CHAPTER 9 COMMENT RESPONSES AND SUMMARY OF REVISIONS

This chapter contains comment letters received during the public review period for the Draft PEIR, which concluded on March 31, 2025, including transcribed comments received during the February 5, February 6, and February 12, 2025 virtual public meetings, comment cards received at the February 25, 2025 open house event held at the San Diego County Library - Lakeside Branch, and comments received through the use of Konveio (an online document engagement platform) provided on the County's website.[1] In conformance with Section 15088(a) of the State CEQA Guidelines, written responses were prepared addressing comments on environmental issues received from reviewers of the Draft PEIR. This chapter also summarizes all revisions made to the Draft PEIR since its release.

9.1 Comments on the Draft PEIR and Responses

Table 9-1 presents the list of commenters, including the numerical designation for each comment letter received, the author of the comment letter, and the date of the comment letter.

The verbal and written individual comments received on the Draft PEIR and the responses to those comments are provided below. The comment letters and verbal comments made at the public meetings are reproduced verbatim in their entirety and are followed by the response(s).

Table 9.1 List of Commenters

Letter No.	Commenter	Date
AGENCIES		
A1	Lakeside Union School District	March 26, 2025
A2	San Diego Air Pollution Control District	March 27, 2025
A3	San Diego Regional Water Quality Control Board, South Coast Regional Cannabis Unit	March 27, 2025
A4	Bonsall Unified School District	March 30, 2025
A5	Fallbrook Union High School District	March 31, 2025
A6	California Department of Fish and Wildlife	April 1, 2025
ORGANIZATIONS		
O1	Americans for Safe Access	February 7, 2025
O2	Fallbrook Land Conservancy	March 6, 2025
O3	Rainbow Community Planning Group	March 19, 2025
O4	Bonsall Community Sponsor Group	March 20, 2025
O5	Warner Springs Community Sponsor Group	March 24, 2025
O6	Lakeside Chamber of Commerce	March 26, 2025
O7	Fallbrook Community Planning Group	March 27, 2025
O8	Hidden Meadows Community Sponsor Group	March 31, 2025
O9	Valley Center Community Planning Group	March 31, 2025
O10	Farm Bureau of San Diego	April 1, 2025

[1] An open house event was also held on February 26, 2025 at the San Diego County Library - Valley Center Branch. However, no written comments or comment cards were received at this event.

Letter No.	Commenter	Date
INDIVIDUALS		
I1	Jennifer T.	January 30, 2025
I2	Keith Wilson	January 31, 2025
I3	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Michelle Kevorkian	February 1, 2025
I4	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Carleton Jones	February 1, 2025
I5	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Alan Toma	February 1, 2025
I6	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Geronimo Mejia	February 1, 2025
I7	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Malik King	February 1, 2025
I8	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Alfonso Huey	February 1, 2025
I9	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants William Hinks	February 1, 2025
I10	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Larry Molina	February 1, 2025
I11	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Andrew Banez	February 1, 2025
I12	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Jacob Raphael Moore	February 1, 2025
I13	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Ryan Larceval	February 1, 2025
I14	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Alexander Grable	February 1, 2025
I15	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Chauncie Martin	February 1, 2025
I16	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Steve Mora	February 1, 2025
I17	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Albert Pepi	February 1, 2025

Letter No.	Commenter	Date
I18	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Markus Haynes	February 1, 2025
I19	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Adriana Yañez	February 1, 2025
I20	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Darfetta Denise Muhammad	February 1, 2025
I21	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Raphyal Crawford	February 1, 2025
I22	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Lanell Brown	February 1, 2025
I23	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Brian Scott	February 1, 2025
I24	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Brian Goodin	February 1, 2025
I25	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Glynn Smith	February 1, 2025
I26	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Vincent Stalcup	February 1, 2025
I27	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Wiley Creeno	February 1, 2025
I28	County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants Ryan Carroll	February 1, 2025
I29	S. Edward Wicker	February 19, 2025
I30	Albert Pepi	February 20, 2025
I31	Larry Yafuso	February 20, 2025
I32	Nora Pradel	February 21, 2025
I33	Alexander Grable	February 25, 2025
I34	Becky Rapp	February 25, 2025
I35	Breanna Cota	February 25, 2025
I36	Chauncy Miller	February 25, 2025
I37	John Miller	February 25, 2025
I38	Karen Estes	March 14, 2025
I39	Don Weeks	March 15, 2025
I40	Jennifer Weeks	March 15, 2025
I41	Mark Mervich	March 17, 2025
I42	April Holemo	March 19, 2025

Letter No.	Commenter	Date
I43	Ariane Freville	March 19, 2025
I44	David and Nancy Riddlebarger	March 19, 2025
I45	Harry Bold	March 19, 2025
I46	Hazel Livingston-Jones	March 19, 2025
I47	Kelley Cuerva	March 19, 2025
I48	Markus Livingston	March 19, 2025
I49	Paul Lopez-Wood	March 19, 2025
I50	Arthur Rodriguez	March 20, 2025
I51	Jacci Eifler	March 22, 2025
I52	Brooke Carsey	March 23, 2025
I53	Juliana Hesselgesser	March 23, 2025
I54	Sarah Springston	March 23, 2025
I55	Suzanne Nixon	March 23, 2025
I56	Jacci Eifler	March 24, 2025
I57	Kathie Morris	March 29, 2025
I58	Chris Hasvold	March 25, 2025
I59	Dean Robinson	March 25, 2025
I60	Cynthia Hauff	March 25, 2025
I61	Erica Roberg Williams	March 25, 2025
I62	Frank Hilliker	February 25, 2025
I63	Harlee Robinson	March 25, 2025
I64	Jim Kabellis	March 25, 2025
I65	Phil Delaney	March 25, 2025
I66	Tracy Ellis	March 25, 2025
I67	Ian Murdock	March 27, 2025
I68	Jill DePalma	March 27, 2025
I69	Kathy Lemos	March 27, 2025
I70	Tony Lemos	March 27, 2025
	Bob Littlejohn	March 27, 2025
I72	Deanna Grant	March 28, 2025
I73	Dorothea and Gerald Flanigan	March 28, 2025
I74	Cathy Handzel	March 30, 2025
I75	Chris Grant	March 30, 2025
I76	Deborah Howard	March 30, 2025
I77	Denise and Ian Doyle	March 30, 2025
I78	Eddie Lain	March 30, 2025
I79	Luisa Veltmann	March 30, 2025
I80	mCraggs	March 30, 2025
I81	SanDee and Ray DeLautre	March 30, 2025
I82	Barbara Aldrich	March 31, 2025
I83	Carol DeMonde	March 31, 2025

Letter No.	Commenter	Date
I84	Cathy Plocki	March 31, 2025
I85	Chris Waterhouse	March 31, 2025
I86	Crystal Grobner	March 31, 2025
I87	Dave Gausepohl	March 31, 2025
I88	David Massa	March 31, 2025
I89	Derek Van Gompel	March 31, 2025
I90	Diane Strain	March 31, 2025
I91	Diane and Mike Hayden	March 31, 2025
I92	Donna and Robert Hein	March 31, 2025
I93	Eddie Lugan	March 31, 2025
I94	Eileen Delaney	March 31, 2025
I95	Jane Felton	March 31, 2025
I96	Jeniene Domercq	March 31, 2025
I97	Jenna Acevedo	March 31, 2025
I98	Jennifer Craw	March 31, 2025
I99	Jill Patchen	March 31, 2025
I100	Jim Waterhouse	March 31, 2025
I101	Jon Frandell	March 31, 2025
I102	Joshua Caruso	March 31, 2025
I103	Judith and Patrick Bresnahan	March 31, 2025
I104	Kim and Dave Olsen	March 31, 2025
I105	Kim Massa	March 31, 2025
I106	Lana Roberson	March 31, 2025
I107	Laura Gausepohl	March 31, 2025
I108	Lila Hargrove	March 31, 2025
I109	Linda and Jerry Gordon	March 31, 2025
I110	Mark Aldrich	March 31, 2025
I111	Martin Quiroz	March 31, 2025
I112	Michelle Smith	March 31, 2025
I113	Nancy Layne	March 31, 2025
I114	Pierre Domercq	March 31, 2025
I115	Randi Devine and Brian Lynch	March 31, 2025
I116	Rick Hasvold	March 31, 2025
I117	Samantha Barrymore	March 31, 2025
I118	Sarah Ankerman	March 31, 2025
I119	Scott Lewis	March 31, 2025
I120	Shanelle Jones	March 31, 2025
I121	Stephani Baxter	March 31, 2025
I122	Stephen Brown	March 31, 2025
I123	Steven Hutchison	March 31, 2025
I124	Summer Tracy	March 31, 2025

Letter No.	Commenter	Date
I125	Tami Oeschger	March 31, 2025
I126	Tami Warren	March 31, 2025
I127	Taylor Larson	March 31, 2025
I128	Terry Aaron	March 31, 2025
I129	Tiffany Sazon	March 31, 2025
I130	Tom Van Wie	March 31, 2025
I131	Wade Olsen	March 31, 2025
I132	Noah Friend	March 31, 2025
I133	Kelly Hayes	March 31, 2025
I134	Kori Jensen	April 1, 2025
I9135	Russell Palmer	April 1, 2025
PUBLIC MEETING ON THE DRAFT PEIR (February 5, 2025)		
PM 1	Armand King	February 5, 2025
PM 2	Shelby Huffaker	February 5, 2025
PM 3	Donavyn Dove	February 5, 2025
PM 4	Raphyal	February 5, 2025
PM 5	Thomas Lauerman	February 5, 2025
PM 6	Robert Wood	February 5, 2025
PM 7	Albert Pepi	February 5, 2025
PM 8	William Mitchell	February 5, 2025
PM 9	Michelle Kevorkian	February 5, 2025
PM 10	William Hinks	February 5, 2025
PM 11	Judi Strang	February 5, 2025
PM 12	Rashida Hameed	February 5, 2025
PM 13	Rudy Reyes	February 5, 2025
PM 14	Becky Rapp	February 5, 2025
PM 15	Eddie	February 5, 2025
PM 16	John Broaddus	February 5, 2025
PM 17	Andrew Banez	February 5, 2025
PM 18	Kelly McCormick	February 5, 2025
PM 19	Jacob Moore	February 5, 2025
PM 20	Brian Goodin	February 5, 2025
PM 21	Markus Haynes	February 5, 2025
PM 22	Kathleen Lippitt	February 5, 2025
PM 23	Steven Stuchell	February 5, 2025
PM 24	Vincent Stalcup	February 5, 2025
PM 25	Malik King	February 5, 2025
PM 26	Devin Rapp	February 5, 2025
PM 27	Eduardo Batista	February 5, 2025
PM 28	Peggy Walker	February 5, 2025
PM 29	Cynara Velazquez	February 5, 2025

Letter No.	Commenter	Date
PM 30	Joe Ryan	February 5, 2025
PM 31	Joshua Valdez	February 5, 2025
PM 32	Adriana Yanez	February 5, 2025
PM 33	Dory Laramore	February 5, 2025
PM 34	Chris Adams	February 5, 2025
PM 35	Jerome Edwards	February 5, 2025
PM 36	Larry Molina	February 5, 2025
PM 37	Charles Alexander	February 5, 2025
PM 38	Levon	February 5, 2025
PM 39	Terrie Best	February 5, 2025
PM 40	Evelyn Irving	February 5, 2025
PM 41	Steve Mora	February 5, 2025
PM 42	Darfetta Muhammad	February 5, 2025
PUBLIC MEETING ON THE DRAFT PEIR (February 6, 2025)		
PM 43	Damien Johnson	February 6, 2025
PM 44	Vincent Stalcup	February 6, 2025
PM 45	Peggy Walker	February 6, 2025
PM 46	Raphyal Crawford	February 6, 2025
PM 47	Cynara Velazquez	February 6, 2025
PM 48	Robert Wood	February 6, 2025
PM 49	Judi Strang	February 6, 2025
PM 50	Thomas Lauerman	February 6, 2025
PM 51	Albert Pepi	February 6, 2025
PM 52	Joe Ryan	February 6, 2025
PM 53	Armand King	February 6, 2025
PM 54	Malik King	February 6, 2025
PM 55	Alex Grebel	February 6, 2025
PM 56	Lanell Brown	February 6, 2025
PM 57	Madison	February 6, 2025
PM 58	Michelle Kevorkian	February 6, 2025
PM 59	Mike P.	February 6, 2025
PM 60	Ronnie	February 6, 2025
PM 61	Jacob Moore	February 6, 2025
PM 62	Terrie Best	February 6, 2025
PM 63	Andrew Banez	February 6, 2025
PM 64	Eric Lieber	February 6, 2025
PM 65	Eddie	February 6, 2025
PM 66	Rashida Hameed	February 6, 2025
PM 67	Alfonso	February 6, 2025
PM 68	Kathleen Lippitt	February 6, 2025
PM 69	Shelby Huffaker	February 6, 2025

Letter No.	Commenter	Date
PM 70	Howard Haynes	February 6, 2025
PM 71	Anna Lamanna	February 6, 2025
PM 72	Russ Havens	February 6, 2025
PM 73	Brian	February 6, 2025
PM 74	Becky Rapp	February 6, 2025
PM 75	Ty Freeman	February 6, 2025
PM 76	Virgil Grant	February 6, 2025
PM 77	Alex/Breanna	February 6, 2025
PUBLIC MEETING ON THE DRAFT PEIR (February 12, 2025)		
PM 78	Barbara Gordon	February 12, 2025
PM 79	Vincent Stalcup	February 12, 2025
PM 80	Nathaniel Shuflin	February 12, 2025
PM 81	Terrie Best	February 12, 2025
PM 82	Judi Strang	February 12, 2025
PM 83	William Hinks	February 12, 2025
PM 84	Madison	February 12, 2025
PM 85	Shelby Huffaker	February 12, 2025
PM 86	Sarah	February 12, 2025
PM 87	Michelle Kevorkian	February 12, 2025
PM 88	Andrew Banez	February 12, 2025
PM 89	Kathleen Lippitt	February 12, 2025
PM 90	Peggy Walker	February 12, 2025
PM 91	Joe Ryan	February 12, 2025
PM 92	Nathaniel Shuflin	February 12, 2025
PM 93	Albert Pepi	February 12, 2025
PM 94	Becky Rapp	February 12, 2025
PM 95	Michelle Kevorkian	February 12, 2025
PM 96	Keith Wilson	February 12, 2025
PM 97	Sarah	February 12, 2025
PM 98	Heidi Whitman	February 12, 2025
PM 99	Bill Richardson	February 12, 2025
OPEN HOUSE ON THE DRAFT PEIR (February 25, 2025)		
PM 100	Breanna Cotu	February 25, 2025
PM 101	Alexander Grable	February 25, 2025
PM 102	Frank Hilliker	February 25, 2025
PM 103	John Miller	February 25, 2025
PM 104	Becky Rapp	February 25, 2025
COMMENTS RECEIVED ON KONVEIO		
K1	Keith	January 30, 2025
K2	Courtney Hall	January 31, 2025
K3	Vincent Stalcup	February 1, 2025

Letter No.	Commenter	Date
K4	Kathleen Lippitt	February 3, 2025
K5	John	February 5, 2025
K6	Joe Eberstein	February 12, 2025
K7	Albert	February 20, 2025
K8	Shelby Huffaker	March 6, 2025
K9	Richard	March 9, 2025
K10	Peggy Brown	March 17, 2025
K11	Ashley	March 18, 2025
K12	Kathy Lemos	March 18, 2025
K13	Stephen drozd	March 19, 2025
K14	Tasha Estes	March 19, 2025
K15	Maria Aguirre	March 19, 2025
K16	Blythe Peel	March 19, 2025
K17	Courtney Kowalchuk	March 19, 2025
K18	Kimberly Dick	March 19, 2025
K19	Douglas Bryant	March 19, 2025
K20	Nancy Riddlebarger	March 19, 2025
K21	Dana Bonwell	March 19, 2025
K22	Kim	March 19, 2025
K23	Markus	March 20, 2025
K24	Mandy Rodgers	March 21, 2025
K25	Terese Kristensen	March 22, 2025
K26	Cynara Kidwell	March 23, 2025
K27	Brooke	March 23, 2025
K28	Cynara Kidwell	March 23, 2025
K29	Casey	March 24, 2025
K30	Ruth	March 24, 2025
K31	Paul the Bold	March 24, 2025
K32	Taro Murano	March 28, 2025
K33	Cynara Kidwell	March 29, 2025
K34	Terrie Best	March 30, 2025
K35	Kathleen Lippitt	March 30, 2025
K36	Ennis Pipe	March 31, 2025
K37	Armand	March 31, 2025
K38	Joseph Ryan	March 31, 2025
K39	Noah Friend	March 31, 2025
K40	Armand	March 31, 2025
K41	Christopher Adams	March 31, 2025
K42	Vincent Stalcup	March 31, 2025
K43	Jerome Edwards	March 31, 2025
K44	Dawn Apsley	March 31, 2025

Letter No.	Commenter	Date
K45	Jeff Apsley	March 31, 2025
K46	Nancy McRae	April 1, 2025
K47	Kristen Friend	April 1, 2025
K48	Aldo Alvidres	April 1, 2025

Source: Compiled by Ascent in 2025.

