a report. The Pesticide Contamination Prevention Act ensures that pesticides allowed for use in California, including those that may be used in commercial cannabis cultivation, will have been studied by CDPR for their potential to contaminate groundwater and the environment.

California Code of Regulations: Cannabis Cultivation Regulations

CCR, Title 4, Division 19 includes following requirements regarding the handling of pesticides:

- **Section 16307(a):** Licensees shall comply with all pesticide laws and regulations enforced by the Department of Pesticide Regulation.
- **Section 16307(b):** For all pesticides that are exempt from registration requirements, licensees shall comply with all pesticide laws and regulations enforced by the Department of Pesticide regulation and with the following pesticide application and storage protocols:
  - (1) Comply with all pesticide label directions;
  - (2) Store chemicals in a secure building or shed to prevent access by wildlife;
  - (3) Contain any chemical leaks and immediately clean up any spills;
  - (4) Apply the minimum amount of product necessary to control the target pest;
  - (5) Prevent offsite drift;
  - (6) Do not apply pesticides when pollinators are present;
  - (7) Do not allow drift to flowering plants attractive to pollinators;
  - (8) Do not spray directly to surface water or allow pesticide product to drift to surface water. Spray only when wind is blowing away from surface water bodies;
  - (9) Do not apply pesticides when they may reach surface water or groundwater; and
  - (10) Only use properly labeled pesticides. If no label is available consult the Department of Pesticide Regulation.

Cannabis State Regulations: Department of Cannabis Control

The State Department of Cannabis Control (DCC) Regulations (4 CCR Division 9) include the following requirements regarding public services for commercial cannabis uses.

- **Section 15011(a):** A commercial cannabis business applying for a license to cultivate cannabis shall provide the following information:
  - 4) Evidence that the commercial cannabis business has conducted a hazardous materials record search of the EnviroStor database for the proposed premises. If hazardous sites were encountered, the applicant shall provide documentation of protocols implemented to protect employee health and safety.
- **Section 16309(a):** Licensed cultivators shall establish and maintain a cultivation plan that includes all of the following:
  - 3) A pest management plan developed in accordance with section 16310.

- **Section 16310(a):** The licensed cultivator shall develop a pest management plan that includes:
  1) The product name and active ingredient(s) of all pesticides to be applied to cannabis; and
  2) Any integrated pest management protocols, including chemical, biological, and cultural methods, will be used to prevent and control pests on the cultivation site.
- **Section 170202.1(a):** A licensed manufacturer that uses a volatile solvent, a flammable liquid, or a solvent that creates an asphyxiant gas shall ensure that the solvent is used in accordance with the requirements of:
  1) Chapter 39 of the California Fire Code;
  2) Title 8, California Code of Regulations, sections 5416–5420, which includes ensuring adequate ventilation and controlling sources of ignition;
  3) All Division of Occupational Safety and Health (Cal/OSHA) regulations related to the processing, handling, and storage of the applicable solvent; and
  4) All fire, safety, and building code requirements related to the processing, handling, and storage of the applicable solvent or gas.
- **Section 170202.1(b):** No volatile solvent extraction or post-extraction processing operations or other closed-loop system operations shall occur in an area zoned as residential.
- **Section 17209(a):** Exterior facility and grounds. A licensed manufacturer shall ensure the facility exterior and grounds under the licensed manufacturer's control meet the following minimum standards:
  1) Grounds shall be equipped with draining areas in order to prevent pooled or standing water;
  2) Weeds, grass, and vegetation shall be cut within the immediate vicinity of the cannabis manufacturing premises, litter and waste shall be removed, and equipment shall be stored in order to minimize the potential for the grounds to constitute an attractant, breeding place, or harborage for pests;
  3) Roads, yards, and parking lots shall be maintained so that these areas do not constitute a source of contamination in areas where cannabis products are handled or transported;
  4) Openings into the building (such as windows, exhaust fans, ventilation ducts, or plumbing vent pipes) shall be screened, sealed, or otherwise protected to minimize potential for pests to enter the building;
  5) Waste treatment and disposal systems shall be provided and maintained so as to prevent contamination in areas where cannabis products may be exposed to such a system's waste or waste by-products;
  6) A licensed manufacturer shall implement precautions within the premises, such as inspection or extermination, if the premises is bordered by grounds outside the licensed manufacturer's control that are not maintained in the manner described in subsections (1) through (5), in order to eliminate any pests, dirt, and filth that pose a source of cannabis product contamination. Any use of insecticide, rodenticide, or

other pesticide within the premises shall meet the requirements of Health and Safety Code section 114254.

- **Section 17209(5)(C):** Poisonous or toxic materials such as cleaning compounds, sanitizing agents, and pesticide chemicals that are necessary for premises and equipment maintenance and operation shall be handled and stored in a manner that meets the requirements of Health and Safety Code sections 114254.1, 114254.2 and 114254.3.
- **Section 17211.1(a):** A manufacturing licensee shall establish and implement a training program to ensure that all personnel present at the premises are provided information and training that, at minimum, covers the following topics:
  1) Within 30 days of the start of employment:
     a. Health and safety hazards;
     b. Hazards presented by all solvents or chemicals used at the licensed premises as described in the safety data sheet for each solvent or chemical;
     c. Emergency response procedures.
- **Section 17214(a):** A licensed manufacturer shall establish and implement a written product quality plan for each type of product manufactured at the premises. The product quality plan shall address the hazards associated with the premises or the manufacturing process that, if not properly mitigated, may cause the product to be adulterated or misbranded, or may cause the product to fail laboratory testing or quality assurance review.
- **Section 17214(c):** The licensed manufacturer shall evaluate the following potential risks to cannabis product quality that could be introduced during manufacturing operations:
  1) Biological hazards, including microbiological hazards;
  2) Chemical hazards, including radiological hazards, pesticide contamination, solvent or other residue, natural toxins, decomposition, or allergens;
  3) Physical hazards, such as stone, glass, metal fragments, hair, or insects.

2.10.2.3 *Local*

Hazardous Material Release

Hazardous materials are commonly stored and used by a variety of businesses within the county and could be released into the environment through improper handling or accident conditions. The following business plans and response systems are in place to help prevent hazardous material release threats.

Hazardous Materials Business Plans

Any business that handles, stores, or disposes of a hazardous substance above a given threshold quantity must prepare a Hazardous Materials Business Plan (HMBP). HMBPs intend to minimize hazards to human health and the environment from fires, explosions, and unplanned releases of hazardous substances into air, soil, or surface water. The HMBP must be carried out immediately whenever a fire, explosion, or unplanned chemical release occurs. An HMBP includes 3 sections: (1) an inventory of hazardous materials, including a site map,

which details their locations; (2) an emergency response plan; and (3) an employee-training program. HMBPs serve as an aid to employers and employees in managing emergencies at a given facility. They also help better prepare emergency response personnel for handling a wide range of emergencies that might occur at the facility.

The Hazardous Materials Division of the DEHQ conducts routine inspections at businesses required to submit hazardous materials business plans. These inspections have 3 purposes: (1) to ensure compliance with existing laws and regulations concerning HMBP requirements, (2) to identify existing safety hazards that could cause or contribute to an accidental spill or release, and (3) to suggest preventative measures to minimize the risk of a spill or release of hazardous materials. After the initial submission of an HMBP, the business must review and recertify the HMBP every year (County of San Diego 2011).

Risk Management Plans

Article 2 of Chapter 6.95 of the California Health and Safety Code (Sections 25531–25543.3) requires the owner or operator of a stationary source with more than a threshold quantity of a regulated substance to prepare a Risk Management Plan. The state statutes and regulations combine federal and state program requirements for the prevention of accidental releases of listed substances into the atmosphere. The incorporation of the federal and state requirements has been designated the California Accidental Release Prevention (CalARP) Program. CalARP requires that a Risk Management Plan include a hazard assessment program, an accidental release prevention program, and an emergency response plan. The Risk Management Plan must be revised every 5 years or as necessary. The majority of facilities and businesses in San Diego County that have prepared Risk Management Plans are ammonia refrigeration facilities and water treatment and wastewater treatment plants that handle chlorine gas (County of San Diego 2011).