9.1.1 Master Responses

The following master responses provide clarification on topics raised in multiple comments. These master responses address comments related to cannabis odor impacts; consideration of the range of alternatives evaluated in the Draft PEIR; future decision-making regarding the proposed Socially Equitable Cannabis Program (Cannabis Program) by the Board of Supervisors (Board); crime and code enforcement concerns; legal status of cannabis; evaluation of the physical environmental impacts of cannabis uses; public health effects of cannabis use; and cannabis product safety and contamination concerns. Responses to detailed comments are provided individually below, with references to the relevant master responses provided, as appropriate.

9.1.1.1 MASTER RESPONSE: CANNABIS ODORS

Many comments addressed concerns related to exposure to cannabis odors, including how emissions would affect nearby residents, diminish enjoyment of outdoor spaces, impact quality of life, cause long-term public health issues, and affect students at school, particularly during outdoor activities. As summarized below, significant and unavoidable odor impacts are identified under Alternatives 2, 3, and 5 (see Section 2.4, “Air Quality,” in the Draft PEIR).

Section 2.4.1.6, “Odors,” in the Draft PEIR provides an overview of how odors are perceived, the scientific understanding of odors, and the potential for public health and nuisance issues. As discussed in the second paragraph on page 2.4-5 of the Draft PEIR, “the ability to detect odors varies considerably among the population and overall is quite subjective. Some individuals can smell very minute quantities of specific substances; others may not have the same sensitivity but may have sensitivities to odors of other substances. In addition, people may have different reactions to the same odor; an odor that is offensive to one person may be perfectly acceptable to another (e.g., fast food restaurant).” The discussion continues to address cannabis-related odors, which are associated with approximately 140 different terpenes (i.e., volatile unsaturated hydrocarbons that are found in essential oils of plants, especially conifers and citrus trees). Some terpenes are identified explicitly in research (myrcene, pinene, limonene). Although there are methods to generally define odor detection thresholds, there is not a clear or consistent numerical threshold to use for cannabis odors (paragraph 4 on page 2.4-5 of the Draft PEIR).

The potential for the program alternatives to cause odors affecting a substantial number of people is addressed in Issue 3 in Section 2.4, “Air Quality,” of the Draft PEIR. As discussed therein, and consistent with commenters, commercial cannabis uses (especially cannabis cultivation) have the potential to generate nuisance odors. These odors may be recognizable or detectable up to as far as approximately 2 miles, depending on topography and meteorology (Kern County 2017). However, recognition of an odor does not imply that the odor is a

nuisance, only that it can be identified or detected as cannabis. Typically, the odor is detectable much closer to the source, such as adjacent to or on a commercial cannabis cultivation site. The distance for odor detection is very site-specific and can be affected by many variables, including meteorology, topography, and how ready plants are for harvesting at cultivation sites. In addition, human perception of cannabis plant odors may be influenced by personal views regarding cannabis. Whether the odor is acceptable and the level at which it should be defined as objectionable at various strengths and distances as perceived by individual sensitive receptors varies.

The proposed Cannabis Program includes amendments to the Regulatory Code that include the following performance standards to address odors:

- Section 21.2510(a)(6): Odor Mitigation Plan.

  (A) All cannabis businesses shall prepare, implement, and maintain, a site-specific odor mitigation plan.

  (B) The plan shall provide guidance to on-site operation personnel by describing, at a minimum, the following items. If the operator will not be implementing any of these procedures, the plan shall explain why it is not necessary.

  a. A description of on-site odor sources; and,

  b. A description of the air treatment system or other best management practices that will be implemented to prevent cannabis odors from being detected outside the licensed premises.

  (C) The odor mitigation plan shall be reviewed annually by the licensee to determine if any revisions are necessary.

- Section 21.2525: General Operating Requirements.

  (o) Odor Control

  (1) Odor control devices and techniques shall be incorporated in all Cannabis Businesses in accordance with the business's approved Odor Mitigation Plan to ensure that odors from cannabis are not detectable outside the licensed premises.

  (A) Cannabis Businesses sited on a parcel with other commercial uses, consumption lounges, indoor, greenhouse, and mixed-light cultivation activities shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the Cannabis Business that is distinctive to its operation is not detected outside of the licensed premises, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the Cannabis Business.

  (2) Cannabis Businesses as described in Section 21.2525(o)(1)(A) must install and maintain the following equipment, or any other equipment which the Director or their designee(s) determine is a more effective method or technology:

> (A) An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;
>
> (B) An air system that creates negative air pressure between the Cannabis Business's interior and exterior, so that the odors generated inside the Cannabis Business are not detectable on the outside of the Cannabis Business.

Section 21.2528: Consumption Lounges.

> (k) The licensee shall provide an adequate odor mitigation plan so as to prevent any detectable odor immediately outside of the premises (this shall include within business suites that may be located adjacent to the consumption lounge). Within twenty-four (24) hours of any complaint concerning odors emanating from or originating within the facility, the licensee shall respond to the complaint in question, and shall within one (1) business day file a written disclosure to the County documenting any and all actions taken and planned to address the odor complaints. If the odor complaints persist, the facility shall be closed until the situation is resolved.
>
> (q) Additional requirements for Type B Licenses:
>
> (5) Smoking Room Ventilation Plan Application:
>
> (A) An application for a Type B license shall be submitted to the Director or designee(s) prior to mechanical system approval from the PDS Building. The application must include a Cannabis Smoking Room Ventilation Plan.

A discussion of how the odor control plan under the proposed Cannabis Program would be reviewed is addressed in the second paragraph on page 1-14 of the Draft PEIR, reproduced as follows.

> An odor control plan would be submitted as part of the license application and would include an air treatment system or other methods to prevent cannabis odors from being detected outside the facility. Types of central odor control systems to be installed on-site may include technology such as odor-absorbing ventilation and exhaust systems, negative air pressure systems, or other acceptable odor control systems to prevent cannabis odors from being detected outside the facility.

As discussed under Issue 3 in Section 2.4, "Air Quality," of the Draft PEIR, the standard listed above would effectively reduce odor emissions from cannabis cultivation to a less-than-significant level under Alternatives 1 and 4. In contrast, under Alternatives 2, 3, and 5, outdoor commercial cannabis cultivation would be allowed. Outdoor cannabis odors cannot be controlled in the same way as indoor cultivation odors can be (i.e., air filtration systems are not feasible outside of buildings). Although buffers from sensitive uses under the alternatives (600 feet for Alternative 2 and 1,000 feet for Alternatives 3 and 5) would reduce odor levels off-site, detectable cannabis odors from outdoor and mixed-light commercial cannabis cultivation operations not contained within buildings with odor control features cannot be completely eliminated in all circumstances. Additionally, Alternative 2 would allow for events, which could introduce temporary odors from the combustion of cannabis products. There are no effective mitigation measures to ensure elimination of cannabis odors from outdoor sources (i.e., cultivation or combustion of products). For these reasons, this impact is identified as significant

and unavoidable for Alternatives 2, 3, and 5 (pages 2.4-24 through 2.4-28, 2.4.-32, and 2.4-33 of the Draft PEIR).

9.1.1.2 MASTER RESPONSE: RANGE OF ALTERNATIVES CONSIDERED IN THE DRAFT PEIR

Several comments raised concerns or support for certain alternatives included in the PEIR. State CEQA Guidelines Section 15126.6(c) addresses the selection of a range of reasonable alternatives. The range of potential alternatives to a proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. "[T]here is no ironclad rule governing the nature or scope of the alternatives to be discussed in an Environmental Impact Report (EIR or EIA in this case), other than the rule of reason" (*Citizens of Goleta Valley v. Board of Supervisors* [1990] 52 Cal.3d 553, 576; *In re Bay-Delta* [2008] 43 Cal.4th 1143, 1162–1164; State CEQA Guidelines, Section 15126.6(a)). Section 15126(a) states the "EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives."

Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts. As described in Chapter 1, "Project Description, Location, and Environmental Setting," of the Draft PEIR the following 5 alternatives were evaluated at an equal level of detail:

- Alternative 1: No Project—Retention of Current Cannabis Regulations
- Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements, which includes 600-foot buffers from certain state-defined sensitive uses, including schools, daycares, and youth centers.
- Alternative 3: Cannabis Program with Expanded County Regulations, which expands definition of "sensitive uses" and increase buffers from these uses from 600 to 1,000 feet.
- Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition, which has the same setback and buffers as Alternative 3, but would also prohibit outdoor cultivation.
- Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy, which has the same setbacks and buffers as Alternatives 3 and 4.

Ultimately, the Draft PEIR presents a reasonable range of alternatives, evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the proposed Cannabis Program in compliance with CEQA requirements. In addition, the

alternatives analyzed provide options for setbacks and buffers to further analyze impacts, such as odors. Therefore, no revisions to the PEIR are necessary.

During the public hearing, the Board will decide on which alternative or variation of an alternative to approve. All comments received on the Draft PEIR will be reviewed by decision makers for consideration during deliberation.

9.1.1.3 MASTER RESPONSE: BOARD OF SUPERVISORS DIRECTION AND FUTURE DECISION-MAKING

Several commenters referenced previous Board direction and raised concerns that the proposed Cannabis Program does not reflect subsequent Board direction. Specifically, some commenters expressed that the June 15, 2022 (Minute Order No. 7), Board direction was not incorporated into the Cannabis Program.

On January 27, 2021 (Minute Order No. 4), the Board provided the original direction for the development of the Cannabis Program. This direction included requiring a 600-foot buffer from cannabis facilities to state-sensitive uses, including schools, daycares, and youth centers. This direction is reflected and was analyzed in the Draft PEIR Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements.

Later, on June 15, 2022 (Minute Order No. 7), the Board provided further direction that asked staff to analyze additional program design features for the Cannabis Program PEIR and alternatives. This included the expansion of the definition of “sensitive uses,” an increase in the buffer from cannabis facilities to sensitive uses, and the expansion of cannabis billboard regulations. These program features were incorporated into Alternatives 3, 4, and 5, which were evaluated at an equal level as the proposed Cannabis Program under Alternative 2.

The Board has the discretion to choose any of the project alternatives or any variation of the project alternatives that are within the extent of the PEIR impact analysis. The Board is not restricted in its consideration of an alternative or of changes to the ordinances under any of the alternatives. The proposed ordinances would be updated to appropriately reflect the project alternative that the Board selects.

9.1.1.4 MASTER RESPONSE: CODE ENFORCEMENT AND CRIME

Several comments raised concerns regarding code enforcement associated with cannabis sites; how the County addresses complaints, and how to make complaints or obtain cannabis information from the County; and crime associated with cannabis sites.

Some of these comments state that the allowance of commercial cannabis would result in an increase in crime in the county. However, no specific technical studies were provided to suggest that a significant number of cannabis-related crimes would occur in the county. As a comparison, Sonoma County initially allowed cannabis uses in 2007 and expanded the range of cannabis uses in 2018 that includes uses currently proposed in the Cannabis Program. Between January 1, 2019, and December 31, 2024, a total of 41,897 incident reports were filed by the Sonoma County Sheriff, Sonoma Police Department, and Windsor Police Department. Of these reports, incidents related to cannabis involved one alcohol violation, two burglaries (i.e., entering a structure to commit a crime), one drug offence, one case of fraud,

three larceny (stealing), and two non-criminal incidents. These incidents occurred in Penngrove, Santa Rosa, Sebastopol, Geyserville, and Sonoma, at dispensaries (burglary, fraud, larceny, non-criminal) and cultivation sites (drug offences, larceny, non-criminal). By comparison, non-cannabis related incident reports during this time period included 49 alcohol offences, 3,215 burglaries, 3,468 drug offenses, 2,083 cases of fraud, 3,697 cases of larceny, and 16,237 non-criminal incidents (Sonoma County 2025: 3.13-13).

The San Diego County Planning & Development Services Code Compliance Division is responsible for the administration of the cannabis operating certificates and code enforcement in the unincorporated areas of the county and works with state and local law enforcement entities, counsel, the District Attorney's Office, and other agencies to address unlicensed cannabis activities.

As discussed in Section 2.15, "Public Services," in the Draft PEIR, California Code of Regulations (CCR), Title 4, Sections 15036, 15042, and 15601 require security measures of the facility and reporting procedures in the case of theft, loss, or criminal activities. In addition, the proposed amendments to the County Regulatory Code contain requirements for a detailed security plan (Section 21.2510(a)(3)) and preparation of a Neighborhood Compatibility Plan (Section 21.210(a)(5)). Compliance with these requirements would ensure that on-site security measures are provided and site access is sufficient. In addition, Section 21.2537 would require quarterly inspections of cannabis businesses to verify compliance with County requirements, and implementation Section 21.2538 would identify remedies for cannabis businesses that are not in compliance with County standards.

The proposed amendments to the County Regulatory Code also contains additional security measures and infrastructure requirements (Section 21.2526) such as sufficient Sheriff Department-licensed 24 hour video surveillance at all points of access and areas where cannabis is present, having a licensed security personnel on site during hours of operation, various other security requirements specific to doors and windows, and a description of measures the facility will take to prevent unauthorized access through entrances, exits, windows, and roofs.

Code Enforcement, under the San Diego County Code of Regulations (Title 1, Division 8, Chapters 1 to 3), can pursue enforcement towards licensed facilities should they become non-compliant with Chapter 25 of the San Diego County Code of Regulations. Non-compliance can be observed through routine quarterly inspections or through investigations resulting from a complaint intake.

Given these provisions, no substantial demands on local law enforcement would be expected such that construction of new facilities (e.g., sheriff stations) would be necessary from implementation of the Cannabis Program. Compliance with existing regulations and San Diego County General Plan policies would ensure that the Cannabis Program would not result in adverse physical impacts associated with the provision of new or physically altered fire protection and emergency services or result in the need for new or physically altered police protection services.

CEQA focuses EIR analysis of law enforcement on impacts resulting from physical improvements of needed facilities, essentially construction impacts. Consistent with this mandated focus, impacts on law enforcement associated with implementation of the Cannabis Program are addressed on Draft PEIR pages 2.18-21 through 2.18-23.

In general, the focus of CEQA is on the disclosure of significant adverse physical effects. Economic and social concerns are not CEQA topics. However, they are relevant project considerations that will be considered by staff and the Board in their deliberations.

9.1.1.5 MASTER RESPONSE: LEGAL STATUS OF CANNABIS

Cannabis regulation is currently both challenging and unique for a variety of reasons. Foremost among these is the fact that cannabis is currently regulated as a Schedule 1 drug under the federal Controlled Substances Act. In California, the passage of Proposition 215 in 1996 legalized medical marijuana, and the passage of Proposition 64 in 2016 decriminalized recreational marijuana for adults over 21 years of age. Its change from illegal to legal in the state of California and elsewhere reflects the rapidly changing regulatory environment. As of June 2025, cannabis is legal for adult recreational use in 24 states plus Washington, DC. Medical cannabis is legal in 39 states. This leaves 11 states and the federal government where it remains illegal.

In California, cannabis is legal based on the will of the voters. The history of the County's cannabis program is summarized in Section 1.11 of the Draft PEIR, "History of Cannabis Program Development," as provided below.

> The County's approach to the regulation of cannabis uses has been evolving since initial actions in 2010 that established licensing and operational requirements for medical cannabis facilities in the Regulatory Code and Zoning Ordinance. In 2016, the Board enacted a moratorium on the establishment of medical marijuana collective facilities. The following year, in 2017, the Board approved amendments to the Zoning Ordinance repealing medical marijuana collective facility regulations and banning all medical and nonmedical marijuana facilities, collectives, dispensaries, and cultivation within the unincorporated areas of the county, including a clause to shut down existing facilities within 5 years.

According to Board direction, County staff developed the Cannabis Program. This PEIR addresses 5 alternative variations to the Cannabis Program. The County staff acknowledge the strongly held beliefs of some commenters fundamentally opposed to cannabis activities as well as others who support cannabis and commercial cannabis uses in the County. Comments submitted on the Cannabis Program alternatives and this document will help the Board decide whether the PEIR should be certified and whether an alternative, or variation of one of the alternatives, should be adopted.

The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," for more information on the next steps in the approval process for the Cannabis Program.

9.1.1.6 MASTER RESPONSE: CONSIDERATION OF ENVIRONMENTAL IMPACTS OF CANNABIS

Several comments expressed concern over the level of detail and specificity included in the Draft PEIR regarding impacts from the development and operation of cannabis uses. The Draft PEIR presents a programmatic analysis of reasonably foreseeable compliance responses for implementation of the proposed Cannabis Program under 5 alternatives. The Draft PEIR

Sections 2.1 through 2.19 describe the potential for adverse environmental impacts for each environmental issue area and, if the impact is potentially significant, potentially feasible mitigation measures.

The overall approach to the environmental analysis is described in Section 1.9 of the Draft PEIR, "EIR Impact Analysis Methodology." As discussed therein, the PEIR has been prepared to determine the overall environmental effects of future development in the unincorporated areas that would be allowed under the proposed Cannabis Program. On a programmatic level, the PEIR does not, and cannot, speculate on the individual environmental impacts of specific future commercial cannabis projects in the county. However, implementation of all components of the Cannabis Program were considered during preparation of the Draft PEIR, including future commercial cannabis uses anticipated through the year 2044, as described in Section 1.12, "Projected Future Cannabis Uses Under the Cannabis Program." Technical analyses, such as air quality and greenhouse gas modeling, are based on the estimated future commercial cannabis uses identified in Draft PEIR Table 1.4.