Hazardous Materials Emergency Response

The DEHQ Hazardous Incident Response Team (HIRT) consists of 10 state-certified hazardous materials specialists. The team was founded in 1981 by the Unified Disaster Council and is funded by a joint powers agreement. This team services all unincorporated San Diego County areas, 18 municipalities, 2 military bases, and 5 Tribal Nation reservations. There are over 400 responses a year in the HIRT operational area. HIRT responds jointly with the City of San Diego Fire-Rescue Department Hazardous Incident Response Team to investigate and mitigate chemically related emergencies or complaints. Emergency response activities include mitigation, containment, control actions, hazard identification, and threat evaluation to the local population and the environment. HIRT is also responsible for handling all after normal business hours complaints for the DEHQ (County of San Diego 2024).

San Diego County, SAM Program

The County of San Diego DEHQ maintains the SAM list of contaminated sites that have previously or are currently undergoing environmental investigations or remedial actions. The San Diego County SAM Program, within the Land and Water Quality Division of the DEHQ, has a primary purpose to protect human health, water resources, and the environment within San Diego County by providing oversight of assessments and cleanups in accordance with the California Health and Safety Code and the CCR. SAM's Voluntary Assistance Program also provides staff consultation, project oversight, and technical or environmental report evaluation and concurrence (when appropriate) on projects pertaining to properties contaminated with hazardous substances.

San Diego County Airport Land Use Commission

The San Diego County Regional Airport Authority protects the safety and welfare of the general public by serving as the Airport Land Use Commission for San Diego County. By adopting airport land use compatibility plans (ALUCPs) per state law, Airport Land Use Commission provides guidance on compatible land uses around regional airports to local permitting agencies to incorporate into their land use decisions. The ALUCPs help protect the public against the noise and risks of airport proximity and establish standards for disclosure of airport proximity and aircraft overflight to residential properties. As mentioned above, all airports located within San Diego County have an adopted ALUCP.

San Diego County General Plan

The General Plan (adopted in 2011) policies related to hazards and hazardous materials that are applicable to the Cannabis Program include the following:

- **Policy LU-10.2: Development—Environmental Resource Relationship**. Require development in Semi-Rural and Rural areas to respect and conserve the unique natural features and rural character, and avoid sensitive or intact environmental resources and hazard areas.
- **Policy S-2.2: Evacuation Impediments**. Advise, and where appropriate, require all new developments to help eliminate impediments to evacuation within existing community plan areas, where limited ingress/egress conditions could impede evacuation events.
- **Policy S-2.5: Existing Development within Hazard Zones**. Implement warning systems and evacuation plans for developed areas located within known hazard areas (i.e., flood, wildfire, earthquake, other hazards).
- **Policy S-2.7: Evacuation Access**. All development proposals are required to identify evacuation routes at the Community Plan level and identify and facilitate the establishment of new routes needed to ensure effective evacuation. Evacuation routes should be incorporated into existing Community Wildfire Protection Plans where available.
- **Policy S-13.1: Land Use Location**. Require that land uses involving the storage, transfer, or processing of hazardous materials be located and designed to minimize risk and comply with all applicable hazardous materials regulations.
- **Policy S-13.3: Hazards-Sensitive Uses**. Require that land uses using hazardous materials be located and designed to ensure sensitive uses, such as schools, hospitals, daycare centers, and residential neighborhoods, are protected. Similarly, avoid locating sensitive uses near established hazardous materials users or High Impact Industrial areas where incompatibilities would result.
- **Policy S-13.4: Contaminated Lands**. Require areas of known or suspected contamination to be assessed prior to reuse. The reuse shall be in a manner that is compatible with the nature of the contamination and subsequent remediation efforts.
- **Policy S-13.5: Development Adjacent to Agricultural Operations**. Require development adjacent to existing agricultural operations in Semi-Rural and Rural Lands to adequately buffer agricultural areas and ensure compliance with relevant safety codes where pesticides or other hazardous materials are used.

- **Policy S-17.2: Land Use Compatibility**. Require land uses surrounding airports to be compatible with the operation of each airport.
- **Policy S-17.4: Hazardous Obstructions within Airport Approach and Departure**. Restrict development of potentially hazardous obstructions or other hazards to flight located within airport approach and departure areas or known flight patterns and discourage uses that may impact airport operations or do not meet Federal or State aviation standards.

San Diego County Regulatory Code of Ordinances

The Regulatory Code contains the following requirements related to hazards and hazardous materials:

Section 64.204: Right to Inspect Property

Subject to the limitations of the United States Constitution and the California Constitution, the Director may enter any property in San Diego County or property outside San Diego County from which disease bearing vectors may enter San Diego County, without interference or hindrance for the following purposes:

a. Inspect the property to determine the presence of vectors or other public nuisance that is likely to create a breeding ground or harborage for vectors.
b. Abate a public nuisance pursuant to this chapter, either directly or to give notice to the property owner to abate the public nuisance.
c. Determine if a notice to abate a public nuisance has been complied with.
d. Control vectors and treat property with appropriate physical, chemical or biological control measures.

Section 68.505: Hazardous and Medical Wastes

a. No person shall transport or collect hazardous wastes or medical wastes without complying with all applicable laws or regulations.
b. No person shall deposit, dump, spill, place, or otherwise allow to be disposed of, in or on a solid waste facility not designated as a hazardous waste disposal facility, any waste classified as hazardous waste pursuant to State, federal or County law or regulation. No person shall deposit, dump, spill, place, or otherwise allow untreated medical waste to be disposed of in, or on, a solid waste facility.
c. The Director of the Department of Environmental Health and Quality shall have enforcement authority for this section.

Section 68.506: Transportation of Solid Waste and Other Discarded Materials

a. No person shall convey or transport solid waste and other discarded materials on or along any public highway in the County unless the material is contained and covered to prevent it from leaving the vehicle in which it is being conveyed or transported. A person engaged in the collection of discarded materials, however, may allow a collection vehicle transporting such material to be uncovered while picking up such material where the collection stops are separated by less than one mile. When traveling between pick-up stops and a transfer or disposal area, all loads of discarded materials shall be completely covered.

b. All vehicles and equipment used in the collection and transport of any form of discarded materials shall be kept clean. No person shall allow liquid to drain from any vehicle that transports any form of discarded materials on any road, highway, or on any other land in a manner as to create an unsanitary condition. Persons hauling discarded materials on the public highways shall completely empty the discarded materials from all vehicles and containers at transfer, processing, or disposal sites in order to prevent litter from residue from scattering on the return trip.

c. The Director shall have enforcement authority for this section.

2.10.3 Analysis of Project Impacts and Determination of Significance

2.10.3.1 *Thresholds of Significance*

According to Appendix G of the State CEQA Guidelines, an impact related to hazards and hazardous materials is considered significant if implementation of the Cannabis Program would do any of the following:

- create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment;
- emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- 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;
- 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; or
- impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

In addition, according to the *County of San Diego Guidelines for Determining Significance: Vectors*, an impact related to hazards and hazardous materials is considered significant if implementation of the Cannabis Program would substantially increase human exposure to vectors capable of spreading disease by:

- proposing a vector breeding source including, but not limited to, sources of standing water for more than 72 hours (e.g., ponds, stormwater management facilities, constructed wetlands); or
- proposing a vector breeding source including, but not limited to, composting or manure management facilities, confined animal facilities, or animal boarding/breeding/training operations.

2.10.3.2 *Issues Not Discussed Further*

All the issues identified in the thresholds of significance are addressed in the following analysis. Impacts related to wildfire are addressed in Section 2.19, “Wildfire.”

2.10.3.3 *Approach to Analysis*

The impact analysis below evaluates to what extent adoption and implementation of the Cannabis Program may result in significant impacts as a result of exposure of people or structures to hazardous conditions and hazardous materials or the creation of hazardous conditions. This program-level analysis is based on current information available in databases of DTSC (EnviroStor) and SWRCB (GeoTracker), as well as other sources cited in Section 2.10.1, “Existing Conditions.” The analysis also focuses on the potential for the construction and operation of commercial cannabis facilities to create hazards to humans through the transport, use, exposure, or accidental release of hazardous materials and exposure to other hazards. These hazards were analyzed in the context of existing laws and regulations and the extent to which existing regulations and regulations adequately address and minimize the potential impacts of the hazards associated with the project. Cannabis facilities must include cultivation and operational plans that contain information showing that the activities meet or exceed minimum legal standards for proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel.

Because the location of new sites for potential commercial cannabis facilities are unknown at this time, physical surveys of the sites could not be conducted. Rather, this program-level analysis is based on hazards typically associated with certain land uses and an overall understanding of the key safety concerns that could result from commercial cannabis facilities.

2.10.3.4 *Issue 1: Transport, Use, Disposal, or Accidental Release of Hazardous Materials; Hazards to Schools; and Existing Hazardous Materials Sites*

Guidelines for Determination of Significance

According to Appendix G of the State CEQA Guidelines, the proposed Cannabis Program would have a significant impact if it would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

A significant impact would occur if the Cannabis Program proposed businesses, operations, or facilities that handle hazardous substances in excess of the threshold quantities listed in Chapter 6.95 of the Health and Safety Code, generate hazardous waste regulated under Chapter 6.5 of the Health and Safety Code, or store hazardous substances in underground storage tanks regulated under Chapter 6.7 of the Health and Safety Code and would not be able to comply with applicable hazardous substance regulations.

In addition, the proposed Cannabis Program would have a significant impact if it would 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; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 miles of an existing or proposed school; or be located on a site that is

included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

Impact Analysis

The Cannabis Program would establish a licensing and permitting system for new commercial cannabis activities, including retail, cultivation, manufacturing, distribution, testing, microbusinesses, consumption lounges, and temporary cannabis events. The Cannabis Program does not propose new physical development; however, implementation of the Cannabis Program would allow for new commercial cannabis-related development that may involve the use, storage, disposal, and transport of hazardous materials. However, cannabis facilities under the Cannabis Program would be required to comply with multiple regulations regarding the safe use, transportation, and disposal of hazardous materials.

As described in Section 2.3, “Agricultural and Forest Resources,” pesticides used on cannabis cultivation sites must have active ingredients that are exempt from residue tolerance requirements and that are either exempt from registration requirements or are registered for a use that is broad enough to include use on cannabis. Some of these pesticides are bacterial-based insect pathogens (e.g., *Bacillus thuringiensis*) or biofungicides (e.g., *Bacillus subtilis*, *Gliocladium virens*). Active ingredients exempt from registration requirements are mostly food-grade essential oils, such as peppermint oil or rosemary oil. The use of restricted pesticides on cannabis cultivation is prohibited. Harvested cannabis is required to pass laboratory tests for the following constituents as required under CCR Title 4, Division 9, Section 15719. Cannabis must be sampled for the following constituents and pass the testing levels, which are based on protection of public health and the environment:

- cannabinoids;
- foreign material;
- heavy metals;
- microbial impurities;
- mycotoxins;
- moisture content and water activity;
- residual pesticides;
- residual solvents and processing chemicals;
- if applicable, terpenoids; and
- if applicable, homogeneity.

If the tested cannabis batch fails these tests, the cannabis batch will not be released for retail sale. As a result of these testing requirements, licensed cannabis cultivation sites limit the use of pesticides that could create conflicts with adjoining land uses and agricultural activities. CCR Section 16307(b) includes pesticide storage requirements (leak containment) and restrictions on application methods to prevent off-site drift to avoid public health impacts and off-site contamination, as well as to protect water quality.

CCR, Title 4, Division 9 includes the following requirements for cannabis manufacturing operations that ensure protection of public health and safety:

- CCR, Title 4, Section 17202.1: General Requirements for Extraction and Post-Extraction Processing

  (a) A licensed manufacturer that uses a volatile solvent, a flammable liquid, or a solvent that creates an asphyxiant gas shall ensure that the solvent is used in accordance with the requirements of:

  (1) Chapter 39 of the California Fire Code;

  (2) Title 8, California Code of Regulations, sections 5416-5420, which includes ensuring adequate ventilation and controlling sources of ignition;

  (3) All Division of Occupational Safety and Health (Cal/OSHA) regulations related to the processing, handling, and storage of the applicable solvent; and

  (4) All fire, safety, and building code requirements related to the processing, handling, and storage of the applicable solvent or gas.

  (b) No volatile solvent extraction or post-extraction processing operations or other closed-loop system operations shall occur in an area zoned as residential.

- CCR, Title 4, Section 17205: Additional Requirements for Ethanol Operations. A licensed manufacturer that uses ethanol in manufacturing operations for extractions or post-extraction processing shall receive approval for the facility and equipment from the local fire code official prior to commencing operations, if required by local ordinance.

Section 2.10.2, “Regulatory Framework,” identifies the hazardous programs administered under the CUPA. These programs protect public health and the environment from hazardous material usage through storage requirements and measures to contain accidental releases, proper handling and disposal requirements, and disclosure of operations involving hazardous materials to the County and fire protection agencies to ensure proper response if accidents occur (e.g., spills and fires). The Cannabis Program would be consistent with General Plan Policies S-13.1, S-13.3, S-13.4, and S-13.5 regarding compliance with hazardous material requirements and minimizing risks.

Cannabis facilities permitted and licensed through the Cannabis Program would be required to prepare an HMBP and Risk Management Plan per Chapter 6.95 of the Health and Safety Code; CCR, Title 4, Division 9, Sections 16307(a) and 16307(b); CCR, Title 4, Section 15719; CCR, Title 4, Division 9, Sections 16310(a), 170202.1(a), 17209(a), 17209(5)(C), 17211.1(a), 17214(a), 17214(c); San Diego County General Plan Policies S-13.3 and S-13.5; and San Diego County Regulatory Code of Ordinances Sections 68.505 and 68.506. Compliance with these regulations would require cannabis facilities to comply with pesticide regulations; create a pest management plan; comply with state regulatory requirements related to volatile solvents; maintain waste treatment and disposal systems to prevent contamination; handle and store poisonous or toxic materials pursuant to Health and Safety Code Sections 114254.1, 114252.2, and 114254.3; establish and implement a training program that discusses health and safety hazards; establish and implement a product quality plan that addresses hazards associated with the premises, evaluate biological hazards, chemical hazards, and physical hazards to cannabis product quality; ensure the protection of sensitive uses from sites using hazardous materials; require adjacent development to buffer agricultural areas and ensure compliance with relevant safety codes where hazardous materials are used; comply with all applicable laws and regulations regarding the transport and disposal of hazardous materials; and properly contain discarded materials during conveyance or transportation. These

regulations would aid in reducing the exposure of hazards to the public and environment through the routine transport, use, or disposal, or accidental release of hazardous materials.

Cannabis facilities have the potential to be located within 0.25 miles of an existing or proposed school. As described above, cannabis facilities may involve the transport, use, or disposal of hazardous materials, which could expose the public or environment to hazards. However, cannabis facilities would be required to comply with the regulations stated above to reduce the potential of exposure or accidental release within 0.25 miles of an existing or proposed school.

As described above in Section 2.10.1, "Existing Conditions," known sites in the county are identified on government databases as hazardous material sites under Government Code Section 65962.5, and an additional unknown number of contamination sites also are likely present. New cannabis facilities may include construction of new structures, on-site grading activities, or other ground-disturbing activities that could encounter contamination from past practices, placement of undocumented fill, or even authorized disposal of hazardous wastes from prior uses. Encountering these materials could expose workers, the public, or the environment to adverse effects. Cannabis facilities, under the Cannabis Program, located on a hazardous materials site would be required to comply with the Government Code Section 65962.5, Unified Program, San Diego County SAM Program, San Diego County Board Policy I-132 Valley Center Mitigation Policy, and San Diego County General Plan Policy S-13.4 to ensure that cannabis sites have not been previously contaminated in such a way that could expose humans to on-site hazardous materials. General Plan Policy S-13.4 would require areas of known or suspected contamination to be assessed prior to reuse, reducing potential exposure of hazards from a suspected or known hazardous contamination site.