The PEIR was prepared at the program "first-tier" level of environmental review consistent with the requirements of State CEQA Guidelines Sections 15152 and 15168. The program-level analysis considered the broad environmental impacts of the overall Cannabis Program. The PEIR acknowledged that subsequent projects/actions of the adopted program would occur in multiple years and locations (see Table 1.4 in the Draft PEIR for the projected development assumptions through 2044). As individual projects are proposed, they would be evaluated to determine whether the entitlements/actions fall within the scope of the certified PEIR and incorporate all applicable performance standards and mitigation measures identified therein. Should the subsequent projects/actions not be consistent with the approved Cannabis Program, additional environmental review through the subsequent review provisions of CEQA may be warranted (State CEQA Guidelines Sections 15162 through 15164).

9.1.1.7 MASTER RESPONSE: PUBLIC HEALTH EFFECTS OF CANNABIS USE

Several comments raised concerns about public health and safety with the operations and use of cannabis, with increased concerns for the youth.

As discussed in Draft PEIR Chapter 1, "Project Description, Location, and Environmental Setting," California allows for the cultivation, manufacturing, and consumption of cannabis by adults. The use of cannabis products and an acceptance of potential health effects of using cannabis is a personal decision that is not subject to environmental review under CEQA. A key project objective of the proposed Cannabis Program is to develop a regulatory program that will assist in protecting public health, safety, and welfare. In addition, all of the proposed alternatives, with the exception of Alternative 1, include buffers and setbacks to help address community impacts.

Furthermore, as mentioned in the Draft PEIR, there are several state regulations that aim to protect public safety. The proposed amendments to the Zoning Ordinance under Sections 6129, "Temporary Cannabis Events," and 6995, "Cannabis Facilities," define the standards and regulations for commercial cannabis facilities to protect public health, safety, and welfare; ensure compliance with local and state laws; and minimize the potential for negative impacts on communities and the environment by establishing land use requirements for cannabis facilities.

In addition, as discussed in Section 2.15, “Public Services,” in the Draft PEIR, CCR, Title 4, Sections 15036, 15042, and 15601 require security measures of the facility and reporting procedures in the case of theft, loss, or criminal activities. In addition, the proposed amendments to the County Regulatory Code contain requirements for a detailed security plan (Section 21.2510(a)(3)) and preparation of a Neighborhood Compatibility Plan (Section 21.210(a)(5)). Compliance with these requirements would ensure that on-site security measures are provided and site access is sufficient.

9.1.1.8 MASTER RESPONSE: COMMENTS ON PROPOSED COUNTY CODE CHANGES UNDER THE SOCIALLY EQUITABLE CANNABIS PROGRAM

Several commenters recommended changes to the draft Regulatory Code and Zoning Ordinance that are related to the proposed Cannabis Program. Staff are currently in the process of refining the ordinances based on best practice research, public feedback, and alignment with previous Board direction. The final ordinances, along with the Final PEIR, will be presented to the Planning Commission and to the Board for their review and adoption. The Planning Commission will consider project documents in addition to public and agency comments in formulating its recommendation to the Board. The recommendations from the Planning Commission, in addition to public and agency comments, will be considered by the Board in making its final decision regarding the proposed ordinances.

9.1.1.9 MASTER RESPONSE: CANNABIS PRODUCT SAFETY AND TESTING

Several comments identified concerns regarding the safety of cannabis products from contamination from pesticides and other constituents and associated cannabis testing issues based on 2024 articles published in the *Los Angeles Times* newspaper.

The testing of cannabis products is handled through the state licensing process, which is overseen by the California Department of Cannabis Control (DCC). Testing is required under CCR, Title 4, Section 15719. Licensed laboratories are required to analyze representative samples of cannabis and cannabis products to determine whether residual pesticides are present. Pesticides are divided into 2 categories along with their action levels. The sample shall be deemed to have passed the residual pesticide testing if both of 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 Category II, identified in Section 15719, does not exceed its indicated action level.

As of January 1, 2024, state-licensed laboratories are required to use DCC-standardized cannabinoids test methods and standardized operating procedures for testing dried flower, including non-infused pre-rolls. Testing labs test cannabis goods for:

- cannabinoids and terpenes,
- residual solvents and processing chemicals,
- residual pesticides,
- heavy metals,
- microbial impurities,

- mycotoxins,
- moisture content and water activity, and
- foreign material.

Testing labs report results on a certificate of analysis, which indicates whether a batch has passed or failed for each substance. The certificate of analysis must be uploaded to the DCC's track-and-trace system. If a batch fails testing standards, it must be either destroyed or remediated by a manufacturer, with approval from DCC. Remediated products must undergo further testing to ensure they are no longer contaminated.

When necessary, DCC issues recalls—either mandatory or voluntary—if products are known to contain microbial contamination or have other issues, such as misbranding.

Mandatory recalls:

- Occurs when there is an immediate and serious threat to human life or health, and other remedies would cause an unreasonable delay.
- Initiated and ordered by DCC.
- DCC notifies licensees that a mandatory recall is being ordered.
- Licensee(s) are required to immediately cease distribution and recall the cannabis or cannabis product from the commercial supply chain.
- DCC posts the recall information to the list of mandatory recalls on its website and sends a consumer advisory to provide information to licensees and consumers about the recall.
- DCC works with licensees to ensure the recalled cannabis and cannabis products are properly handled, remediated, and/or disposed of.

Voluntary recalls

- Occurs when the licensee identifies that their product is mislabeled, defective, or unsafe for consumption (adulterated or misbranded).
- Initiated and implemented by the licensee.
- The licensee notifies DCC that they are initiating a recall.
- DCC posts the recall information to the list of voluntary recalls on its website and sends a consumer advisory to provide information to licensees and consumers about the recall.
- DCC works with licensees to ensure the recalled cannabis and cannabis products are properly handled, remediated, and/or disposed of.

Recall notices are posted on the DCC website, where information is made available related to the specific product type, location of sale, and recall reason. The cannabis recall process plays an important role in ensuring that defective or potentially unsafe products are removed from the commercial market.

9.1.2 Agency Comments and Responses

9.1.2.1 *LETTER A1 LAKESIDE UNION SCHOOL DISTRICT*

Lara Hoefer Moir, Board President
March 26, 2025

Comment A1-1
On behalf of the Lakeside Union School District, we are writing to express our concerns regarding the Proposed Project Alternative included in the draft Environmental Impact Report (EIR). The draft fails to incorporate critical recommendations that the Board clearly intended to serve as defining components of the preferred project. Instead, these elements have been placed in a separate alternative, contrary to the Board's explicit direction that they be evaluated as part of the Proposed Project. Similarly, the draft Zoning Ordinance amendments do not reflect the features the Board unanimously approved.

Response A1-1
The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment A1-2
Given the Board's clear guidance, we firmly believe that the Proposed Project Alternative and all associated documents, including the zoning ordinance amendments, should have incorporated these items from the outset.

Response A1-2
The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment A1-3
We are also deeply concerned about the potential impacts of cannabis cultivation near our school communities, particularly the possibility of up to 346 outdoor licenses. The draft EIR correctly concludes that commercial cannabis operations would result in significant and unavoidable nuisance odors. In communities such as Lakeside, where agricultural and residential zones are closely interwoven-including near our schools-these impacts are especially troubling.

Response A1-3
Consistent with this comment, the Draft PEIR indicates that approval of the Cannabis Program would result in significant and unavoidable impacts on odor. As described in Section 2.4, “Air Quality,” under Issue 3, “Result in Emissions of Odors Adversely Affecting a Substantial Number of People,” odor emissions would be less than significant under Alternatives 1 and 4 and significant and unavoidable under Alternatives 2, 3, and 5. Cannabis odors are further discussed in Section 9.1.1.1, “Master Response: Cannabis Odors.”

Comment A1-4
Outdoor cultivation presents additional concerns related to groundwater usage. The draft EIR identifies significant and unavoidable impacts on groundwater supplies and water availability.

These consequences would disproportionately affect unincorporated communities, many of which are home to the students and families we serve. Reliable access to clean air and water is essential for public health and creating a safe and supportive learning environment for our students.

These environmental and community impacts have the potential to interfere with our schools' educational mission and diminish the well-being of our students, staff, and families. Our communities' rural character and quality of life are vital to the learning environments we strive to maintain.

Response A1-4
Impacts associated with decreased groundwater supplies or interference with groundwater recharge are discussed in Section 2.11, “Hydrology and Water Quality,” under “Issue 2: Substantial Decrease of Groundwater Supplies or Interfere Substantially with Groundwater Recharge.” As discussed there, impacts on groundwater supplies or recharge would be less than significant under Alternative 1 and significant and unavoidable under Alternatives 2, 3, 4, and 5.

Concerns related to neighborhood compatibility are noted. A person may apply for a County cannabis land use permit and cannabis business license by filing an application with the County of San Diego Department of Planning and Development Services (PDS). Applications may require, but are not limited to, any or all of the following information be submitted depending on permit type and location: premises diagram, evidence of sensitive use buffer compliance, security plan, lighting plan, Neighborhood Compatibility Plan, odor mitigation plan, and documentation of water use and storage. In preparation of a Neighborhood Compatibility Plan, the applicant is responsible for providing specific procedures related to nuisance avoidance, including responding to noise- and light-related complaints, public consumption, loitering, littering, vehicle and pedestrian traffic, and any other potential nuisance that may be received. Procedures outlined in the applicant’s Neighborhood Compatibility Plan shall be incorporated into the terms and conditions under which the business will operate with the County’s approval, if and when a Cannabis Business License is issued.

Comment A1-5
In light of the analysis presented in the draft EIR and the Board's previous actions, we respectfully urge that Alternative 4 be adopted as the preferred alternative. We also strongly recommend that the final decision include a prohibition on outdoor cultivation to protect the health, safety, and well-being of our students and communities.

Response A1-5
The commenter’s preference for Alternative 4 has been noted and will be reviewed by the Board during future decision-making activities.

9.1.2.2 *LETTER A2 SAN DIEGO AIR POLLUTION CONTROL DISTRICT*

Eric Luther, Supervising Air Resources Specialist
March 27, 2025

Comment A2-1
The San Diego County Air Pollution Control District (APCD) appreciates the opportunity to provide comments on the Socially Equitable Cannabis Program Draft Environmental Impact

Report (DEIR) and related amendments to the San Diego County Code of Regulatory & Zoning Ordinances. Below are the SDAPCD's comments concerning the evaluation of potential air quality impacts presented in the DEIR.

Response A2-1
This comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Comment A2-2
General Comments

The APCD is mandated under federal and state law to regulate air pollutant emissions and improve air quality to protect public health and the environment. Accordingly, the APCD operates countywide air quality permitting, monitoring, and enforcement programs to ensure compliance with applicable air pollution regulations for healthful air quality. The APCD's jurisdiction covers all of San Diego County, including both the incorporated and unincorporated areas.

Specific to this charge, is the importance of addressing the variety of emissions, along with their sources, that contribute to diminished air quality. This includes analyzing all potential emissions, including solvent recovery, volatile organic compounds (VOC's) and Toxic Air Contaminants (TAC's) in conjunction with other emission sources. Upon review, it appears that the analysis of emissions related manufacturing operations was not included in the analysis and is therefore insufficient. We recommend inclusion of manufacturing operations, as outlined below:

Rules and Regulations-Rule 1200

SDAPCD believes the environmental impact from the air emissions from manufacturing operations should be considered in the EIR. Including discussion of these emissions in the EIR would also benefit future permitting actions by SDAPCD.

Section 2.4.2.3 should include a discussion of SDAPCD Rule 1200 (Toxic Air Contaminants-New Source Review)1 as manufacturing operations can be subject to permitting through District Rule 10 and therefore also subject to Rule 1200. Manufacturing operations are known by The District to use compounds such as isopropyl alcohol, hexane, and methylene chloride with are considered toxic air contaminants (TACs).

Response A2-2
In response to this comment, the following bullet point has been added to Section 2.4, "Air Quality," on page 2.4-12 following the bullet point that summarizes SDAPCD Regulation IV: Prohibitions; Rule 67.01.1: Architectural Coatings:

- **SDAPCD Regulation XII: Toxic Air Contaminants; Rule 1200: Toxic Air Contaminants – New Source Review.** Regulates emissions of toxic air contaminants (TACs) from new, relocated, or modified stationary sources in San Diego County. It aims to reduce public exposure to TACs by requiring facilities to implement measures to minimize potential health risks. The rule applies when an

Authority to Construct or Permit to Operate is required, including projects reviewed by the California Energy Commission.

This revision to the Draft PEIR does not alter the significance conclusions of Section 2.4, "Air Quality." No further response is required.

Comment A2-3
Toxic Air Contaminants related to Manufacturing Equipment

Further, Section 2.4.3.2 should discuss the possibility of TAC emissions from manufacturing equipment. Some cannabis manufacturing facilities involve the extraction of cannabis compounds from plant matter using solvents and extraction equipment. Many of these solvents, while not only being VOCs are also TACs including compounds such as isopropyl alcohol, hexane, and methylene chloride. Operations requiring district permit would be subject to District Rule 1200 as previously discussed and would limit the health risks from these types of operations to below significant levels.

Response A2-3
In response to this comment, the language discussing toxic air contaminants on page 2.4-15 has been updated as follows:

Text as presented in Draft PEIR:

Toxic Air Contaminants

Construction and operation of the new licensed commercial cannabis cultivation and noncultivation operations may involve the use of diesel-powered equipment that emits diesel PM. However, the amount of construction activity at any single location would not be intensive (i.e., approximately 1 piece of off-road equipment being used at 1 specific time during overall site construction), would be temporary, and would not take place at the same site for longer than a few months. Operational activities would not include any major sources of TACs, and all operations would be required to comply with setback distances specified for the alternatives (i.e., a minimum 600-foot buffer or a 1,000-foot buffer between operations and existing sensitive land uses depending on the alternative) that would allow dispersion of TAC emissions. Given the minimal construction activities required for the Cannabis Program, the lack of newly introduced major sources of TACs, and the setback requirements, the construction and operation of new cannabis facilities would not expose existing receptors to substantial TAC concentrations (i.e., expose sensitive receptors to substantial pollutant concentrations). Individual commercial cannabis cultivation sites may include emergency backup diesel generators but would not include new stationary sources (e.g., smokestack operations permitted through the air district subject to best available control technology) that could potentially exceed established emissions limits for reactive organic gases (ROG), NO_X, PM_{10}, $PM_{2.5}$, CO, or SO_2. These impacts are not discussed further.

Text as presented in Final PEIR:

> **Toxic Air Contaminants**
>
> Construction and operation of the new licensed commercial cannabis cultivation and noncultivation operations may involve the use of diesel-powered equipment that emits diesel PM. However, the amount of construction activity at any single location would not be intensive (i.e., approximately 1 piece of off-road equipment being used at 1 specific time during overall site construction), would be temporary, and would not take place at the same site for longer than a few months. Operational activities would not include any major sources of TACs, and all operations would be required to comply with setback distances specified for the alternatives (i.e., a minimum 600-foot buffer or a 1,000-foot buffer between operations and existing sensitive land uses depending on the alternative) that would allow dispersion of TAC emissions. Given the minimal construction activities required for the Cannabis Program, the lack of newly introduced major sources of TACs, and the setback requirements, the construction and operation of new cannabis facilities would not expose existing receptors to substantial TAC concentrations (i.e., expose sensitive receptors to substantial pollutant concentrations). Individual commercial cannabis cultivation sites may include emergency backup diesel generators but would not include new stationary sources (e.g., smokestack operations permitted through the air district subject to best available control technology) that could potentially exceed established emissions limits for reactive organic gases (ROG), NO_X, PM_{10}, $PM_{2.5}$, CO, or SO_2. Cannabis manufacturing facilities would be allowed under the Cannabis Program; however, these facilities would be subject to permitting through SDAPCD Rule 1200, which would require the use of filtration and emissions scrubbing technologies to minimize release of TACs from the facility. These impacts are not discussed further.

This revision to the Draft PEIR does not alter the significance conclusions of Section 2.4, “Air Quality.” No further response is required.

Comment A2-4

Impact Assessment for Alternatives (Section 2.4.3.5)

The impact assessment for operations for alternatives 2-5 do not include the VOC and TAC emissions from manufacturing operations. Section 2.4.3.5 of the DEIR states:

> Therefore, because operation of individual outdoor, San Diego County Socially Equitable Cannabis Program Draft EIR Page 2.4-23 mixed-light, and indoor cultivation sites and noncultivation uses would not exceed SDAPCD’s screening thresholds, emissions would not adversely affect human health under Alternative 2. Therefore, the contribution to operational criteria pollutants and precursors would not result in greater acute or chronic health impacts compared to existing conditions under Alternative 2.

Of note, the SDAPCD has received applications for solvent extraction operations using solvent recovery systems that have emissions up to 60 lbs. of VOC’s a day, although most yield less than 10 lbs. per day of VOC. Given the potential for emissions from cannabis manufacturing operations, we further recommend inclusion of these VOC and TAC emissions in the impact assessment for comparison to screening thresholds for each of these alternatives.

Consideration of these emissions in the EIR would also streamline the CEQA review timeline for applicants also requiring SDAPCD permits.