Alternative 1: No Project—Retention of Current Cannabis Regulations

Under Alternative 1, the Cannabis Program would not be adopted. The existing 5 commercial cannabis facilities in the unincorporated areas of El Cajon, Escondido, and Ramona would be allowed to continue to operate as well as expand their existing facilities and operations to a total of 10,000 square feet of building area for each site. Changes to these cannabis facilities would be required to comply with the regulations described above to reduce potential exposure of on-site hazardous materials consistent with General Plan Policies LU-10.2, S-13.1, and S-13.4.

This impact would be less than significant under Alternative 1.

Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements

The Cannabis Program under Alternative 2 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 2 would include 600-foot buffers from cannabis uses from certain state-defined sensitive uses, including schools, daycares, and youth centers.

Cannabis facilities under the Cannabis Program may involve the use, storage, disposal, and transport of hazardous materials. All commercial cannabis facilities under the Cannabis Program would be required to comply with all the applicable regulations and policies described above regarding the safe handling of transport, use, and disposal of hazardous materials. Compliance with these regulations would reduce the exposure of hazards to the public and environment.

New cannabis facilities have the potential to be located within 0.25 miles of an existing or proposed school. As described above, cannabis facilities may involve the transport, use, or disposal of hazardous materials, which could expose the public or environment to hazards. However, cannabis facilities would be required to comply with the regulations stated above to reduce potential hazards near schools. Furthermore, proposed amendments to the Zoning Ordinance under this alternative would require that cannabis facilities be sited outside of a 600-foot buffer from cannabis sensitive uses, including schools serving K-12 and transitional kindergarten, daycares, and youth centers.

New cannabis facilities have the potential to be located on a hazardous materials site, which could pose a threat to the public and environment. However, the cannabis facilities under the Cannabis Program would be required to comply with the regulations described above to reduce potential exposure of on-site hazardous materials consistent with General Plan Policies LU-10.2, S-13.1, and S-13.4. Compliance with these regulations would require site assessments to be conducted on a known or suspected contaminated area, as well as implementation of remediation efforts prior to development or reuse of land, reducing impacts of on-site hazardous materials, if a facility is located on a hazardous materials site.

This impact would be less than significant under Alternative 2.

Alternative 3: Cannabis Program with Expanded County Regulations

The Cannabis Program under Alternative 3 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, “Project Description, Location, and Environmental Setting” for a full list of development assumptions). Alternative 3 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses.

New cannabis facilities under Alternative 3 would be required to comply with the same regulations and policies related to the safe handling of transport, use, and disposal of hazardous materials, as described above under Alternative 2. Compliance with the above-described regulations regarding hazardous materials would reduce the exposure of hazards to the public and environment through the routine transport, use, or disposal, or accidental release, of hazardous materials consistent with General Plan Policies LU-10.2, S-13.1, and S-13.4. In addition, buffer requirements under this alternative would provide additional protection for sensitive uses from hazardous materials located within commercial cannabis facilities.

New cannabis facilities have the potential to be located within 0.25 miles of an existing or proposed school. As described above, cannabis facilities may involve the transport, use, or disposal of hazardous materials, which could expose the public or environment to hazards. However, cannabis facilities would be required to comply with the regulations stated above to reduce potential hazards near schools. In addition, buffer requirements under this alternative would require a 1,000-foot buffer between cannabis facilities and schools and other sensitive uses (which is greater than the 600-foot buffer required under Alternative 2).

New cannabis facilities have the potential to be located on hazardous materials sites, which could pose a threat to the public and environment. However, the cannabis facilities under Alternative 3 would be required to comply with the regulations described under Alternative 2. Compliance with these regulations would require site assessments to be conducted on a

known or suspected contaminated area, as well as the implementation of remediation efforts prior to development or reuse of land, reducing impacts of on-site hazardous materials, if a facility is located on a hazardous materials site.

This impact would be less than significant under Alternative 3.

Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition

The Cannabis Program under Alternative 4 is anticipated to accommodate up to 212 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 4 would allow mixed-light and indoor cannabis cultivation only when contained within a building. Alternative 4 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses.

New cannabis facilities under Alternative 4 would be required to comply with the same regulations and policies related to the safe handling of transport, use, and disposal of hazardous materials, as described above under Alternative 2. Compliance with the above-described regulations regarding hazardous materials would reduce the exposure of hazards to the public and environment through the routine transport, use, or disposal, or accidental release of hazardous materials consistent with General Plan Policies LU-10.2, S-13.1, and S-13.4. In addition, buffer requirements under this alternative would provide additional protection for sensitive uses from hazardous materials located within cannabis facilities.

New cannabis facilities have the potential to be located within 0.25 miles of an existing or proposed school. As described above, cannabis facilities may involve the transport, use, or disposal of hazardous materials, which could expose the public and environment to hazards. However, cannabis facilities would be required to comply with the regulations stated above to reduce potential hazards near schools. In addition, buffer requirements under this alternative would require a 1,000-foot buffer between cannabis facilities and schools and other sensitive uses (which is greater than the 600-foot buffer required under Alternative 2).

New cannabis facilities have the potential to be located on hazardous materials sites, which could pose a threat to the public and environment. However, the cannabis facilities under Alternative 4 would be required to comply with the regulations described under Alternative 2. Compliance with these regulations would require site assessments to be conducted on a known or suspected contaminated area, as well as implementation of remediation efforts prior to development or reuse of land, reducing impacts of on-site hazardous materials, if a facility is located on a hazardous materials site.

This impact would be less than significant under Alternative 4.

Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy

The Cannabis Program under Alternative 5 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 5 additionally prohibits the development of cannabis facilities within

1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses. Alternative 5 also limits the size of outdoor cannabis cultivation canopy to 1 acre.

Cannabis facilities under Alternative 5 would be required to comply with the same regulations and policies related to the safe handling of transport, use, and disposal of hazardous materials, as described above consistent with General Plan Policies LU-10.2, S-13.1, and S-13.4. Compliance with the above-described regulations regarding hazardous materials would reduce the exposure of hazards to the public and environment under Alternative 5.

New cannabis facilities have the potential to be located within 0.25 miles of an existing or proposed school. As described above, cannabis facilities may involve the transport, use, or disposal of hazardous materials, which could expose the public or environment to hazards. However, cannabis facilities would be required to comply with the regulations stated above to reduce potential hazards near schools. In addition, buffer requirements under this alternative would require a 1,000-foot buffer between cannabis facilities and schools and other sensitive uses (which is greater than the 600-foot buffer required under Alternative 2).

New cannabis facilities have the potential to be located on a hazardous materials site, which could pose a threat to the public and environment. However, the cannabis facilities under Alternative 5 would be required to comply with the regulations described under Alternative 2. Compliance with these regulations would require site assessments to be conducted on a known or suspected contaminated area, as well as implementation of remediation efforts prior to development or reuse of land, reducing impacts of on-site hazardous materials, if a facility is located on a hazardous materials site.

This impact would be less than significant under Alternative 5.

2.10.3.5 *Issue 2: Airports*

Guidelines for Determination of Significance

According to Appendix G of the CEQA Guidelines and the *County of San Diego Guidelines for Determining Significance;:, Airport Hazards*, the proposed Cannabis Program would have a significant impact if it would locate development within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport, public use airport, or private airstrip and would result in a safety hazard for people residing or working in the project area.

Impact Analysis

As discussed above in Section 2.10.1, “Existing Conditions,” the unincorporated county is serviced by 6 public airports. The Cannabis Program establishes a licensing and permitting system for new commercial cannabis activities and does not itself propose new physical development. However, implementation of the Cannabis Program may allow cannabis-related development to be within the vicinity of public use airports and would thus be subject to criteria and policies set forth in the applicable ALUCP when assessing land use compatibility. These criteria outline the types, densities, and heights of land uses permitted within each airport land use compatibility zone to provide for both safe airport operation and airport land use compatibility.

New cannabis facilities permitted and licensed through the Cannabis Program would be required to comply with San Diego County General Plan Policies S-17.2 and S-17.4. These policies would require commercial cannabis sites to be compatible with the operation of the nearby airport, as well as restrict development of any potentially hazardous obstruction or other hazard to flight located within an airport approach and departure areas or known flight pattern.

Alternative 1: No Project—Retention of Current Cannabis Regulations

Under Alternative 1, the Cannabis Program would not be adopted. The existing 5 commercial cannabis facilities in the unincorporated areas of El Cajon, Escondido, and Ramona would be allowed to continue to operate as well as expand their existing facilities and operations to a total of 10,000 square feet of building area for each site. Because there would be no new cannabis facility sites, this alternative would not create a significant safety hazard for people residing or working in close proximity to an airport.

There would be no impact under Alternative 1.

Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements

The Cannabis Program under Alternative 2 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, “Project Description, Location, and Environmental Setting” for a full list of development assumptions). Alternative 2 would include 600-foot buffers from cannabis uses from certain state-defined sensitive uses, including schools, daycares, and youth centers.

The Cannabis Program under Alternative 2 would provide a framework for the permitting and licensing of new cannabis activities within the county, including areas within the vicinity of a public or private airport. Under the Cannabis Program, as described in Section 1.6.1, “Project Components,” cannabis sites must be compliant with the noise, odor, landscaping, signage, water usage, fencing, and other regulations outlined in the respective sections of the Zoning Ordinance and Regulatory Code. In addition, all cannabis facilities under the Cannabis Program would be required to comply with the land use compatibility policies stated within an airport’s ALUCP, if the facility is in the vicinity of an airport’s AIA, as to not cause safety hazards or excessive noise. Along with ALUCP compliance, cannabis facilities would be required to comply with the General Plan policies stated above to be consistent with airport operations and to restrict development that may cause hazards to flight. Through compliance with the Zoning Ordinance and Regulatory Code amendments of the Cannabis Program, applicable ALUCPs, and General Plan Policies S-17.2 and S-17.4, the potential for Alternative 2 to result in safety hazards or excessive noise would be reduced.

This impact would be less than significant under Alternative 2.

Alternative 3: Cannabis Program with Expanded County Regulations

The Cannabis Program under Alternative 3 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, “Project Description, Location, and Environmental Setting” for a full list of development assumptions). Alternative 3 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses.

New cannabis facilities under Alternative 3 would be required to comply with the same regulations and policies related to noise and safety hazards within the vicinity of a public or private airport described above under Alternative 2. Land use compliance and airport safety would be addressed through compliance with applicable airport ALUCPs and San Diego County General Plan Policies S-17.2 and S-17.4. Cannabis facilities would be required to demonstrate compliance with the stated regulations and policies to reduce and avoid safety hazards or excessive noise within the vicinity of an airport.

This impact would be less than significant under Alternative 3.

Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition

The Cannabis Program under Alternative 4 is anticipated to accommodate up to 212 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting," for a full list of development assumptions). Alternative 4 would allow mixed-light and indoor cannabis cultivation only when contained within a building. Alternative 4 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities.

New cannabis facilities under Alternative 4 would be required to comply with the same regulations and policies related to noise and safety hazards within the vicinity of a public or private airport described above under Alternative 2. Land use compliance and airport safety would be addressed through compliance with applicable airport ALUCPs and San Diego County General Plan Policies S-17.2 and S-17.4. Cannabis facilities would be required to demonstrate compliance with the stated regulations and policies reduce and avoid safety hazards or excessive noise within the vicinity of an airport.

This impact would be less than significant under Alternative 4.

Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy

The Cannabis Program under Alternative 5 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 5 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses. Alternative 5 also limits the size of outdoor cannabis cultivation canopy to 1 acre.

New cannabis facilities under Alternative 5 would be required to comply with the same regulations and policies related to noise and safety hazards within the vicinity of a public or private airport described above under Alternative 2. Land use compliance and airport safety would be addressed through compliance with applicable airport ALUCPs and San Diego County General Plan Policies S-17.2 and S-17.4. Cannabis facilities would be required to demonstrate compliance with the stated regulations and policies to reduce and avoid safety hazards or excessive noise within the vicinity of an airport.

This impact would be less than significant under Alternative 5.

2.10.3.6 *Issue 3: Emergency Response and Evacuation Plans*

Guidelines for Determination of Significance

According to Appendix G of the CEQA Guidelines and the *County of San Diego Guidelines for Determining Significance: Emergency Response Plans*, the proposed Cannabis Program would have a significant impact if it would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Impact Analysis

Although the Cannabis Program does not propose new physical development and it is not known where future cannabis uses would locate, new commercial cannabis facilities may include construction of new structures, new or improved access roads or crossings to facilities, and on-site grading, which could interfere with emergency response and evacuation plans. As described above in Section 2.10.1, "Existing Conditions," the County's Multi-Jurisdiction Hazard Mitigation Plan addresses emergency response and evacuation plans for a variety of emergency events that may require communication to the public and evacuation action.

Commercial cannabis facilities permitted and licensed through the Cannabis Program would be required to comply with San Diego County General Plan Policies S-2.2 and S-2.7, which would require cannabis facilities to eliminate impediments to evacuation and identify evacuation routes.

Alternative 1: No Project—Retention of Current Cannabis Regulations

Under Alternative 1, the Cannabis Program would not be adopted. The existing 5 commercial cannabis facilities in the unincorporated areas of El Cajon, Escondido, and Ramona would be allowed to continue to operate as well as expand their existing facilities and operations to a total of 10,000 square feet of building area for each site. However, no new commercial cannabis facility sites would be allowed. Thus, this alternative would not impair implementation of or interfere with an adopted emergency response plan or emergency evacuation plan.

There would be no impact under Alternative 1.

Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements

The Cannabis Program under Alternative 2 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 2 would include 600-foot buffers from cannabis uses from certain state-defined sensitive uses, including schools, daycares, and youth centers.

New cannabis facilities may include construction of new structures, new or improved access roads or crossings to facilities, and on-site grading. All cannabis facilities under the Cannabis Program would be required to comply with the County's Multi-Jurisdiction Hazard Mitigation Plan, as well as General Plan Policies S-2.2 and S-2.7, to help eliminate impediments to evacuation and identify evacuation routes. Compliance with the Multi-Jurisdiction Hazard Mitigation Plan and General Plan policies would reduce and avoid potential interference between cannabis facilities and an emergency response or evacuation plan.

This impact would be less than significant under Alternative 2.

Alternative 3: Cannabis Program with Expanded County Regulations

The Cannabis Program under Alternative 3 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 3 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses.

New cannabis facilities under Alternative 3 would be required to comply with the same regulations and policies related to emergency response and evacuation plans, as described above under Alternative 2. All cannabis facilities under the Cannabis Program would be required to comply with the County's Multi-Jurisdiction Hazard Mitigation Plan, as well as General Plan Policies S-2.2 and S-2.7, to reduce and avoid potential interference between cannabis facilities and an emergency response or evacuation plan.

This impact would be less than significant under Alternative 3.

Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition

The Cannabis Program under Alternative 4 is anticipated to accommodate up to 212 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 4 would allow mixed-light and indoor cannabis cultivation only when contained within a building. Alternative 4 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses.

Cannabis facilities under Alternative 4 would be required to comply with the same regulations and policies related to emergency response and evacuation plans, as described above under Alternative 2. All cannabis facilities under the Cannabis Program would be required to comply with the County's Multi-Jurisdiction Hazard Mitigation Plan, as well as General Plan Policies S-2.2 and S-2.7, to reduce and avoid potential interference between cannabis facilities and an emergency response or evacuation plan.

This impact would be less than significant under Alternative 4.

Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy

The Cannabis Program under Alternative 5 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 5 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses. Alternative 5 also limits the size of outdoor cannabis cultivation canopy to 1 acre.