Response A2-4
In response to this comment, the language of paragraph 5 of Section 2.4.3.5 has been updated on page 2.4-22 as follows:

Text as presented in Draft PEIR:

> Development of future licensed commercial cannabis operations could result in operational emissions of VOCs, NO_X, $PM_{2.5}$, and PM_{10} similar to those used for other agricultural activities. These include the combustion of natural gas for heating and emergency generators, use of consumer products and fertilizers, application of architectural coatings, and use of heavy-duty equipment for agricultural purposes. Table 2.4.7, included at the end of this section, presents the levels of criteria air pollutants and precursors associated with operation of each new individual commercial cannabis use type. Emissions were estimated for each commercial cannabis cultivation type using the range of assumed future cannabis cultivation sites identified in Table 1.4.

Text as presented in Final PEIR:

> Development of future licensed commercial cannabis operations could result in operational emissions of VOCs, NO_X, $PM_{2.5}$, and PM_{10} similar to those used for other agricultural activities. These include the combustion of natural gas for heating and emergency generators, use of consumer products and fertilizers, application of architectural coatings, and use of heavy-duty equipment for agricultural purposes. Cannabis manufacturing would be allowed under the Cannabis Program, which would be source of VOC emissions; however, these processes would be regulated under SDAPCD Rule 1200. In consultation with SDAPCD, permits acquired through Rule 1200 demonstrate a range of VOC emissions from 2.9–62.7 pounds per day, which would be below SDAPCD's threshold of significance (Amberg, pers. comm., 2025). Table 2.4.7, included at the end of this section, presents the levels of criteria air pollutants and precursors associated with operation of each new individual commercial cannabis use type. Emissions were estimated for each commercial cannabis cultivation type using the range of assumed future cannabis cultivation sites identified in Table 1.4.

This revision to the Draft PEIR does not alter the significance conclusions of Section 2.4, "Air Quality." No further response is required.

9.1.2.3 *LETTER A3 SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD, SOUTH COAST REGIONAL CANNABIS UNIT*

Maher Zaher, Water Resource Control Engineer & Brian M. Covellone, Senior Engineering Geologist
March 27, 2025

Comment A3-1
The South Coast Regional Cannabis Unit staff (Cannabis Unit), working on behalf of the San Diego Regional Water Quality Control Board, have reviewed the draft Environmental Impact Report (EIR), a California Environmental Quality Act (CEQA) document, pertaining to the

County of San Diego's Socially Equitable Cannabis Program. Cannabis Unit staff appreciate the opportunity to provide input and provide the following comments in response to the draft EIR:

Response A3-1

The commenter's introductory comments are noted. The reader is referred to the responses to Comments A3-2 through A3-5.

Comment A3-2

1) Biological Resources, Page 2.5-29: Outdoor cannabis cultivation areas must be fenced. Fencing cannot consist of razor wire, barbed wire, electrical-fencing, or similar types of materials.

    - Comment: Installation of any fencing material should not occur within any waters of the State or in any manner that could alter or obstruct the natural flow of surface water. Please ensure that installation of fencing complies with State Water Resources Control Board (SWRCB) Order WQ 2023-0102-DWQ - General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Cannabis General Order) and the Cannabis Cultivation Policy.

Response A3-2

The commenter's concern that fencing material may obstruct the natural flow of surface water is noted. The potential effects on state and federally protected wetlands are discussed under Issue 3 in Section 2.5, "Biological Resources," in the Draft PEIR. As discussed therein, the proposed Cannabis Program would result in potentially significant direct impacts on state and federally protected wetlands under Alternatives 2 through 5. It would also have the potential to result in significant cumulative impacts associated with state and federally protected wetlands (see first paragraph on page 2.5-84 of the Draft PEIR). As discussed in Section 2.5.7, "Conclusion," implementation of Mitigation Measures M-BI.1-1 and M-BI.3-1 would reduce potentially significant program-level and cumulative impacts on state and federally protected wetlands to a less-than-significant level because wetlands would be identified through reconnaissance-level surveys and wetland delineation surveys, and wetlands would be avoided through project redesign. Thus, this impact would be less than significant for Alternatives 2, 3, 4, and 5. In addition, the proposed Cannabis Program would not contribute to a significant cumulative impact.

Comment A3-3

2) Hydrology and Water Quality, Page 2.11-13: *SWRCB, in coordination with CDFW, has identified "Cannabis Priority Watersheds" throughout the state. All Cannabis Priority Watersheds contain a high concentration of commercial cannabis cultivation; noncompliant commercial cannabis cultivation in these high-value areas has the potential to cause severe environmental impacts. Pursuant to Business and Professions Code Section 26060(a)(1), if SWRCB or CDFW notifies the Department of Cannabis Control (DCC) in writing that commercial cannabis cultivation is causing significant adverse impacts on the environment in a watershed or other geographic area, DCC shall not issue new licenses or increase the total number of plant identifiers in that watershed or area while the moratorium is in effect. There are currently no Cannabis Priority Watersheds designated in San Diego County.*

- Comment: This information was likely obtained through the California Priority Watersheds webpage published on the SWRCB's website (Cannabis - CA Priority Watersheds | California State Water Resources Control Board). The referenced map is out of date and does not reflect the current priorities of the South Coast Cannabis Program, which represents the San Diego Regional Water Quality Control Board, for San Diego County. The SWRCB and CDFW coordinate on an annual basis to determine Cannabis Priority Watersheds on a regional scale, and Cannabis Priority Watersheds have been identified in San Diego County. There are ongoing discussions between the SWRCB, the South Coast Cannabis Program, and CDFW to address the referenced map.

Response A3-3

The commenter's concern regarding the Cannabis Priority Watersheds designated in San Diego County were addressed during a meeting between the County and RWQCB on June 5, 2025, to discuss the contents of Comment Letter A3. RWQCB staff clarified that Cannabis Priority Watersheds are identified on an annual basis, and are considered based on factors including the presence and density of higher order streams, 303(d)-listing status, designation as wild and scenic waters, and RWQCB-designated high-quality/high-priority streams. In addition, in consultation with CDFW, RWQCB considers the size and density of cultivation sites, threatened drinking water supplies, disadvantaged communities, overdrafted groundwater basins, habitat connectivity, observations of listed species, critical habitat for listed species, ecoregions weighted species biodiversity, alignment with habitat conservation clans, and proximity to other conserved lands. Finally, surface water diversions, though rare in these watersheds, are elevated priorities for both agencies. To address this comment, the text on page 2.11-13 has been modified to read as follows:

> SWRCB, in coordination with CDFW, has identified "Cannabis Priority Watersheds" throughout the state. All Cannabis Priority Watersheds contain a high concentration of commercial cannabis cultivation; noncompliant commercial cannabis cultivation in these high-value areas has the potential to cause severe environmental impacts. Pursuant to Business and Professions Code Section 26060(a)(1), if SWRCB or CDFW notifies the DCC in writing that commercial cannabis cultivation is causing significant adverse impacts on the environment in a watershed or other geographic area, DCC shall not issue new licenses or increase the total number of plant identifiers in that watershed or area while the moratorium is in effect. Cannabis Priority Watersheds are designated by the RWQCB on an annual basis in San Diego County.

The above text modifications do not affect the impact conclusions presented in the Draft PEIR. No further changes to the document are necessary.

Comment A3-4

3) General Comment: The definition of commercial indoor cannabis cultivation, and consequent requirements, may differ significantly among regulating entities. The SWRCB's Cannabis General Order and Cannabis Cultivation Policy define commercial indoor cannabis cultivation activities for applicants seeking coverage under the Cannabis General Order's Waiver of Waste Discharge Requirements as, cannabis cultivation that occurs within a structure with a permanent roof, a permanent relatively impermeable floor (e.g., concrete or asphalt paved), and either 1) discharges all industrial wastewaters generated to a permitted wastewater treatment collection system and facility that accepts cannabis cultivation wastewater; or 2) collects all industrial wastewater in an appropriate storage

container to be collected and properly disposed of by a permitted wastewater hauler at a permitted wastewater treatment facility that accepts cannabis cultivation wastewater. Further, indoor cannabis cultivation structures are exempt from certain requirements if the conditions of Term 38 of the Cannabis Cultivation Policy are met.

Response A3-4
Section 1.5.1.1, "Cultivation Operations," generally summarizes the types of equipment and activities that area associated with nursery, outdoor, mixed-light, and indoor cultivation structures. The County relies on definitions outlined in the SWRCB's Cannabis General Order and Cannabis Cultivation policy. To provide clarity, the following paragraph has been added as the second paragraph on page 1-6 of the PEIR:

> An indoor cultivation is defined as an operation that occurs within a structure with a permanent roof; a permanent, relatively impermeable floor (e.g., concrete or asphalt paved); and either (1) discharges all industrial wastewater generated to a permitted wastewater treatment collection system and facility that accepts cannabis cultivation wastewater or (2) collects all industrial wastewater in an appropriate storage container to be collected and properly disposed of by a permitted wastewater hauler at a permitted wastewater treatment facility that accepts cannabis cultivation wastewater. Further, indoor cannabis cultivation structures are exempt from certain requirements if the conditions of Term 38 of the Cannabis Cultivation Policy are met.

The above text modifications do not affect the impact conclusions presented in the Draft PEIR. No further changes to the document are necessary.

9.1.2.4 *LETTER A4 BONSALL UNIFIED SCHOOL DISTRICT*

Heather Golly, Superintendent
March 30, 2025

Comment A4-1
The Bonsall Unified School District (BUSD) respectfully submits the following public comments regarding the Socially Equitable Cannabis Program (SECP) and the accompanying Environmental Impact Report (EIR) currently open for public review. As educational leaders responsible for the safety, well-being, and development of the children in our community, we share significant concerns with those expressed by other local community groups, such as the Bonsall Community Sponsor Group and Fallbrook Community Sponsor Group, regarding various aspects of the SECP and its potential impacts on our schools, students, families, and the broader community.

Response A4-1
The commenter's introductory comments are noted. The reader is referred to the responses to Comments A4-2 through A4-10.

Comment A4-2
Support for Alternative 1: No Project Alternative

After careful review of the SECP and its alternatives, the Bonsall Unified School District strongly supports **Alternative 1: The No Project Alternative**.

Response A4-2
The commenter's preference for Alternative 1 has been noted and will be reviewed by the Board during future decision-making activities.

Comment A4-3
Student Safety and Educational Environment Concerns

1. Proximity of Cannabis Operations to Schools and Youth Facilities

The SECP proposes allowing cannabis operations in various zones within the county, including areas that may be in proximity to schools, school bus routes, parks, and other places where children gather. While we acknowledge that state law requires setbacks from schools, we believe these minimum distances are insufficient to protect our students from the potentially harmful effects of exposure to cannabis products, odors, and related activities.

We strongly recommend:

- Establishing more than 1,000-foot buffer between any cannabis-related business and schools, bus stops, parks, libraries, and other locations frequented by minors
- Implementing more stringent restrictions on outdoor cultivation that may impact school properties through odors or visual exposure
- Prioritizing student safety in any zoning decisions related to cannabis operations

Response A4-3
The commenter requests a 1,000-foot buffer between any cannabis-related business and schools, bus stops, parks, libraries, and other locations frequented by minors. Alternatives 3, 4, and 5 would implement the Cannabis Program with incorporation of Measures 1, 2, and 3 from the June 15, 2022, Board direction (Draft PEIR page 1-19). With inclusion of Measures 1 and 2, the definition of “sensitive uses” would be expanded beyond schools, daycares, and youth centers to also include regional parks, local parks, public trails, recreation facilities, preserves with visitor-serving amenities, places of worship, childcare centers, public libraries operated by the County or other cities, residential care facilities, and other cannabis facilities. The required sensitive use buffer would be expanded to 1,000 feet. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors,” and Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment A4-4
2. Impact on School Climate and Youth Prevention Programs

BUSD has invested significant resources in substance abuse prevention programs to educate our students about the dangers of drug use, including cannabis, especially for developing brains. The normalization of cannabis businesses in our community could undermine these educational efforts and send mixed messages to our youth.

Response A4-4
Concern related to normalization of cannabis businesses is noted. The reader is referred to Section 9.1.1.5, “Master Response: Legal Status of Cannabis,” on the current status of

cannabis and Section 9.1.1.7, “Master Response: Public Health Effects of Cannabis Use,” regarding health concerns.

Comment A4-5
Should **Alternative 1: The No Project Alternative** not be adopted, we support **Alternative 4** as the environmentally superior alternative that would minimize negative impacts on our educational community.

Response A4-5
The commenter’s support for Alternative 4, if Alternative 1 is not adopted, is noted and will be reviewed by the Board during future decision-making activities.

Comment A4-6
Environmental Concerns Affecting School Operations

1. Air Quality and Odor Problem

As noted in comments from other local community groups, cannabis cultivation operations, particularly outdoor grows, produce strong odors that can significantly impact surrounding areas. We are concerned about:

- The potential for cannabis odors to reach school campuses, which could disrupt the learning environment and trigger respiratory complications in sensitive students
- Reference to the Curtis v. Valley Crest Farms class-action lawsuit, which demonstrates the real impact of cannabis odors on community quality of life
- The inadequate mitigation measures for controlling odors, especially from outdoor cultivation sites

Response A4-6
The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors.” As discussed in this master response, odor impacts from outdoor cultivation are identified as significant and unavoidable impacts in the Draft PEIR. No specific issues pertaining to the contents of the Draft PEIR are presented in this comment; thus, no further response can be provided.

Comment A4-7
2. Water Usage and Environmental Impact

Our district properties rely on local water resources, and we share the concerns expressed by others regarding:

- The significant water usage required for cannabis cultivation in an already water-stressed region
- Potential groundwater impacts noted in the EIR as "significant and unavoidable" for Alternative 2
- The need for more sustainable agricultural practices that consider our region's limited resources

Response A4-7
As discussed in Section 2.11, “Hydrology and Water Quality,” in the Draft PEIR, development and operation of cannabis facilities under Alternatives 2 through 5 could require groundwater resources as a water supply. The use of groundwater resources could result in reduced groundwater storage, groundwater overdraft conditions, and well interference. These types of impacts are possible throughout the unincorporated area where there is excessive groundwater use by a single user or due to the unique physical geologic properties affecting the groundwater storage for a particular site (e.g., fractured-rock aquifer conditions). Mitigation Measure M-HYD.2-2 would require applicants to provide a groundwater study or memorandum for review and approval by the County that would address groundwater overdraft, low well yield, and well interference. As appropriate, recommendations to reduce potential adverse effects on groundwater would be implemented by the applicant to reduce impacts. However, it cannot be stated with certainty that a groundwater analysis could establish or provide sufficient project modifications to eliminate the potential for groundwater overdraft, low well yield, and well interference. Therefore, any use of groundwater resources in the unincorporated area could contribute to depletion of groundwater supplies where supplies are already limited or yields of groundwater are low. Consequently, program and cumulative impacts would be significant and unavoidable under Alternatives 2 through 5.

No specific issues pertaining to the contents of the Draft PEIR are presented in this comment; thus, no further response can be provided.

Comment A4-8
Public Safety Concerns for Student Transportation and Activities

1. Traffic Safety and Impaired Driving

BUSD transports hundreds of students daily on rural roads throughout our district. The potential increase in cannabis-related traffic and the risk of impaired driving presents serious safety concerns:

- Rural roads in our district are often narrow, winding, and lack adequate lighting, making them particularly dangerous for impaired drivers
- The SECP does not adequately address the potential increase in impaired driving and its impact on student transportation routes
- Temporary cannabis events could generate significant traffic and create hazards for school buses and student drivers

Response A4-8
The commenter expresses concerns about illegal activities resulting from allowing cannabis licenses, including driving while under the influence. This concern is noted for the record. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” which addresses code enforcement and crime. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.

Comment A4-9

2. Law Enforcement and Emergency Services

Our schools rely on timely response from local law enforcement and emergency services. We are concerned that:

- The proposed addition of only two code compliance officers is wholly inadequate for monitoring and enforcing regulations across the entire unincorporated area
- Increased demands on law enforcement could reduce response times to school safety incidents
- Emergency services may be strained by increased calls related to cannabis businesses and consumption lounges

Response A4-9

As discussed in Section 2.15, "Public Services," in the Draft PEIR, CCR, Title 4, Sections 15036, 15042, and 15601 require security measures of the facility and reporting procedures in the case of theft, loss, or criminal activities. In addition, the proposed amendments to the County Regulatory Code contain requirements for a detailed security plan (Section 21.2510(a)(3)) and preparation of a Neighborhood Compatibility Plan (Section 21.210(a)(5)). Compliance with these requirements would ensure that on-site security measures are provided and site access is sufficient. Given these provisions, no substantial demands on local law enforcement would be expected such that construction of new facilities (e.g., sheriff stations) would be necessary from implementation of the Cannabis Program. Compliance with existing regulations and General Plan policies would ensure that the Cannabis Program would not result in adverse physical impacts associated with the provision of new or physically altered fire protection and emergency services or result in the need for new or physically altered police protection services.

The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," which addresses code enforcement and crime.

The commenter does not provide evidence to suggest that law enforcement or emergency services could be impaired such that an environmental impact occurs. No further response can be provided.

Comment A4-10

Conclusion and Recommendation

The Bonsall Unified School District's primary responsibility is to ensure a safe, healthy learning environment for all students. Based on our review of the SECP and EIR, we believe the program as currently proposed poses significant risks to our educational mission and the well-being of our students.