Cannabis facilities under Alternative 5 would be required to comply with the same regulations and policies related to emergency response and evacuation plans, as described above under Alternative 2. All cannabis facilities under the Cannabis Program would be required to comply with the County's Multi-Jurisdiction Hazard Mitigation Plan, as well as General Plan Policies S-2.2 and S-2.7, to reduce and avoid potential interference between cannabis facilities and an emergency response or evacuation plan.

This impact would be less than significant under Alternative 5.

2.10.3.7 *Issue 4: Vectors*

Guidelines for Determination of Significance

According to the *County of San Diego Guidelines for Determining Significance: Vectors*, the proposed Cannabis Program would have a significant impact if it would substantially increase human exposure to vectors capable of spreading disease by:

a. Proposing a vector breeding source including, but not limited to, sources of standing water for more than 72 hours (e.g., ponds, stormwater management facilities, constructed wetlands); or
b. Proposing a vector breeding source including, but not limited to, composting or manure management facilities, confined animal facilities, or animal boarding/breeding/training operations.

Impact Analysis

Although the Cannabis Program does not propose new physical development, it would provide a framework for the licensing and permitting of new commercial cannabis facilities throughout the county. As described in Section 1.5, "Cannabis Overview," in Chapter 1, "Project Description, Location, and Environmental Setting," commercial cannabis activities are similar to those of typical agricultural activities and consist of activities that may provide a breeding source for vectors, which would increase the exposure of humans to vectors.

As described above in Section 2.10.2, "Regulatory Framework," DCC regulations outline specific requirements for commercial cannabis facilities to reduce the attraction of vectors in CCR, Title 4, Division 9, Sections 16309(a)(3), 16310(a), 17209(a)(1),17209(a)(2), 17209(a)(4), and 17209(a)(6), which would require licensed cultivators to develop a pest management plan; equip drainage areas to prevent pooled or standing water; remove vegetation, litter and waste, and equipment to minimize the potential of attractant, breeding, or harborage for pests; and require openings to buildings to be screened, sealed, or otherwise protected to discourage pests from entering buildings. In addition, Section 64.204 of the Regulatory Code allows inspection of a property to determine the presence of vectors or other nuisance that may create a breeding ground or harborage of vectors and allows appropriate physical, chemical, or biological control measures to be used to control vectors and treat property.

New cannabis facilities permitted and licensed through the Cannabis Program would be required to comply with CCR, Title 4, Division 9, Sections 16309(a)(3), 16310(a), 17209(a)(1),17209(a)(2), 17209(a)(4), and 17209(a)(6), as well as Section 64.204 of the Regulatory Code regarding the minimization of vectors. Compliance with these regulatory

requirements would reduce potential attractants and breeding environments suitable for vectors and other pests to reduce and avoid potential human exposure to vectors.

Alternative 1: No Project—Retention of Current Cannabis Regulations

Under Alternative 1, the Cannabis Program would not be adopted. The existing 5 commercial cannabis facilities in the unincorporated areas of El Cajon, Escondido, and Ramona would be allowed to continue to operate as well as expand their existing facilities and operations to a total of 10,000 square feet of building area for each site. However, no new commercial cannabis facility sites would be allowed. Thus, this alternative would not increase human exposure to vectors.

There would be no impact under Alternative 1.

Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements

The Cannabis Program under Alternative 2 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 2 would include 600-foot buffers from cannabis uses from certain state-defined sensitive uses, including schools, daycares, and youth centers.

Cannabis facilities may introduce new environments that attract vectors and create breeding grounds for vectors. All cannabis facilities under the Cannabis Program would be required to comply with DCC regulations within CCR, Title 4, Division 9, Sections 16309(a)(3), 16310(a), 17209(a)(1),17209(a)(2), 17209(a)(4), and 17209(a)(6), as well as Section 64.204 of the Regulatory Code to reduce attractants and suitable environments for vectors within the county. Compliance with these regulations would ensure that new commercial cannabis facilities under the Cannabis Program would comply with all regulations that avert attractants and breeding environments suitable for vectors and other pests, thus reducing the potential for exposure of humans to vectors.

This impact would be less than significant under Alternative 2.

Alternative 3: Cannabis Program with Expanded County Regulations

The Cannabis Program under Alternative 3 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 3 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses.

Cannabis facilities under Alternative 3 would be required to comply with the same regulations and policies related to vector attractants and breeding environments as described above under Alternative 2. All cannabis facilities under the Cannabis Program would be required to comply with the DCC regulations within CCR, Title 4, Division 9, Sections 16309(a)(3), 16310(a), 17209(a)(1),17209(a)(2), 17209(a)(4), and 17209(a)(6), as well as Section 64.204 of the Regulatory Code to reduce attractants and suitable environments that would increase human exposure to vectors.

This impact would be less than significant under Alternative 3.

Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition

The Cannabis Program under Alternative 4 is anticipated to accommodate up to 212 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 4 would allow mixed-light and indoor cannabis cultivation only when contained within a building. Alternative 4 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses.

Cannabis facilities under Alternative 4 would be required to comply with the same regulations and policies related to vector attractants and breeding environments as described above under Alternative 2. All cannabis facilities under the Cannabis Program would be required to comply with the DCC regulations within CCR, Title 4, Division 9, Sections 16309(a)(3), 16310(a), 17209(a)(1),17209(a)(2), 17209(a)(4), and 17209(a)(6), as well as Section 64.204 of the Regulatory Code, to reduce attractants and suitable environments that would increase human exposure to vectors.

This impact would be less than significant under Alternative 4.

Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy

The Cannabis Program under Alternative 5 is anticipated to accommodate up to 372 cultivation and 170 noncultivation sites/licenses within the county in 2044 (refer to Table 1.4 in Chapter 1, "Project Description, Location, and Environmental Setting" for a full list of development assumptions). Alternative 5 additionally prohibits the development of cannabis facilities within 1,000 feet of expanded sensitive uses, including other cannabis facilities. Advertising of cannabis on billboards would also be prohibited within 1,000 feet of the expanded sensitive uses. Alternative 5 also limits the size of outdoor cannabis cultivation canopy to 1 acre.

Cannabis facilities under Alternative 5 would be required to comply with the same regulations and policies related to vector attractants and breeding environments as described above under Alternative 2. All cannabis facilities under the Cannabis Program would be required to comply with the DCC regulations in CCR, Title 4, Division 9, Sections 16309(a)(3), 16310(a), 17209(a)(1),17209(a)(2), 17209(a)(4), and 17209(a)(6), as well as Section 64.204 of the Regulatory Code, to reduce attractants and suitable environments that would increase human exposure to vectors.

This impact would be less than significant under Alternative 5.

2.10.4 Cumulative Impacts

Typically, the geographic scope of the cumulative impact analysis for hazardous materials consists of the area immediately surrounding the affected hazardous materials location. However, the Cannabis Program includes the entire unincorporated county. Therefore, for the purposes of this analysis, the geographic scope of cumulative impact analysis is the unincorporated county and immediately surrounding areas.

2.10.4.1 *Issue 1: Transport, Use, Disposal, or Accidental Release of Hazardous Materials; Hazards to Schools; and Existing Hazardous Materials Sites*

The San Diego County General Plan Update Draft EIR did not identify any cumulatively considerable impacts associated with hazardous materials from implementation of the General Plan (County of San Diego 2009).

As discussed under Section 2.10.3.4, "Issue 1: Transport, Use, Disposal, or Accidental Release of Hazardous Materials; Hazards to Schools; and Existing Hazardous Materials Sites," new cannabis facilities allowed under the Cannabis Program would not result in the creation of a significant hazard through the transport, use, or disposal of hazardous materials; accidental release of hazardous materials; exposure of hazardous materials within the close proximity of an existing or proposed school; or exposure of hazardous materials to the public or environment due to a hazardous materials site, which could cause a significant environmental impact. This is because commercial cannabis facilities under the Cannabis Program would be required to comply with established hazardous materials and hazardous sites regulations in Chapter 6.95 of the Health and Safety Code; CCR, Title 4, Division 19, Sections 16307(a) and 16307(b); CCR, Title 4, Section 15719; CCR, Title 4, Division 9, Sections 16310(a), 170202.1(a), 17209(a), 17209(5)(C), 17211.1(a), 17214(a), and 17214(c); Government Code Section 65962.5; Unified Program; San Diego County SAM Program; San Diego County Board Policy I-132 Valley Center Mitigation Policy; San Diego County General Plan Policies S-13.3, S-13.4, and S-13.5; and Regulatory Code Sections 68.505 and 68.506. Compliance with these regulations and General Plan policies would ensure that hazardous materials are safely handled to avoid exposing the public and environment, as well as reducing the potential for accidental release, and to reduce the potential for a facility to be located on a hazardous materials site and of the presence of on-site hazardous materials, if located on a hazardous materials site.

Alternative 1 would be limited to on-site expansion of up to 10,000 square feet for each site; thus, there would be no contribution to cumulative impacts. Similar to the Cannabis Program, on a case-by-case basis, cumulative projects would also be required to comply with these established regulations and General Plan policies to reduce the potential of hazards from the transport, use, disposal, or accidental release of hazardous materials and reduce and avoid significant impacts from being located on a hazardous materials site. Therefore, the incremental effects of the Cannabis Program related to hazardous materials would not combine with the effects of cumulative projects to create significant cumulative impacts. The Cannabis Program's incremental effects would not be cumulatively significant and would not be cumulatively considerable such that a new cumulatively significant impact would occur under Alternative 2, 3, 4, or 5.

2.10.4.2 *Issue 2: Airports*

The San Diego County General Plan Update Draft EIR did not identify any cumulatively considerable impacts associated with airport hazards from implementation of the General Plan (County of San Diego 2009).

As described above in Section 2.10.3.5, "Issue 2: Airports," cannabis facilities allowed under the Cannabis Program would not result in airport safety hazards or excessive noise if located within an airport's AIA. This is because cannabis facilities under the Cannabis Program would

be required to comply with the established land use compatibilities of an airport's ALUCP in the applicable ALUCPs and General Plan Policies S-17.2 and S-17.4. Compliance with these plans and General Plan policies would ensure that commercial cannabis facilities are consistent with the applicable airport's ALUCP and land use compatibilities, to reduce and avoid potential airport safety hazards or excessive noise.

Alternative 1 would be limited to on-site expansion of up to 10,000 square feet for each site; thus, there would be no contribution to cumulative impacts. Similar to the Cannabis Program, on a case-by-case basis, cumulative projects would also be required to comply with these established regulations, General Plan policies, and ALUCPs to reduce the potential for airport safety hazards and excessive noise if located within an airport's AIA. Therefore, the incremental effects of the Cannabis Program related to airport safety hazards and excessive noise would not combine with the effects of cumulative projects to create significant cumulative impacts. The Cannabis Program's incremental effects would not be cumulatively significant and would not be cumulatively considerable such that a new cumulatively significant impact would occur under Alternative 2, 3, 4, or 5.

2.10.4.3 *Issue 3: Emergency Response and Evacuation Plans*

The San Diego County General Plan Update Draft EIR did not identify any cumulatively considerable impacts associated with emergency response and evacuation plans from implementation of the General Plan (County of San Diego 2009).

As described above in Section 2.10.3.6, "Issue 3: Emergency Response and Evacuation Plans," commercial cannabis facilities allowed under the Cannabis Program would not result in interference with emergency response or evacuation plans. This is because cannabis facilities under the Cannabis Program would be required to comply with the established emergency and evacuation regulations in the County's Multi-Jurisdiction Hazard Mitigation Plan and General Plan Policies S-2.2 and S-2.7. Compliance with the plans and General Plan policies would reduce and avoid potential interference between cannabis facilities and an emergency response or evacuation plan.

Alternative 1 would be limited to on-site expansion of up to 10,000 square feet for each site; thus, there would be no contribution to cumulative impacts. Similar to the Cannabis Program, on a case-by-case basis, cumulative projects would also be required to comply with these established regulations and General Plan policies to reduce potential interference with an emergency response or evacuation plan that would offset contributions to this impact. Therefore, the incremental effects of the Cannabis Program related to emergency response and evacuation plans would not combine with the effects of cumulative projects to create significant cumulative impacts. The Cannabis Program's incremental effects would not be cumulatively significant and would not be cumulatively considerable such that a new cumulatively significant impact would occur under Alternative 2, 3, 4, or 5.

2.10.4.4 *Issue 4: Vectors*

The San Diego County General Plan Update Draft EIR did not identify any cumulatively considerable impacts associated with vectors from implementation of the General Plan (County of San Diego 2009).

As described above in Section 2.10.3.7, “Issue 4: Vectors,” cannabis facilities allowed under the Cannabis Program would not result in significant exposure to vectors. This is because cannabis facilities under the Cannabis Program would be required to comply with the established vector control regulations in CCR, Title 4, Division 9, Sections 16309(a)(3), 16310(a), 17209(a)(1),17209(a)(2), 17209(a)(4), and 17209(a)(6) and Section 64.204 of the Regulatory Code. Compliance with these regulations would require that vector control measures are followed and potential attractants or breeding environments that may increase human exposure to vectors are not created.

Alternative 1 would be limited to on-site expansion of up to 10,000 square feet for each site; thus, there would be no contribution to cumulative impacts. Similar to the Cannabis Program, on a case-by-case basis, cumulative projects would also be required to comply with these established regulations and General Plan policies to reduce the potential of human exposure to vectors that would offset contributions to this impact. Therefore, the incremental effects of the Cannabis Program related to vectors would not combine with the effects of cumulative projects to create significant cumulative impacts. The Cannabis Program’s incremental effects would not be cumulatively significant and would not be cumulatively considerable such that a new cumulatively significant impact would occur under Alternative 2, 3, 4, or 5.

2.10.5 Significance of Impacts Prior to Mitigation

2.10.5.1 *Issue 1: Transport, Use, Disposal, or Accidental Release of Hazardous Materials; Hazards to Schools; and Existing Hazardous Materials Sites*

The Cannabis Program would have less-than-significant impacts related to hazards or hazardous materials under Alternative 1. The proposed Cannabis Program would result in less-than-significant direct impacts related to hazards or hazardous materials under Alternatives 2 through 5. It would not contribute to significant cumulative impacts associated with hazards or hazardous materials.

2.10.5.2 *Issue 2: Airports*

The Cannabis Program would have no direct impacts related to airport hazards under Alternative 1. The proposed Cannabis Program would result in less-than-significant direct impacts related to hazards or hazardous materials under Alternatives 2 through 5. It would not contribute to significant cumulative impacts associated with airport hazards.

2.10.5.3 *Issue 3: Emergency Response and Evacuation Plans*

The Cannabis Program would have no direct impacts related to emergency response and evacuation plans under Alternative 1. The proposed Cannabis Program would result in less-than-significant direct impacts related to hazards or hazardous materials under Alternatives 2 through 5. It would not contribute to significant cumulative impacts associated with emergency response and evacuation plans.

2.10.5.4 *Issue 4: Vectors*

The Cannabis Program would have no direct impacts related to vectors under Alternative 1. The proposed Cannabis Program would result in less-than-significant direct impacts related to

hazards or hazardous materials under Alternatives 2 through 5. It would not contribute to significant cumulative impacts associated with vectors.

2.10.6 Mitigation

2.10.6.1 *Issue 1: Transport, Use, Disposal, or Accidental Release of Hazardous Materials; Hazards to Schools; and Existing Hazardous Materials Sites*

No mitigation is required.

2.10.6.2 *Issue 2: Airports*

No mitigation is required.

2.10.6.3 *Issue 3: Emergency Response and Evacuation Plans*

No mitigation is required.

2.10.6.4 *Issue 4: Vectors*

No mitigation is required.

2.10.7 Conclusion

The discussion below provides a synopsis of the conclusion reached in each of the above impact analyses.

2.10.7.1 *Issue 1: Transport, Use, Disposal, or Accidental Release of Hazardous Materials; Hazards to Schools; and Existing Hazardous Materials Sites*

Alternative 1 would be limited to on-site expansion of up to 10,000 square feet for each site; thus, there impacts would be less than significant and would not contribute to a significant cumulative impact.