We therefore strongly recommend that the County adopt **Alternative 1: The No Project Alternative**. Should the Board of Supervisors proceed with implementing a cannabis program, we strongly urge the adoption of **Alternative 4** with additional modifications and mitigation measures to better protect students, schools, and youth facilities, including:

1. Increased setbacks to more than 1,000 feet from all schools, bus stops, and youth facilities

2. Prohibition of outdoor cultivation to minimize odor and visual impacts

3. Stricter regulations on cannabis business hours, particularly for retail and consumption lounges

4. Enhanced enforcement resources specifically allocated to ensuring compliance near educational facilities

5. Additional traffic safety measures on school transportation routes

Response A4-10
The commenter's concerns for school and youth safety and alternative preferences are noted. While the commenter recommends additional modification and mitigation measures to better protect students, schools, and youth facilities, no specific mechanisms have been suggested. Alternative 4 would include a 1,000-foot buffer from sensitive uses, defined as schools, daycares, and youth centers to also include regional parks, local parks, public trails, recreation facilities, preserves with visitor-serving amenities, places of worship, childcare centers, public libraries operated by the County or other cities, residential care facilities, and other cannabis facilities (Draft PEIR page 1-20). Thus, no further response can be provided.

Comment A4-11
We appreciate the opportunity to provide input on this important issue and look forward to the County's careful consideration of these concerns in the final SECP and EIR.

Response A4-11
The comments provided in this letter have been reviewed and will be considered during deliberation of the proposed Cannabis Program's merits.

9.1.2.5 *LETTER A5 FALLBROOK UNION HIGH SCHOOL DISTRICT*

Ilsa Garza-Gonzalez, Superintendent
March 31, 2025

Comment A5-1
As Superintendent of Fallbrook Union High School District, I write to express my position regarding the Socially Equitable Cannabis Program Draft Environmental Impact Report (EIR). While I have significant reservations about the broader implementation of this program due to concerns over youth exposure, educational impacts, and community safety, I recognize the need to engage constructively in the public process to support the most responsible path forward.

Given the options outlined in the Draft EIR, I urge the County to adopt **Option 1 (No Project – Retention of Current Cannabis Regulations)** as the **first choice**. Maintaining the existing regulatory framework ensures that cannabis-related businesses do not proliferate in ways that might undermine the well-being of our students and families. The current regulations provide necessary safeguards that limit accessibility and exposure while allowing for measured oversight of existing businesses. Keeping these controls in place aligns with our district's commitment to fostering a safe and healthy learning environment for all students.

Response A5-1
The commenter's preference for Alternative 1 has been noted and will be reviewed by the Board during future decision-making activities.

Comment A5-2
If the County is determined to proceed with changes to the current cannabis regulatory framework, I strongly advocate for **Option 4 (Cannabis Program with Outdoor Cultivation Prohibition)** as the **second choice**. Prohibiting outdoor cultivation is critical to mitigating risks associated with unauthorized access, odor emissions, and potential impacts on surrounding residential communities and schools. Indoor cultivation offers a more controlled environment that minimizes unintended exposure and aligns with public health and safety priorities.

Response A5-2
The commenter's preference for Alternative 4, in the case that Alternative 1 is not approved, has been noted and will be reviewed by the Board during future decision-making activities.

Comment A5-3
I appreciate the opportunity to provide input on this matter and urge decision-makers to prioritize the well-being of our youth and school communities. Thank you for your consideration, and I look forward to continued dialogue on this important issue.

Response A5-3
The commenter's concerns for the well-being of youth and school communities is noted and will be reviewed by the Board during future decision-making activities.

9.1.2.6 *LETTER A6 CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE*

Andrew Valand, Environmental Scientist
April 1, 2025

Appendix E contains the attachments to this comment letter.

Comment A6-1
The California Department of Fish and Wildlife (CDFW) received a Draft Program Environmental Impact Report (DPEIR) for the Socially Equitable Cannabis Program (SECP or Project) with the County of San Diego (County) as lead agency pursuant to the California Environmental Quality Act (CEQA) (CEQA Guidelines, §§15367, 15051). CDFW supports the regulated cannabis market and seeks to maximize conservation efforts through collaboration with partner agencies. We recognize the challenges in regulating a growing industry in cannabis and appreciate the ongoing working partnership with the County to prepare an environment document and regulatory structure that can most effectively protect and conserve California's natural resources while providing opportunities for growth in local communities.

Response A6-1
These introductory remarks are acknowledged for the record.

Comment A6-2
CDFW CEQA ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. [a] & 1802;

Pub. Resources Code, § 21070; CEQA Guidelines, § 15386, subd. [a]). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). For purposes of CEQA, CDFW is directed to provide available biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State of California (State) fish and wildlife resources. CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, §15381, 15096). CDFW expects that it may need to exercise regulatory authority as provided by the FGC, including lake and streambed alteration (LSA) regulatory authority (Fish & G. Code, § 1600 et seq.). To the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), adopted Natural Community Conservation Plan (Fish & G. Code, § 2800 et seq.) or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), CDFW recommends the Project obtain appropriate authorization under FGC (Fish & G. Code, §§ 2080.1, 2081, 2835).CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program (Fish and Game Code 2800 et seq.). The County participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) South County Subarea Plan (SAP) and Implementing Agreement (IA) under the Subregional Multiple Species Conservation Program (MSCP) and the Fully Signed Third Restated and Amended CDFW and the United States Fish and Wildlife Service (USFWS) for the draft North and East County MSCP Plans (North County Plan, East County Plan) (Planning Agreement; March 2021).

CDFW anticipates using the Final Program Environmental Impact Report (FPEIR) to facilitate implementation of LSA and CESA review for the State's cannabis permitting program. To minimize the need for additional CEQA review when issuing LSA Agreements or Incidental Take Permits (ITPs) under CESA, CDFW recommends the FPEIR fully identify the potential impacts to sensitive plant and animal species, lakes, rivers and streams and wildlife connectivity and provide corresponding avoidance, mitigation, monitoring, and reporting commitments to reduce potential impacts to less than significant for County approvals at the site level and to support CDFW actions for cannabis projects including issuance of Agreements or CESA authorizations (CEQA Guidelines, § 15096, 15381, and 15063).

Response A6-2
This comment describes CDFW's role as a CEQA responsible agency. These introductory remarks are acknowledged for the record.

Comment A6-3
PROJECT DESCRIPTION SUMMARY

Proponent: The County of San Diego Planning & Development Services Department

Objective: The DPEIR evaluates the environmental impacts associated with the implementation of the Socially Equitable Cannabis Program (SECP); specifically, it analyzes the Regulatory Code and Zoning Ordinance amendments that would allow for adult-use commercial cannabis uses within the unincorporated San Diego County (County). Adoption of the proposed Cannabis Program will require amendments to the Regulatory Code and Zoning Ordinance to establish licensing and operational regulations for a range of cannabis cultivation

and noncultivation uses authorized under State law. The amendments to the Zoning Ordinance that are needed to implement Board direction are considered a "Project" under CEQA and must comply with CEQA regulations. The County is considering 5 alternative variations of the Cannabis Program (DEIR Section 1.6.1.6 and Table 1.4), all of which rely on regulatory requirements that would address cannabis activities through land use, zoning, development standards, and licensing. The alternatives vary based on allowed cannabis license types, allowed locations based on zoning, controls on locations, and required buffers from identified sensitive uses.

Outdoor cannabis cultivation is proposed to be only allowed in areas zoned as Agriculture (A). Indoor cannabis cultivation and microbusinesses would be allowed in Commercial (C) zoning. Indoor cultivation, microbusiness, processing, packaging, distribution, and retail would be allowed in areas zoned as Manufacturing and Industrial (M). It is CDFW's understanding from the DPEIR and collaboration with the County that microbusiness do not include situations where a warehouse has an outdoor component (e.g., hoop houses) (Section 1.5.1.7).

Proposed Project

Section 1.6.1.6 Cannabis Program Alternatives identifies Alternative 2, Cannabis Program Consistent with State Requirements, as the Proposed Project. Under Alternative 2, outdoor cultivation will be permitted in Agricultural zones (A70 and A72) through a ministerial permit for crop canopies under 5,000 square feet or an administrative (discretionary) permit for crop canopies over 5,000 square feet. Indoor cultivations and microbusinesses can be permitted in Commercial zones (C35, C36, C37, C38, and C40) and Manufacturing and Industrial zone (M52, M54, M56, and M58). Five existing indoor cannabis cultivations with a maximum 10,000 square feet crop canopy will be grandfathered. Alternative 2 would maintain a 600-feet buffer from areas with State-defined sensitive uses.

Location: Unincorporated areas of San Diego County

Response A6-3
This comment summarizes the program description and location. These introductory remarks are acknowledged for the record.

Comment A6-4
Biological Setting:

The County is a regional biodiversity hotspot that is able to provide habitat to support breeding, migration, and good conditions for a high density of sensitive species; over 200 wildlife species occur in the greater San Diego area, many of which are considered sensitive under CEQA (CEQA Guidelines, § 15380). Twenty-six sensitive natural communities are recorded on the California Natural Diversity Database (CNDDB) as occurring in the County. The Project area contains approximately 56,130 acres of grasslands, vernal pools, meadows, and other herb communities. It also contains roughly 48,503 acres of woodland habitat and 20,443 acres of riparian and bottomland habitat (DEIR Section 2.5.1.1). The SECP area also includes major streams and associated tributaries such as the San Luis Rey River, the San Diego River, and the Santa Margarita River. Agriculture is a prominent land use in the County and is largely concentrated in the northern half of the County, particularly along the San Luis Rey River, and in the communities of Fallbrook, Bonsall, and Del Luz; it also occurs in other areas including Valley Center, San Pasqual Valley, Ramona, Julian, Warner Springs, Alpine, Jamul and

Dulzura. Many sensitive fish, plant, and wildlife species are associated with these agricultural areas. These biological conditions in San Diego County, along with economic development, have driven several cooperative long-term habitat conservation efforts, including the County's adopted MSCP a subregional plan which guides development and conservation within the plan area. The County is also actively developing the draft Plan in collaboration with CDFW and USFWS. The draft East County Plan is scoped to reinitiate active planning in 2027. In addition, the County is also in development of the Butterflies Habitat Conservation Plan and have established a draft plan area that spans the majority of unincorporated San Diego County; the plan area for this HCP has not yet been finalized. San Diego County contains several large areas of relatively undisturbed wildlife habitat, including Cleveland National Forest, Anza-Borrego Desert State Park, land managed by the Bureau of Land Management (e.g., Carrizo Gorge Wilderness, Sawtooth Mountains Wilderness, Hauser Mountain Wilderness Study Area, Otay Mountain Wilderness), and land managed by CDFW (e.g., Hollenbeck Canyon Wildlife Area, Sycuan Peak Ecological Reserve, Crestridge Ecological Reserve, Canada de San Vicente Ecological Reserve, San Felipe Valley Wildlife Area). These State and federal lands contribute significantly to these existing and future NCCP plan areas and are often located adjacent to agriculture communities supporting connectivity and wildlife movement.

Response A6-4
This comment summarizes the biological setting for the proposed Cannabis Program, including an excerpt from the Draft PEIR. These introductory remarks are acknowledged for the record.

Comment A6-5
There are many CESA-listed, Fully Protected, and federal Endangered Species Act (ESA)-listed species within the Project area. These include but are not limited to: southwestern willow flycatcher (*Empidonax traillii extimus*); ESA-listed and CESA-listed least Bell's vireo (*Vireo bellii pusillus*); ESA-listed and CESA-listed Stephens' kangaroo rat (*Dipodomys stephensi*); ESA-listed and CESA-candidate southern California steelhead (*Oncorhynchus mykiss irideus*); CESA-listed tricolored blackbird (*Agelaius tricolor*); CESA-listed California jewelflower (*Caulanthus californicus*); CESA-candidate mountain lion (*Puma concolor*); California Fully Protected golden eagle (*Aquila chrysaetos*); CESA-candidate Crotch's bumble bee (*Bombus crotchii*); ESA-listed quino checkerspot butterfly; (*Euphydryas Editha quino*), ESA-listed Hermes copper butterfly (*Lycaena hermes*); ESA-listed Braunton's milk-vetch (*Astragalus brauntonii*); ESA-listed and California Species of Special Concern (SSC) arroyo toad (*Anaxyrus californicus*); ESA-listed and SSC California red-legged frog (*Rana draytonii*); ESA-listed and SSC coastal California gnatcatcher (*Polioptila californica californica*); CESA-candidate burrowing owl (*Athene cunicularia*); SSC western pond turtle (*Emys marmorata pallida*); SSC yellow-breasted chat (*Icteria virens*); SSC San Diego desert woodrat (*Neotoma lepida intermedia*); SSC coast horned lizard (*Phrynosoma blainvillii*); SSC western spadefoot (*Spea hammondii*); and, SSC southern California legless lizard (*Anniella stebbinsi*).

Response A6-5
This comment summarizes the listed and fully protected species that may occur in the program area. The comment does not indicate any deficiencies in the Draft PEIR regarding inclusion of listed and fully protected species. These introductory remarks are acknowledged for the record.

Comment A6-6
Project History: The San Diego County Board of Supervisors (Board) initiated the SECP in October 2021 by adopting ordinance amendments to allow the five existing cannabis

dispensaries that were in operation in unincorporated areas prior to the County's 2017 prohibition on new medical facilities. On January 27, 2021, the Board provided direction on the allowable cannabis zones, use types and activities with setbacks from State-defined "sensitive uses". On June 15, 2022, the Board provided further direction on an alternative for inclusion in the Project that expands the definition of "sensitive uses," increases setback to 1,000 feet for sensitive uses, and prohibits cannabis billboards within 1,000 feet of sensitive uses.

The Notice of Preparation (NOP) for the DPEIR was received September 15, 2023, and CDFW submitted comments on October 31, 2023. The NOP identified two scoping meetings to solicit input on the Project and scope of analysis to be included in the DPEIR (CCR §§ 15082[a], 15103, 15375). CDFW attended a NOP scoping meeting on October 17, 2023. On March 3, 2025, the County provided a meeting with CDFW to introduce the DPEIR.

Response A6-6
This comment summarizes history of the Cannabis Program, including the SECP, the notice of preparation for the Draft PEIR, and meetings with CDFW. These introductory remarks are acknowledged for the record.

Comment A6-7
CDFW appreciates the County incorporating many of our NOP comments into the DPEIR including analyzing and addressing impacts to non-covered species, identifying steps for resource agency review of individual projects, and an alternative that expands the definition of sensitive uses to include preserve areas and other biologically sensitive lands.

Response A6-7
These introductory remarks are acknowledged for the record.

Comment A6-8
COMMENTS AND RECOMMENDATIONS

The DPEIR received provides the first-tier analysis for the cannabis ordinance provisions and identifies regulations, rules, and other criteria to for program implementation at the individual level. The DPEIR indicates that "[w]hile the program area is defined, the potential future locations, footprint, and design details of site-specific cultivation and noncultivation activities would be identified during project-specific CEQA analysis…this analysis assumes that development (e.g., buildings, infrastructure, drainage improvements, utilities, cultivation activities) and operation associated with these activities could occur anywhere within the program area (except for aquatic habitats where development would not be possible)." (Program Draft EIR Page 2.5-24).

Moreover, the DPEIR acknowledges that similar environmental impacts can be analyzed and mitigated in similar ways and structures mitigation accordingly in 8.1.2. The cornerstone of programmatic measure 8.1.2 is use of a written checklist/tool to evaluate whether the environmental effects of individual cannabis operations will be within the scope of the PEIR and identifying the steps to determine whether an additional environmental document must be prepared for later activities (CEQA Guidelines, § 15168).

CDFW offers the comments and recommendations below on the DPEIR, including proposed text amendments to the zoning ordinance(s), to assist the County in further developing the SECP and to adequately identify, avoid, and/or mitigate the Project's significant, or potentially

significant, direct, indirect, and cumulative impacts on fish and wildlife (biological) resources, and to ensure regional conservation objectives in the County's adopted and draft NCCPs would not be eliminated by implementation of the Project. Our current comments focus on the regional analyses in the DPEIR and are intended to improve its use for later individual review. DPEIR comments include: 1) the addition of species to be considered; 2) and clarification of points of collaboration; and 3) mitigation tools available in the review process for later projects. CDFW recommends the FPEIR provide adequate and complete disclosure of the Project's potential impacts fish wildlife resources (biological resources) including the effects documented by CDFW [Pub. Resources Code, § 21061; CEQA Guidelines, §§ 15003, subd. (i), & 15151, 15063].

Response A6-8
This comment introduced CDFW's comments and recommendations, which are provided in subsequent comments in full. These introductory remarks are acknowledged for the record.

Comment A6-9
COMMENT #1: Consistency with NCCPs

Issue: The proposed Project presented in the DPEIR is not fully consistent with habitat conservation plans and NCCPs, specifically the adopted MSCP SAP (CEQA Guidelines, § 15125(d)) and does not provide sufficient information to ensure the conservation goals and objectives of the draft North and East County plans would not be precluded by implementation of the Project.

Specific impact: The DPEIR mitigation measures for project-level compliance with the MSCP SAP may not meet coverage standards for all Covered Species and their habitats. Provisions of the DPEIR may be noncompliant with the County's NCCP Permit and IA, and also proposes activities that may require a major amendment to the MSCP SAP. In addition, proposed activities described in the DPEIR may not be in compliance with the North and East County Plan Planning Agreement.

Why impact would occur: The DPEIR proposes to avoid all federally listed species. Measures laid out in Section 8.1.2 Biological Resources of the DPEIR may not provide adequate protection for covered species and proposed covered species in San Diego County. The measures identify potential mitigation not currently available in the MSCP SAP and presents County approval processes that may not be compliant with the MSCP SAP NCCP permit and IA, as well as the North and East County Plan Planning Agreement. Furthermore, as proposed, cannabis activities may not qualify as a Covered Activity under the MSCP SAP.

Response A6-9
This comment introduced CDFW's comments regarding consistency of the Draft PEIR with the MSCP, and specific issues are addressed in subsequent comments in full. These introductory remarks are acknowledged for the record and will be reviewed by decision makers for consideration, and specific comments are addressed below. Mitigation Measure M-BI.1-2 requires all applicants to participate in the MSCP, where applicable, including implementation of mitigation measures for covered species as outlined in the MSCP. Therefore, mitigation would be consistent with the mitigation measures in the MSCP.

Comment A6-10
Environmental Review

Mitigation Measure M-BI.1-1 indicates that "[a] reconnaissance-level survey for biological resources shall be conducted on the parcel of the cannabis use by a qualified biologist (i.e., familiar with wildlife, plants, and habitats in San Diego County) and approved by the County (i.e., on the County approved CEQA consultant list) prior to any staging or development activities." Based on the review of the DPEIR mitigation measures, including those in 8.1.2 Biological Resources Bullets 2 and 3, it is unclear when CDFW will be included in the project-level environmental review. CDFW is concerned that the process identified in the DPEIR for environmental review places the most responsibility to the County biologist without significant collaboration with CDFW until too late in the process to provide meaningful feedback, especially where project may occur in areas with significant biological resources.

Response A6-10
The Draft PEIR mitigation measures related to biological resources include requirements to consult with and seek input from CDFW for many different purposes, including to report the results of resource-specific surveys (e.g., protocol-level surveys for special-status plants, surveys for special-status wildlife where wildlife species under the jurisdiction of CDFW [listed species, fully protected species, species of special concern] are detected), to provide concurrence regarding the size of protective buffers for special-status plants or buffer adjustments for special-status wildlife, to review mitigation plans for impacts on special-status plants, as well as to report streambed alteration notification according to Section 1600 et seq. of the Fish and Game Code.

Details regarding the application review process have not been finalized and will depend on multiple factors. These details will be finalized at a later date, and the County of San Diego will coordinate with CDFW to establish CDFW's role in this review process. This issue is unrelated to the adequacy of the Draft PEIR and to the significance of impacts on biological resources, and further response is not warranted.

Comment A6-11
Agricultural Exemptions

Mitigation Measure M-BI.1-1 states that "the qualified biologist shall determine whether the project constitutes an agricultural activity (i.e. cultivation) that would be exempt under the San Diego MSCP". The DPEIR further states, "outdoor cultivation activities would be considered agricultural activities that would be exempt from regulations under the [Biological Mitigation Ordinance], as described in Section 86.503." The agricultural exemptions allowed under the SC MCSP include traditional agricultural operations (e.g., orchards, row crops) of up to 2 acres within Preapproved Mitigation Areas and up to 5 acres outside of Preapproved Mitigation Areas to be exemption from mitigation requirements. Proposed cannabis operations under the Proposed Project, and all other Alternatives, have a maximum size of 5,000 square feet (~0.12 acres) of cultivation area for outdoor grows and 10,000 square feet (~0.23 acres) for indoor cultivation and microbusinesses. While those limitations would keep cannabis cultivation operations relatively small, it presents a greater likelihood that they could be deemed exempt from mitigation requirements. Additional analysis at the site level when specific locations for cultivation are known would be needed for cannabis to be considered a Covered Activity or for it to qualify for the agricultural exemption in MSCP SAP.

Response A6-11
As described in the Draft PEIR, as a condition for exemption under the MSCP, as described in Section 86.503 of the Biological Mitigation Ordinance (BMO), outdoor cultivation activities would be prohibited in areas designated as Preapproved Mitigation Areas (PAMAs) under the MSCP. Furthermore, the comment mentions indoor cultivation and microbusinesses, which would not qualify for exemptions under the MSCP; only outdoor cultivation activities have the potential to be exempt under the MSCP.

The draft Zoning Ordinance amendments recognize cannabis cultivation as an agricultural activity, and the definition of "agriculture" in the MSCP is broad enough to incorporate cannabis cultivation. The BMO (Section 86.503) states that an exemption would apply to "agriculturally related clearing" and does not specify that this exemption is limited to "traditional agricultural operations (e.g., orchards, row crops)" as stated in this comment. According to definitions in the Section 87.803 of the San Diego County Code of Regulatory Ordinances, "agricultural operations" or "agricultural production" is "routine and ongoing commercial operations associated with a farm, grove, dairy, or other agricultural business…" that includes "the cultivation and tillage of the soil; crop rotation; fallowing for agricultural purposes; the production, cultivation, growing, replanting and harvesting of any agricultural commodity including viticulture, vermiculture, apiculture, or horticulture." "Clearing" is defined as "the removal or destruction of natural vegetation by any means, including brushing and grubbing."

Furthermore, projects using this PEIR for CEQA coverage that are deemed exempt from the MSCP are not exempt from mitigation requirements. As stated throughout the biological resources impact discussion in the Draft PEIR, for projects exempt from participation in the MSCP, potential impacts on species covered under the MSCP shall be addressed outside of the mitigation structure of the MSCP and through implementation of the measures outlined in the PEIR. This requirement was included in the Draft PEIR to ensure that impacts on biological resources would be reduced to a less-than-significant level under CEQA when mitigation through the MSCP could not be relied upon.

Comment A6-12
Approved Land Uses and Assumed Conservation of the MSCP SAP

Avoidance, minimization, and mitigation measures and preserve management standards were established in the MSCP SAP based on the land uses and conditions at the time of permit issuance. The Project activities as proposed in the DPEIR were not contemplated in the development of the MSCP SAP and thus the measures therein may be inadequate to offset the impacts that can occur to sensitive species and their supportive habitats. Additional analysis at the site level when specific locations for cultivation are known would be needed for cannabis to be considered a Covered Activity in MSCP SAP.

Response A6-12
This comment recommends additional analysis at the project level to determine whether each project is a covered activity under the MSCP. Mitigation Measure M-BI.1-2 requires every applicant to participate in the MSCP, and the measure has been revised to state that County staff will review each project application to determine whether the project is in conformance with the MSCP and if not, what is necessary (e.g., revisions, mitigation) for conformance with the MSCP Plan.

Comment A6-13
In-lieu Fees

Mitigation Measure M-BI.1-2 states that "[i]f species covered under the San Diego MSCP that are not listed under CESA or ESA or are only listed under CESA could occur within the proposed activity footprint of the cannabis use, payment of HCP/NCCP mitigation fees, dependent on the habitat on the project site that will be converted, and implementation of applicable MSCP and Biological Mitigation Ordinance (BMO) habitat based and species-based mitigation measures are required." Based on the analysis provided in the DPEIR, it is unclear how the payment of fees would be sufficient to offset impacts resulting from the Project. Furthermore, the adopted MSCP SAP does not currently provide an in-lieu fee option for mitigation, and CDFW does not typically accept in-lieu fees as a substitute for mitigation for sensitive and listed species or impacts to lake, rivers, or streams.

Response A6-13
References of "payment" of fees have been replaced with "purchase of mitigation credits" to clarify the mitigation process under the MSCP in the description of BMO requirements in the impact discussion on pages 2.5-30, 2.5-31, 2.5-32, 2.5-33, 2.5-35, 2.5-36, and 2.5-37, as well as in M-BI.1-2 on page 2.5-67 and the "Cumulative Impacts" discussion regarding habitat conservation plants on page 2.5.-64 of the Draft PEIR.

Text as presented in the Draft PEIR in the fifth paragraph on page 2.5-30:

> Requirements under the BMO, including habitat-based mitigation and payment of fees, would reduce impacts on special-status plants covered under the MSCP. Applicants would be required to participate in the plan, implement habitat-based measures, and pay associated fees for activities that are not exempt under the MSCP (i.e., indoor cultivation, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption).

Text as modified in the Final PEIR:

> Requirements under the BMO, including habitat-based mitigation and purchase of mitigation credits, would reduce impacts on special-status plants covered under the MSCP. Applicants would be required to participate in the plan, implement habitat-based measures, and purchase mitigation credits for activities that are not exempt under the MSCP (i.e., indoor cultivation, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption).

Text as presented in the Draft PEIR in the last paragraph on page 2.5-31:

> Requirements under the BMO, including species-specific mitigation and payment of fees, would reduce impacts on amphibians covered under the MSCP. While both MSCP-covered amphibian species (arroyo toad and California red-legged frog) are federally listed and applicants would not be able to obtain take coverage for these species under the MSCP due to the federal legal status of cannabis activities, applicants would still be required to participate in the plan and pay associated fees for activities that are not exempt under the MSCP (i.e., indoor cultivation activities, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption).

Text as modified in the Final PEIR:

> Requirements under the BMO, including species-specific mitigation and/or purchase of mitigation credits, would reduce impacts on amphibians covered under the MSCP. While both MSCP-covered amphibian species (arroyo toad and California red-legged frog) are federally listed and applicants would not be able to obtain take coverage for these species under the MSCP due to the federal legal status of cannabis activities, applicants would still be required to participate in the plan and/or purchase associated mitigation credits for activities that are not exempt under the South County Subarea Plan MSCP (i.e., indoor cultivation activities, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption).

Text as presented in the Draft PEIR in the last paragraph on page 2.5-32:

> Requirements under the BMO, including species-specific mitigation and payment of fees, would reduce impacts on western pond turtle. Western pond turtle is currently proposed for listing under ESA, and if the species is listed, applicants would not be able to obtain take coverage for this species under the MSCP due to the federal legal status of cannabis activities. However, applicants would still be required to participate in the plan and/or purchase associated mitigation credits for activities that are not exempt under the South County Subarea Plan MSCP (i.e., indoor cultivation activities, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption).

Text as modified in the Final PEIR:

> Requirements under the BMO, including species-specific mitigation and/or purchase of mitigation credits, would reduce impacts on western pond turtle. Western pond turtle is currently proposed for listing under ESA, and if the species is listed, applicants would not be able to obtain take coverage for this species under the MSCP due to the federal legal status of cannabis activities. However, applicants would still be required to participate in the plan and/or purchase associated mitigation credits for activities that are not exempt under the South County Subarea Plan MSCP (i.e., indoor cultivation activities, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption).

Text as presented in the Draft PEIR in the last paragraph on page 2.5-33:

> Requirements under the BMO, including habitat-based mitigation and payment of fees, would reduce impacts on bird species covered under the MSCP. While several MSCP-covered bird species are federally listed (California least tern, coastal California gnatcatcher, least Bell's vireo, light-footed Ridgway's rail, southwestern willow flycatcher, western snowy plover, western yellow-billed cuckoo) and while applicants would not be able to obtain take coverage for these species under the MSCP due to the federal legal status of cannabis activities, applicants would still be required to participate in the plan and pay associated fees for activities that are not exempt under the MSCP (i.e., indoor cultivation activities, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption).

Text as modified in the Final PEIR:

> Requirements under the BMO, including habitat-based mitigation and purchase of mitigation credits, would reduce impacts on bird species covered under the MSCP. While several MSCP-covered bird species are federally listed (California least tern, coastal California gnatcatcher, least Bell's vireo, light-footed Ridgway's rail, southwestern willow flycatcher, western snowy plover, western yellow-billed cuckoo) and while applicants would not be able to obtain take coverage for these species under the MSCP due to the federal legal status of cannabis activities, applicants would still be required to participate in the plan and purchase mitigation credits for activities that are not exempt under the MSCP (i.e., indoor cultivation activities, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption).

Text as presented in the Draft PEIR in the first paragraph on page 2.5-35:

> Requirements under the BMO, including habitat-based mitigation and payment of fees, would reduce impacts on the butterfly species covered under the MSCP (Thorne's hairstreak and wandering skipper) for activities that are not exempt under the MSCP (i.e., indoor cultivation activities, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption). However, several other butterfly species and Crotch's bumble bee are not covered under the MSCP, and some outdoor cultivation activities would be exempt from the requirements of the MSCP. As a result, cultivation and noncultivation activities associated with the program could result in direct mortality of special-status insects, removal of host plants for special-status butterflies, destruction of underground Crotch's bumble bee nests, or removal of habitat for these species, if present on an individual project site, through vegetation removal or ground disturbance. In addition, the use of plastic for cultivation activities (e.g., polyethylene plastic for agricultural shade or crop structures) may result in indirect effects on wildlife (e.g., through entrapment, entanglement, or ingestion) if these materials are introduced into the environment.

Text as modified in the Final PEIR:

> Requirements under the BMO, including habitat-based mitigation and purchase of mitigation credits, would reduce impacts on the butterfly species covered under the MSCP (Thorne's hairstreak and wandering skipper) for activities that are not exempt under the MSCP (i.e., indoor cultivation activities, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption). However, several other butterfly species and Crotch's bumble bee are not covered under the MSCP, and some outdoor cultivation activities would be exempt from the requirements of the MSCP. As a result, cultivation and noncultivation activities associated with the program could result in direct mortality of special-status insects, removal of host plants for special-status butterflies, destruction of underground Crotch's bumble bee nests, or removal of habitat for these species, if present on an individual project site, through vegetation removal or ground disturbance. In addition, the use of plastic for cultivation activities (e.g., polyethylene plastic for agricultural shade or crop structures) may result in indirect effects on wildlife (e.g., through entrapment, entanglement, or ingestion) if these materials are introduced into the environment.

Text as presented in the Draft PEIR on page 2.5-36:

> Requirements under the BMO, including habitat-based mitigation and payment of fees, would reduce impacts on the Pacific pocket mouse for activities that are not exempt under the MSCP (i.e., indoor cultivation, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption). However, most of the special-status rodents that may occur in the program area are not covered under the MSCP, and some outdoor cultivation activities would be exempt from the requirements of the MSCP. As a result, cultivation and noncultivation activities associated with the program could result in direct mortality of special-status rodents, destruction of occupied underground burrows, destruction of above-ground nests (i.e., San Diego desert woodrat, San Diego black-tailed jackrabbit), or removal of habitat for these species, if present on an individual project site, through vegetation removal or ground disturbance. In addition, the use of plastic for cultivation activities (e.g., polyethylene plastic for agricultural shade or crop structures) may result in indirect effects on wildlife (e.g., through entrapment, entanglement, or ingestion) if these materials are introduced into the environment.

Text as modified in the Final PEIR:

> Requirements under the BMO, including habitat-based mitigation and purchase of mitigation credits, would reduce impacts on the Pacific pocket mouse for activities that are not exempt under the MSCP (i.e., indoor cultivation, noncultivation activities, outdoor cultivation that does not meet the requirements in the BMO to qualify for exemption). However, most of the special-status rodents that may occur in the program area are not covered under the MSCP, and some outdoor cultivation activities would be exempt from the requirements of the MSCP. As a result, cultivation and noncultivation activities associated with the program could result in direct mortality of special-status rodents, destruction of occupied underground burrows, destruction of above-ground nests (i.e., San Diego desert woodrat, San Diego black-tailed jackrabbit), or removal of habitat for these species, if present on an individual project site, through vegetation removal or ground disturbance. In addition, the use of plastic for cultivation activities (e.g., polyethylene plastic for agricultural shade or crop structures) may result in indirect effects on wildlife (e.g., through entrapment, entanglement, or ingestion) if these materials are introduced into the environment.

Text as presented in the Draft PEIR in the third paragraph on page 2.5-37:

> Requirements under the BMO, including habitat-based mitigation and payment of fees, would reduce impacts on American badger and mountain lion, which are covered under the MSCP. However, southern California ringtail is not covered under the MSCP, and some outdoor cultivation activities would be exempt from the requirements of the MSCP.

Text as modified in the Final PEIR:

> Requirements under the BMO, including habitat-based mitigation and purchase of mitigation credits, would reduce impacts on American badger and mountain lion, which are covered under the MSCP. However, southern California ringtail is not covered under

the MSCP, and some outdoor cultivation activities would be exempt from the requirements of the MSCP.

Text as presented in the Draft PEIR on page 2.5-64:

Issue 6: Conflict with Adopted Habitat Conservation Plans and Natural Community Conservation Plans

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

Under Alternative 1, could be expansion of existing sites; however, these sites are already developed and disturbed. Therefore, there would be no contribution to cumulative impacts related to conflicts with the MSCP. Cultivation and noncultivation activities associated with Alternatives 2 through 5 would be required to participate in the MSCP, including payment of associated fees and implementation of species-based and habitat-based mitigation, which would offset the project's contribution to this significant cumulative impact, and no conflict with the MSCP would occur; therefore, this impact would be less than significant. Thus, the contribution of cultivation and noncultivation activities associated with the program to significant cumulative impacts from conflicts with adopted HCPs or NCCPs would be less than cumulatively considerable under Alternatives 2, 3, 4, and 5.

Text as modified in the Final PEIR:

Issue 6: Conflict with Adopted Habitat Conservation Plans and Natural Community Conservation Plans

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

Under Alternative 1, there could be expansion of existing sites; however, these sites are already developed and disturbed. Therefore, there would be no contribution to cumulative impacts related to conflicts with the MSCP. Cultivation and noncultivation activities associated with Alternatives 2 through 5 would be required to participate in the MSCP, including purchase of mitigation credits and implementation of species-based and habitat-based mitigation, which would offset the project's contribution to this significant cumulative impact, and no conflict with the MSCP would occur; therefore, this impact would be less than significant. Thus, the contribution of cultivation and noncultivation activities associated with the program to significant cumulative impacts from conflicts with adopted HCPs or NCCPs would be less than cumulatively considerable under Alternatives 2, 3, 4, and 5.