New cannabis facilities would be required to comply with state and local regulations, standards, and General Plan policies related to hazardous materials that would reduce and avoid the potential exposure to and accidental release of hazardous materials. For these reasons, the Cannabis Program's implementation would not result in potential exposure or release of hazardous materials. Cannabis Program implementation would have a less-than-significant impact for Alternatives 2 through 5. In addition, the proposed Cannabis Program would not contribute to a significant cumulative impact.

2.10.7.2 *Issue 2: Airports*

Alternative 1 would be limited to on-site expansion of up to 10,000 square feet for each site; thus, there would be no impacts.

New cannabis facilities would be required to comply with state and local regulations, standards, and General Plan policies related to land use compatibility within an airport's AIA, which would reduce and avoid the creation of airport safety hazards and excessive noise. For these reasons, the project's implementation would not result in potential safety hazards or excessive noise within an airport's AIA. Cannabis Program implementation would have a less-than-significant impact for Alternatives 2 through 5. In addition, the proposed Cannabis Program would not contribute to a significant cumulative impact.

2.10.7.3 *Issue 3: Emergency Response and Evacuation Plans*

Alternative 1 would be limited to on-site expansion of up to 10,000 square feet for each site; thus, there would be no impacts.

New cannabis facilities would be required to comply with state and local regulations, standards, and General Plan policies related to emergency response and evacuation, which would reduce and avoid potential interference with emergency response and evacuation plans. For these reasons, the project's implementation would not result in potential interference with emergency response and evacuation plans. Cannabis Program implementation would have a less-than-significant impact for Alternatives 2 through 5. In addition, the proposed Cannabis Program would not contribute to a significant cumulative impact.

2.10.7.4 *Issue 4: Vectors*

Alternative 1 would be limited to on-site expansion of up to 10,000 square feet for each site; thus, there would be no impacts.

New cannabis facilities would be required to comply with state and local regulations, standards, and General Plan policies related to vector control, which would reduce and avoid the creation of attractants and breeding grounds for vectors. For these reasons, the project's implementation would not result in a significant increase in attractants and breeding grounds that would increase vector exposure to humans, such that significant hazards are created. Cannabis Program implementation would have a less-than-significant impact for Alternatives 2 through 5. In addition, the proposed Cannabis Program would not contribute to a significant cumulative impact.

Table 2.10.2 DTSC Hazardous Materials and Contamination Sites

Facility	Address	City	Program Type
Grossmont Union High School	1100 Murray Drive	Alpine	School cleanup
Borrego Sites	Anza-Borrego Desert State Park	Borrego Springs	State response
Carrizo Impact Area	Anza-Borrego Desert State Park	Borrego Springs	State response
La Posta Recycling Center, Inc.	Reservation La Posta Mission Indians	Boulevard	Hazardous waste facility
Camp Lockett	Campo	Campo	State response
US Marine Corps-Camp Pendleton	Camp Pendleton	Camp Pendleton	Corrective action
MCB Camp Pendleton	22165 Camp Pendleton	Camp Pendleton	Hazardous waste facility
MCB Camp Pendleton	Camp Pendleton Building # 22165	Camp Pendleton	Inspection
Dennery Ranch	Otay Valley Road & I-805	Fallbrook	School cleanup
Palm Enterprises Treating	Naval Weapon Station	Fallbrook	Hazardous waste facility
Palm Enterprises Treatment Facility	Naval Weapons Station Seal Beach, Detachment Fallbrook, 700 Ammunition Road	Fallbrook	Corrective action
El Capitan High School	10410 Ashwood Street	Lakeside	Hazardous waste facility
Britannia Boulevard Property	2133, 2155, 2177, 2189, 2195, 2199, 2201 Britannia Boulevard & 7577 Airway Road	Otay Mesa	Voluntary cleanup
County of San Diego Ramona PHHWCF	324 Maple Street	Ramona	Inspection
Ramona Bombing Target	36 Miles Northeast of San Diego	Ramona	State response
Slaten Corporation DBA United Environmental	26178 Matlin Road	Ramona	Inspection
Rancho Santa Fe Expansion Properties	Mimosa Place/La Granada/ El Fuego	Rancho Santa Fe	School cleanup
Casper Company	3825 Bancroft Avenue	Spring Valley	Inspection
San Diego E-Waste	9364 Jamacha Road Suite F	Spring Valley	Inspection
Superior Abatement Services Inc	9168 Birch Street	Spring Valley	Inspection

Notes: MCB = Marine Corps Base; DBA = doing business as; PHHWCF = permanent household hazardous waste collection facility; I = interstate.

Source: DTSC 2024.

Table 2.10.3 GeoTracker Database Hazardous Materials and Contamination Sites

Facility	Address	City	Facility Site
31 Area, ACU 5 Fuel Storage Area	ACU 5 Fuel Storage Area	Camp Pendleton	Cleanup program
Camp Pendleton Marine Corps Base	PO Box 555008, Building 22165	Camp Pendleton	Military cleanup
Camp Pendleton Marine Corps Base, UST Site 23185	23185 Vandegrift Boulevard	Camp Pendleton	Cleanup program
San Onofre Nuclear Generating Station Related Lands on Camp Pendleton	El Camino Real	Camp Pendleton	Cleanup program
Stuart Mesa Agricultural Fields West	Cockleburr Road	Camp Pendleton	Military cleanup
Fallbrook Naval Weapons Station	700 Ammunition Road	Fallbrook	Military cleanup
Manor Cleaners	125 East Mission Road	Fallbrook	Cleanup program
Otay Water District 1485-2 Pump Station	14303 Lyons Valley Road	Jamul	Cleanup program
Julian Chevron	2712 Washington Street	Julian	LUST cleanup
Julian Cider Mill	2103 Main Street	Julian	LUST cleanup
NH Cozens, Inc	1913 Main Street	Julian	LUST cleanup
Roberta H Green	2126 Main Street	Julian	LUST cleanup
East County Sand Mine	12101 Highway 67	Lakeside	Cleanup program
Lakeside Special Care	11962 Woodside Avenue	Lakeside	Cleanup program
Lakeside Texaco	12106 Woodside Avenue	Lakeside	LUST cleanup
Beemer Ranch	0 Highway 76	Pala	Cleanup program
Robert's Ranch	15450 Highway 76	Pauma Valley	Cleanup program
Gasoline Alley	2525 Main Street	Ramona	LUST cleanup
Ramona Health and Human Services Annex	203 12th Street	Ramona	Cleanup program
Stars Petroleum	1910 Main Street	Ramona	LUST cleanup
Former Rancho Santa Fe Mobile	6089 La Flecha	Rancho Santa Fe	LUST cleanup
Pala Vista Gas Station	29200 Valley Center Road	Valley Center	LUST cleanup
Warner Springs Sere Camp	Lost Valley Road	Warner Springs	Military cleanup

Notes: UST = underground storage tank; LUST = leaking underground storage tank.

Source: SWRCB 2024.

Table 2.10.4 CDO and CAO Hazardous Materials and Contamination Sites

Facility	Address	City	Site Type
Bonsall Landfill	29370 Twin Oaks Valley Road	Bonsall	CAO
Borrego Springs Class III Landfill	2449 Palm Canyon Road	Borrego Springs	CAO
Chevron Service Station – 2712 Washington et al on Main Street Julian	2712 Washington Street	Julian	CAO
Manning Stripping & Sealing	12030 Short Street	Lakeside	CAO
Moritz Residence	14272 Jerome Drive	Poway	CAO
Barbour Residence	17215 Iron Mountain Road	Poway	CAO
Ramona Sanitary Landfill	20630 Pamo Road	Ramona	CAO
Fairbanks Ranch Country Club	15150 San Dieguito	Rancho Santa Fe	CAO
Jamacha Sanitary Landfill	1190 Singer Lane	Spring Valley	CAO
Valley Center Landfill	Aerie Road 1.6 miles west of Valley Center Road	Valley Center	CAO

Notes: CDO = cease and desist orders; CAO = cleanup and abatement orders.

Source: CalEPA 2024.