Text as presented in the Draft PEIR on page 2.5-67:

M-BI.1-2: Participate in the San Diego MSCP Including Payment of Fees and Implementation of Mitigation Measures for Covered Species

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with the following required compliance with SWRCB Order WQ 2023-0102-DWQ.

Species Covered under the San Diego MSCP

If species covered under the San Diego MSCP are determined to be present or likely to be present within the proposed activity footprint of the cannabis use, the applicant shall assume presence of these species and satisfy the requirements of the San Diego MSCP and the BMO. This measure applies to species currently covered under the South County Subarea Plan and species covered in the future under the North County Plan, East County Plan, and Butterfly HCP. This measure applies to cultivation and noncultivation activities that are not exempt from participation in the MSCP.

- If species covered under the San Diego MSCP that are not listed under CESA or ESA or are only listed under CESA could occur within the proposed activity footprint of the cannabis use, payment of HCP/NCCP mitigation, dependent on the habitat on the project site that will be converted, and implementation of applicable MSCP and BMO habitat-based and species-based mitigation measures are required.
- If species covered under the San Diego MSCP that are listed under ESA could occur within the proposed activity footprint of the cannabis use, the applicant must avoid impacts by implementing no-disturbance buffers or redesigning the project until such time as federal permits, authorizations, and procedures/protocols under the HCP portion of the San Diego MSCP can be applied.
- Because some outdoor cultivation activities may be exempt from participation in the MSCP, potential impacts on species covered under the MSCP shall be addressed outside of the mitigation structure of the MSCP and through implementation of the measures described below.

Text as modified in the Final PEIR:

M-BI.1-2: Participate in the San Diego MSCP Including Purchase of Mitigation Credits and Implementation of Mitigation Measures for Covered Species

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with the following required compliance with SWRCB Order WQ 2023-0102-DWQ. County staff will review each project application and determine whether the project is in conformance with the MSCP and what is necessary (e.g., revisions, mitigation) for conformance with the MSCP plan.

Species Covered under the San Diego MSCP

If species covered under the San Diego MSCP are determined to be present or likely to be present within the proposed activity footprint of the cannabis use, the applicant shall assume presence of these species and satisfy the requirements of the San Diego MSCP and the BMO. This measure applies to species currently covered under the South County Subarea Plan and species covered in the future under the North County Plan, East County Plan, and Butterfly HCP. This measure applies to cultivation and noncultivation activities that are not exempt from participation in the MSCP.

- If species covered under the San Diego MSCP that are not listed under CESA or ESA or are only listed under CESA could occur within the proposed activity footprint of the cannabis use, payment of HCP/NCCP mitigation fees through purchase of mitigation credits, dependent on the habitat on the project site that will be converted, and implementation of applicable MSCP and BMO habitat-based and species-based mitigation measures are required.
- If species covered under the San Diego MSCP that are listed under ESA could occur within the proposed activity footprint of the cannabis use, the applicant must avoid impacts by implementing no-disturbance buffers or redesigning the project until such time as federal permits, authorizations, and procedures/protocols under the HCP portion of the San Diego MSCP can be applied.
- Because some outdoor cultivation activities may be exempt from participation in the MSCP, potential impacts on species covered under the MSCP shall be addressed outside of the mitigation structure of the MSCP and through implementation of the measures described below.

Comment A6-14
Covered and Non-covered Species

The DPEIR on page 2.5-24 indicates that "[c]ultivation and noncultivation activities associated with the project would be required to participate in the San Diego County MSCP, including the adopted South County Subarea Plan and future North County and East County Plans, which are under development, as well as the San Diego County Butterflies HCP. Participation in these HCPs includes incorporation of mitigation requirements into project design and payment of applicable mitigation fees. The mitigation measures included in the analysis below are consistent with MSCP mitigation requirements where applicable given the federal status of cannabis activities. The identified mitigation measures are structured to provide appropriate mitigation under the existing conditions wherein cannabis activities cannot be treated as a Covered Activity for federally listed species, as well as under possible future conditions where cannabis activities are legalized by the federal government."

Since the MSCP SAP was executed in 1998, some of the measures to cover impacts from agriculture did not contemplate some of the unique aspect of cannabis cultivation (e.g., fencing), and since that time, new species have been listed under CESA. The existing measures in the MSCP SAP are not sufficient to provide coverage for all sensitive species and habitat currently recognized by the State. Multiple species, such as burrowing owl and steelhead, have since been listed under CESA or as SSC by the State and are not adequately addressed in the DPEIR. Additional analysis at the site level when specific locations for

cultivation are known would be needed for species impacted by cannabis activities to be considered covered under MSCP SAP.

Response A6-14
Mitigation Measure M-BI.4-1 requires both cultivation and noncultivation activities to use wildlife-friendly fencing design, and requires applicants to submit fencing designs for review and approval by the County and a qualified biologist. Mitigation Measure M-BI.4-1 has been revised to include additional detail to further provide protection for wildlife movement. Mitigation Measure M-BI.1-1 is intended to be the project-level review for biological resources, and implementation of this measure, which is required for every future project seeking CEQA coverage under the PEIR, would include an analysis of biological resources on the project site. Furthermore, the Draft PEIR acknowledges that multiple special-status species are not covered under the MSCP, and provides mitigation measures outside of the framework of the MSCP for these species. The Draft PEIR also provides mitigation measures for burrowing owl, given that this species is now a candidate for listing under CESA. No additional response is required because the PEIR has already incorporated these recommendations.

Comment A6-15
Evidence impact may be significant:

To ensure compliance with the CEQA Guidelines Section 15125(d), the FPEIR shall discuss any inconsistencies between the proposed Project and applicable general plans and regional plans, such as the MSCP SAP, draft North County Plan, and draft East County Plan.

Furthermore, the Planning Agreement outlines an Interim Review Process to ensure that preliminary conservation objectives and preserve options for establishing a viable reserve system or equivalent long-term conservation measures are not precluded and that Project impacts are adequately mitigated. Projects subject to the Interim Review Process are partly defined within the Planning Agreement as projects subject to discretionary permits. The proposed Project includes a ministerial component that would potentially remove a significant portion of land formerly subject to the County's discretionary permitting process and thereby the Interim Review Process. CDFW requests that the FPEIR include a mechanism to provide supplemental analysis for Biological Resources at the site-level to ensure regional conservation objectives of the draft North County and East County plans would not be eliminated by implementation of the Project.

Response A6-15
Mitigation Measure M-BI.1-1 is intended to be the project-level review for biological resources, and implementation of this measure, which is required for every future project seeking CEQA coverage under the PEIR, would include an analysis of biological resources on the project site. Furthermore, as described on page 1-18 in Chapter 1, "Project Description, Location, and Environmental Setting," of the Draft PEIR, all projects, including ministerial projects, will involve preparation of a site-specific CEQA evaluation, and Mitigation Measure M-BI.1-1 will also apply to these projects.

Comment A6-16
Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #1: The FPEIR should include a mechanism in 8.1.2 to include CDFW Cannabis Program review and input on individual projects that come under the SECP as early

in the process as possible. Prior to the issuance of administrative or ministerial permits, the County should coordinate with CDFW regarding appropriate enforceable measures to address and mitigate for site-specific impacts to biological resources. Coordination should include review of individual written checklists, project-specific site plans, biological assessments, habitat protection plans, wildlife protection plans, tree protection plans, and water use plans. Measures in these plans should be integrated into the County's land use entitlement and business licensing for projects to address site-specific conditions. Of particular concern is the determination in Section 8.1.2 (bullet No. 3) on whether a project in MSCP SAP constitutes an agricultural activity (i.e., cultivation) that would be exempt under the MSCP SAP, whether the project site is located within a PAMA or a Biological Resource Core Area as defined in the MSCP SAP and BMO, and the tier level of vegetation on the project site.

Response A6-16
The reader is referred to the responses to Comments A6-10 and A6-11.

Comment A6-17
Recommendation #2: The FPEIR should include analysis of direct and indirect impacts to sensitive wildlife (plant and animal) species in the County from implementation of the SECP. The adopted MSCP SAP should be used to guide analysis in the southern part of the County. For non-covered species in MSCP SAP, such as steelhead and Stephens' Kangaroo rat, those species should be analyzed in the FPEIR separately from the MSCP SAP. All wildlife species in the northern and eastern areas of the County should be analyzed independently from MSCP SAP since there are currently no adopted NCCP plans for those areas.

Response A6-17
Section 2.5.3.3, "Issue 1: Special-Status Plant and Wildlife Species," includes a detailed analysis of direct and indirect impacts on special-status species in the Program area, and specifically considers species covered under the MSCP separately from species that are not covered under the MSCP. Portions of the Program area that are not currently within an adopted MSCP plan area are also considered outside of the framework of the MSCP. No additional response is required because the PEIR has already incorporated these recommendations.

Comment A6-18
Recommendation #3: Based on meetings with the County, it is CDFW's understanding that mitigation measures presented in the DPEIR to address consistency with MSCP SAP, including the BMO, will be applied in the future to North County and East County Plans areas. Until those plans are formally executed, the measures identified in the DPEIR are expected to address impacts to species anticipated to be covered under those future plans until they are adopted. It is unclear from the Project Description and mitigation proposed in 8.1.2 how the BMO, which implements the MSCP SAP, will be applied to the cover the entire county. The County should clarify the process for how measures discussed in the MSCP SAP will function in the interim and be applied to the entire County. CDFW notes that the proposed text changes to the zoning ordinance do not include any proposed changes to the BMO. In addition, additional requirements for cannabis use to be considered a Covered Activity in the draft North County and East County Plans may be required as part of that habitat conservation planning process.

Response A6-18
Mitigation Measure M-BI-1.2 requires all projects to comply with the MSCP if these projects are within the plan area of the adopted MSCP and have not been determined to be exempt from the requirements of the MSCP. Mitigation Measure M-BI-1.2 states that the requirements therein apply only to the currently adopted MSCP SAP, and that species not covered under the currently adopted MSCP SAP need to be addressed through additional mitigation measures. This measure states that should any species become subsequently covered under the North County Plan, East County Plan, or Butterfly HCP, then Mitigation Measure M-BI-1.2 shall apply.

When the North County Plan, East County Plan, and Butterfly HCP are approved, they will each have a standalone BMO for public review, and the Regulatory Code will eventually be revised to amend the BMO to have just 1 ordinance for all existing plans. The County is in coordination with MSCP staff for these future plans to ensure that cannabis cultivation will be considered a covered activity under the plans.

Comment A6-19
Mitigation Measure #1: Measures to avoid impacting sensitive wildlife species should be identified in the FPEIR for implementation at the site level. Measures could include the need to conduct site-specific protocol surveys, prepare and implement habitat protection plans, wildlife protection plans, tree protection plans, or water use plans. Where listed species may be impacted, the FPEIR should identify appropriate avoidance and mitigation, including land preservation with funding, to support State and federal permitting that may be needed. The coverage requirements, including avoidance setbacks, for the MSCP SAP should apply to all federally listed species that are covered in all alternatives that allow cultivation. In order to provide adequate coverage for MSCP-covered species, complete site-specific and project-level biological reports should be included as part of the package of materials submitted to the County and resource agencies, such as CDFW, for subsequent review prior to the initiation of a project.

Response A6-19
The Draft PEIR “Biological Resources” section includes project-specific mitigation as described in this comment, including focused and protocol-level surveys and protective measures if biological resources are detected on a project site. Mitigation Measure M-BI.1-1 requires project-specific review of biological resources and preparation of a report summarizing this assessment. As described in the Draft PEIR, complete avoidance of federally listed species is required for cannabis-related activities because cannabis cultivation is currently illegal under federal law. No additional response is required because the PEIR has already incorporated these recommendations.

Comment A6-20
COMMENT #2: Fencing

Issue: Fencing needed for cannabis security can result in wildlife mortality, impede wildlife movement throughout the County, and also materially affect species and wildlife connectivity.

Specific impact: Fencing required for cannabis uses, if not designed appropriately, can result in direct impacts to wildlife including entrapment and mortality, create barriers to movement, and significantly alter wildlife connectivity at the local and regional level.

Why impact would occur: Fencing can be a hazard to wildlife causing entanglement and mortality (van der Ree 1999, Stuart et al. 2001, Harrington and Conover 2006). Running animals and low-flying birds may not see a wire fence clearly against the landscape. Birds can collide with fences, breaking wings, impaling themselves on barbs, and tangling in wires. Large, low-flying birds such as ducks, geese, cranes, grouse, hawks, and owls are especially vulnerable. Waterfowl can fly into fences that run near or across waterways, and low-flying hawks and owls may careen into fences when swooping in on prey. As is generally required by most local enforcement agencies, cannabis cultivation operations require the installation of security fencing around cannabis cultivation areas. Security fencing is generally expected to be at least 6 feet high with a solid material covering to obstruct views of the site from the outside. According to mitigation measure M-BI.4-1, to reduce impacts to wildlife to less than significant, "[i]f fencing is required to be greater than 40 inches high for security or logistical purposes, then the fencing shall be high enough to deter wildlife from attempting to jump over (i.e. greater than 8 feet tall)."

In CDFW's experience in the cannabis industry, cultivation operations often require the installation of security fencing around cannabis cultivation areas. Security fencing is typically at least 6 feet high with a solid material covering to obstruct views of the site from the outside. New cannabis cultivation, whether on a new site or existing agricultural fields, would need to comply with County standards for security fencing, which are typically greater than that of a typical agricultural operation. The additional security required for cannabis agricultural operations may introduce new impediments in the landscape that do not currently exist that directly affect local wildlife in all areas of the County directly through entrapment and/or mortality and indirectly through altering available habitat for movement at the site and regional/NCCP level. This type of fencing for security can cause inadvertent injury and loss of wildlife resulting in a significant impact on fish and wildlife resources.

Evidence impact would be significant: The Project may interfere substantially with the movement of wildlife. The Project has the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines, §§ 15065, 15380). As a result, the Project will have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #4: The FPEIR should analyze impacts from security and other fencing/barriers required for cannabis projects to animal species and wildlife movement/connectivity including effects to MSCP SAP preserve design and connectivity. The FPEIR should include information on the height, length, type of materials, maintenance requirements, and location of fencing that would be needed for cannabis uses in all areas of the County.

Mitigation Measure #2: A fencing plan should be provided for each cannabis operation at the site level to demonstrate that wildlife entrapment and mortality and connectivity are mitigated to less than significant. Should any subsequent proposed project occur in a location that has been identified as a MSCP SAP wildlife movement corridor or found to impede the free movement of wildlife, the FPEIR should include mechanisms at the site level to provide

compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification) to sensitive and special status plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring.

Mitigation Measure #3: CDFW recommends the County require a wildlife movement plan for each outdoor cannabis cultivation project in all areas of the County. The wildlife movement plan should identify the specific location and design of any fencing or other barrier associated with cultivation activities, including operational activities, that may impact wildlife movement directly or indirectly. Some design considerations to avoid impacts to special-status species that have the potential to occur on project sites may include fencing design and materials, fencing height, fencing location, gaps in fenced areas, or exclusionary materials. We also recommend frequent monitoring of the fence line to inspect for trapped animals and release any wildlife that may be caught in the perimeter fencing. The wildlife movement plan should be submitted, along with biological reports, to the County and resource agencies, including CDFW, for review and concurrence on a project-to-project basis. For cannabis projects within the MSCP SAP area, should any project occur in a location that has been identified as a wildlife movement corridor or found to impede the free movement of wildlife from project fencing or operations, a boundary line adjustment may be required to mitigate for impacts to wildlife movement.

Response A6-20

As described in the Draft PEIR biological resources analysis, regional habitat linkages and corridors have been identified in the MSCP, and under the BMO, development projects must generally avoid corridors and linkages within the MSCP to the maximum extent practicable. Additionally, as described in Chapter 1, "Project Description, Location, and Environmental Setting," fencing around outdoor cannabis cultivation areas is required, but cannot consist of razor wire, barbed wire, electric fencing, or similar types of materials, and must consider wildlife movement. Furthermore, Mitigation Measure M-BI.4-1 requires both cultivation and noncultivation activities to use wildlife-friendly fencing design, and describes examples of material and height considerations. Mitigation Measure M-BI.1-1 requires a qualified biologist to identify regional linkages/wildlife movement corridors that have the potential to occur within the proposed activity footprint of the cannabis use. Mitigation Measure M-BI.4-1 has been revised to incorporate some of the recommendations of this comment to strengthen the existing measure.

Text as presented in the Draft PEIR:

> **M-BI.4-1: Utilize Wildlife-Friendly Building and Fencing Designs**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application

materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- Buildings and other permanent structures that would be constructed for cultivation and noncultivation activities associated with the project shall be designed to minimize impacts on wildlife, including disruption to wildlife movement, bird strikes, and wildlife entanglement.
- Building design shall utilize guidelines regarding building height, materials, external lighting, and landscaping provided in the American Bird Conservancy's Bird-Friendly Building Design (American Bird Conservancy 2015). The County shall require review of the design plans by a qualified biologist, who will determine whether the plans are sufficient to reduce the likelihood of bird strikes or recommend additional measures.
- Fencing associated with cultivation and noncultivation activities associated with the project will utilize wildlife-friendly fencing design to minimize the risk of entanglement, entrapment, or impalement of wildlife. The County shall require the review of fencing design by a qualified biologist prior to installation. The fencing design shall meet, but not be limited to the following standards:
- Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale, snag, or entrap a leaping animal (e.g., wrought iron fencing with spikes).
- Allow wildlife to jump over easily without injury. Typically, fences should be no more than 40 inches high on flat ground to allow adult deer to jump over. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. If fencing is required to be greater than 40 inches high for security or logistical purposes, then the fencing shall be high enough to deter wildlife from attempting to jump over (i.e., greater than 86 feet tall).
- Allow smaller wildlife to pass under easily without injury or entrapment.
- Polyethylene plastic used for agricultural shade or crop structures shall be properly fastened, maintained in good condition, and regularly inspected for degradation from weather to prevent introduction of plastic into the natural environment, including waterways.

Text as presented in the Final PEIR:

M-BI.4-1: Utilize Wildlife-Friendly Building and Fencing Designs

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- Buildings and other permanent structures that would be constructed for cultivation and noncultivation activities associated with the project shall be designed to minimize impacts on wildlife, including disruption to wildlife movement, bird strikes, and wildlife entanglement.

- Building design shall utilize guidelines regarding building height, materials, external lighting, and landscaping provided in the American Bird Conservancy's Bird-Friendly Building Design (American Bird Conservancy 2015). The County shall require review of the design plans by a qualified biologist, who will determine whether the plans are sufficient to reduce the likelihood of bird strikes or recommend additional measures.
- Fencing associated with cultivation and noncultivation activities associated with the project will utilize wildlife-friendly fencing design to minimize the risk of entanglement, entrapment, or impalement of wildlife, as well as interruption of wildlife movement corridors. The County shall require the review of fencing design by a qualified biologist prior to installation. The fencing design shall meet, but not be limited to the following standards:
- Minimize interruption of wildlife movement corridors by limiting fencing to the shortest length necessary, and properly siting fencing location such that established wildlife movement corridors are avoided.
- Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale, snag, or entrap a leaping animal (e.g., wrought iron fencing with spikes).
- Allow wildlife to jump over easily without injury. Typically, fences should be no more than 40 inches high on flat ground to allow adult deer to jump over. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. If fencing is required to be greater than 40 inches high for security or logistical purposes, then the fencing shall be high enough to deter wildlife from attempting to jump over (i.e., greater than 86 feet tall).
- Allow smaller wildlife to pass under easily without injury or entrapment.
- Upon review of project-specific fencing design, the County and qualified biologist will require revisions to site plans if the proposed fencing design and/or location would result in impacts on wildlife movement.
- Polyethylene plastic used for agricultural shade or crop structures shall be properly fastened, maintained in good condition, and regularly inspected for degradation from weather to prevent introduction of plastic into the natural environment, including waterways.

Comment A6-21

Comment #3: Impacts to Southern California Steelhead (*Oncorhynchus mykiss*)

Issue: Several watercourses in the County support southern California steelhead (steelhead), a CESA-listed endangered species that is not covered under the MSCP SAP or planned for coverage in the draft North County or East County Plans. Examples of steelhead streams in San Diego include Santa Margarita, San Luis Rey, and Sweetwater Rivers (CDFW 2021). CDFW is concerned that the Project could directly or indirectly impact steelhead.

Specific Impacts: Project construction and operational activities, including site access and water use, may result in injury or mortality of steelhead, temporary loss of rearing habitat, changes in stream water temperatures, and temporary loss of food sources.

Why impacts would occur: Run sizes of southern California DPS steelhead rivers have declined significantly since historical levels (Good et al. 2005, NMFS 2016). Habitat for

steelhead has suffered destruction and modification, and anthropogenic activities have reduced the amount of habitat available to steelhead (Boughton et al. 2005). The DPEIR does not analyze the potential effect to steelhead and other aquatic species from water use, diversions, and fish passage (Fish & G. Code, § 5901) associated with site operations and access needed for cannabis cultivation and currently provides no mitigation for steelhead in 8.1.2.

The Project may cause indirect impacts to steelhead from project water use affecting instream flows where steelhead occur or temporarily removing riparian vegetation. Riparian vegetation provides habitat for macroinvertebrates which are a food source for steelhead and shading of the creek which sustains lower creek temperatures for steelhead survival. Although the DPEIR addressed and provided measures to minimize impacts to water quality due to increased turbidities, temporary loss of vegetation, and avoiding take of sensitive species, the Project may still impact steelhead from water use, access and site operations. San Luis Rey River is an example where cannabis uses permitted under SECP may have the potential to substantially adversely affect surface flows in the river from water use, site access and site operations on a project and/or cumulative basis (Figure 9-1).

Evidence impact would be significant: The CESA-listed endangered status of southern California steelhead qualifies it as a special status species under CEQA (CEQA Guidelines, §15380). The Project contains structures for stream crossings (culverts and bridges) that could threaten the ability for steelhead to migrate. Per Fish and Game Code section 5901, it is unlawful to construct or maintain in any stream any device or contrivance the prevents, impedes, or tends to prevent or impeded, the passing of fish up and downstream. Per Fish and Game Code section 5937, the owner of any dam shall allow sufficient water at all times to pass through a fishway, or to keep in good condition any fish that may be planted or exists below the dam.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #4: The DPEIR should analyze potential impacts from the Project to steelhead including creation of fish passage barriers from site access, effects to instream flow from water demand and diversions, erosion and sedimentation from site activities and impacts to spawning habitats, changes to water temperature, and effects from use of fertilizers, pesticides, herbicides, and rodenticides to stream areas. In areas of the County where steelhead may be present, a water use plan should be provided for each individual project under the SECP to evaluate potential impacts to instream flows. and submitted the County and CDFW for review. Barriers to fish passage could be evaluated in the wildlife movement plan for each project.

Mitigation Measure #5: For projects that may impact steelhead, or any other CESA-listed species that is not covered under a NCCP, County applicants should seek appropriate take authorization from CDFW, and early consultation is encouraged. The requirement to demonstrate that consultation has occurred for this species and appropriate authorization has been obtained from CDFW and provided to the County should be included in individual SECP approvals prior to initiation of the project. CDFW may consider the Lead Agency's CEQA documentation for its CESA-related actions if it adequately analyzes/discloses impacts and mitigation to CESA-listed species. Additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species.

Response A6-21

Section 2.5.3.3 of the Draft PEIR, "Issue 1: Special-Status Plant and Wildlife Species," includes an analysis regarding special-status fish, including the steelhead southern California DPS. As noted in the Draft PEIR, cultivation and noncultivation activities are required to comply with SWRCB Order WQ 2023-0102 Term 37 of Attachment A (Section 1, General Requirements and Prohibitions), which requires setback areas from the edge of surface water of at least 50 feet, dependent on the type of stream (e.g., ephemeral, perennial) and requires water quality control measures. The Resource Protection Ordinance (RPO) also requires protection of wetlands and adjacent buffers of 50–200 feet. Furthermore, cultivation and noncultivation activities associated with the Cannabis Program would be subject to SWRCB numeric and narrative instream flow requirements or required to obtain coverage under the waiver of waste discharge requirement (WDR) (i.e., sites smaller than 2,000 square feet in area). Surface water instream flow requirements apply to anyone diverting water for cannabis cultivation from a waterbody, and prohibit diversion of surface water for cannabis cultivation activities at any time from April 1 through October 31 of each calendar year. These requirements are designed to maintain minimum instream flow requirements during the wet season to maintain life history requirements for anadromous salmonids. SWRCB flow standards and diversion requirements were developed to protect fish spawning, migration, and rearing for endangered anadromous salmonids, as well as flows needed to maintain natural flow variability in each watershed. The requirements in Attachment A of SWRCB Order WQ 2023-0102-DWQ also place limitations of work in watercourses and permanently ponded areas. Standard practices are provided to address the design of watercourse crossings and necessary maintenance activities. Guidance is also provided to address temporary watercourse diversion and dewatering.

As described in the Draft PEIR, with implementation of the SWRCB Order WQ 2023-0102-DWQ requirements, impacts on special-status fish, including steelhead, are not expected to occur.

Comment A6-22

ADDITIONAL COMMENTS

Habitat Classification

Based on the information provided, CDFW cannot make a conclusion on the environmentally superior alternative without a detailed breakdown of impacts to each habitat classification. Table 2.5.2 Habitat and Land Cover Types in the Program Area indicates that the County has existing datasets for habitat mapping per vegetation alliance according to the Manual of California Vegetation (MCV). It is our understanding that the total acreages of potential impacts are known, as shown in Table 1.4, but they lack further description.

Recommendation #5: The DPEIR should include a more robust analysis of impacts by using data presented in Table 1.4 and Table 2.5.2 to identify the acreage of potential impacts to each vegetation classification and habitat type resulting from each of the proposed alternatives. As mentioned in our NOP comment letter, such information could include the amount and location of acreage by community plan area that could be converted to cannabis uses with corresponding loss of habitat and impacts to species using the most recent vegetation and species occurrence data. The analysis of proposed alternatives should be updated to reflect the impacts to habitat in order to help identify the environmentally superior alternative in the final CEQA document.

Response A6-22
As described throughout the Draft PEIR, the specific locations of future cultivation and noncultivation activities are not known at this time and have not been evaluated as part of the programmatic environmental analysis in the Draft PEIR other than the zoning areas where these activities would be allowed and any applicable buffers. Draft PEIR Figure 1-2 identifies areas in the county where zoning would allow cannabis uses under the proposed Cannabis Program. Therefore, quantifying the potential impact of these future activities on vegetation and habitat types would happen at the project level. Given this limitation, a comparative impact analysis among the different project alternatives was provided in the Draft PEIR qualitatively, with the information that is currently available. Mitigation Measure M-BI.1-1 requires a qualified biologist to map land cover and identify natural communities on each project site. Mitigation Measure M-BI.2-1 requires avoidance of impacts on riparian habitat, sensitive natural communities, and oak woodlands or compensation for impacts that cannot be avoided. M-BI.3-1 requires complete avoidance of state and federally protected wetlands. The Draft PEIR provided an analysis of impacts related to vegetation types and land cover using the information currently available about the Program area, and the recommendations in this comment for a more detailed, qualitative analysis are not currently possible. However, this analysis will be provided at the project level in accordance with mitigation measures in the Draft PEIR, and mitigation measures related to impacts on vegetation communities and habitats will be applied.

Comment A6-23
Zoning Ordinance

Recommendation #6: The FPEIR and Zoning Ordinance should incorporate language that is referred to in the associated BMO and Resource Protection Ordinance (RPO). The County's RPO provides special controls on development in all areas of the County to address impacts to wetlands, floodplains, steep slopes, sensitive biological habitats, and prehistoric and historic sites to guarantee the preservation of these sensitive lands. The RPO is important in addressing potential impacts to lake, river and stream areas. For example, the definition of, "sensitive uses" in the Zoning Ordinance should include, "environmentally sensitive lands" as defined by section 86.602 – Definitions. Section 86.604 (Permitted Uses and Development Criteria) provide site design criteria for wetland stream crossings, setbacks and mitigation where impacts cannot be avoided. Appropriate setbacks 1). The DPEIR should clearly identify how BMO and RPO will be used in individual projects. If the BMO is intended to apply Countywide as a mitigation measures, CDFW recommends the avoidance criteria in the BMO and RPO be carried forward into the ordinance amendments.

Response A6-23
The County of San Diego Code of Regulatory Ordinances Sections 86.601–86.608 RPO is described in the biological resources regulatory setting on page 2.5-22 of the Draft PEIR, and the applicability of the RPO is described under each issue related to biological resources. All individual projects would be required to comply with the RPO and BMO, as applicable, and this requirement is described in the Draft PEIR. No additional response is required because the PEIR has already incorporated these recommendations.

Comment A6-24
Impacts to Streams

Mitigation Measure M-BI-.2-1 identifies the need for a Lake and Streambed Alteration Agreement (LSAA) Notification, per Fish and Game Code Section 1602, should a site impact

the bed, bank, channel, or associated riparian habitat. However, as currently written, the measure may lack further recommendations necessary for a complete LSAA notification package. Business and Professions Code 260.60.1 (Licensed Cultivation Sites) provides that, "the (State) license shall not be effective until the licensee has demonstrated compliance with Section 1602 of the Fish and Game Code or receives written verification from the Department that a streambed alternation agreement is not required." CDFW recommends the following measures:

Mitigation Measure #6: For individual cultivation projects under the SECP, the Project applicant (or "entity") must provide notification to CDFW pursuant to Fish and Game Code, section 1600 et seq. (Business and Professions Code 260.60.1). Based on this notification and other information, CDFW determines whether an LSA Agreement with the applicant is required prior to conducting the proposed activities. Please visit CDFW's Lake and Streambed Alteration Program webpage to for information about LSA Notification and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal (CDFW 2021).

Mitigation Measure #7: CDFW recommends the submittals for individual SECP projects include a stream delineation and hydrology report to evaluate whether the Project would alter, divert, or impair stream flow and alignment. The hydrology report should include a scour analysis to demonstrate that stream banks and stream bed would not erode under different storm events for proposed conditions both up and downstream of the Project area. The hydrology report should also include an analysis as to whether the placement and installation of staging areas, parking areas, and security fencing would impact the unnamed drainage on site and up and downstream. Also, CDFW requests a hydrological evaluation of any potential scour or erosion at the Project site and downstream due to a 100, 50, 25, 10, 5, and 2-year frequency storm event for existing and proposed conditions to determine how the Project activities may change the hydrology on site.

Response A6-24

Mitigation Measure M-BI.2-1 has been revised to clarify that CDFW would determine whether an individual project would require a Lake or Streambed Alteration (LSA) Agreement after the applicant provided notification. Mitigation Measure M-BI.3-1 requires preparation of a wetland delineation, which would include delineation of streams. The reader is referred to the response to Comment A6-21 regarding the requirement for projects to comply with SWRCB Order WQ 2023-0102 Term 37 of Attachment A (Section 1, General Requirements and Prohibitions), which would prevent impacts related to alteration, diversion, or impairment of stream flow and alignment.

Text as presented in Draft EIR in the first bullet on page 2.5-83:

- If the report documents that site development would affect the bed, bank, channel, or associated riparian habitat subject to CDFW jurisdiction under Fish and Game Code Section 1602, a Streambed Alteration Notification shall be submitted to CDFW, pursuant to Section 1600 et seq. of the Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction, the applicant shall abide by the conditions of any executed agreement before any ground disturbance.

Text as presented in the Final EIR:

- If the report documents that site development would affect the bed, bank, channel, or associated riparian habitat subject to CDFW jurisdiction under Fish and Game Code Section 1602, a Streambed Alteration Notification shall be submitted to CDFW, pursuant to Section 1600 et seq. of the Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction by CDFW, the applicant shall abide by the conditions of any executed agreement before any ground disturbance.

Comment A6-25

Recommendation #7: CDFW's issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from the County for the Project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, the CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures, avoidance of resources, protective measures for downstream resources, on- and/or off-site habitat creation, enhancement or restoration, and/or protection, and management of mitigation lands in perpetuity.

Response A6-25

This comment describes the CDFW LSA Agreement process. These administrative remarks are acknowledged for the record.

Comment A6-26

Stream Crossings and Dams

Construction or maintenance of dams and stream crossings used for cannabis cultivation may cause negative impacts on stream and adjacent upland habitat through the removal of habitat and alteration of on-site hydrology and water quality. Cannabis projects often require crossings over streams and through sensitive habitat to provide access for operations. Crossings can be at-grade, culverts, and bridges to allow access to growing locations, water sources, and other cultivation activities. If not designed properly, site access can create or exacerbate fish passage issues (Fish & G. Code § 5901), alter the flow of streams, erode stream banks, impede wildlife movement, and create scour and increase sedimentation to streams.

Recommendation #8: The DPEIR should analyze the potential effect to stream habitat/resources, including steelhead and other aquatic species, from construction and maintenance of stream crossings for site access. Potential impacts include fish passage, wildlife use and movement, wetland vegetation, bank erosion, and stream hydrology.

Recommendation #9: The DPEIR should identify the need for each individual SECP project to obtain LSA authorization for stream crossings and include adequate information to support permitting by State and federal agencies. For unavoidable "take" of any listed species (e.g., steelhead, western pond turtle) during construction, submit a CESA ITP. The review process for individual SECP projects should include a required stream delineation and hydrology report to identify the extent of stream resources onsite and to evaluate whether the Project would alter, divert, or impair stream flow and alignment, or otherwise impact stream resources. These

reports should be submitted to CDFW for review prior to the initiation of any Project activities. This step would be included as part of the County review process described above in Recommendation #1.

Recommendation #10: The DPEIR should include siting/design criteria for individual projects to avoid impacting stream to the maximum extent practicable. Where stream resources cannot be avoided, impacts should be minimized and mitigation in the same watershed if possible. Measures for fish passage should be incorporated into the design of all project crossings to ensure that sufficient in-stream flows are provided, and barriers are not created. All crossings related to cannabis operations should be developed in consultation with an engineer or other appropriate licensed professional for all construction and maintenance of dams and stream crossings to ensure they are constructed to minimize impacts to streams and relevant fish and other wildlife habitats.

Recommendation #11: Limiting water use during certain periods of the year (forbearance period) consistent with State regulations should also be included as mitigation.

Response A6-26

The reader is referred to the response to Comment A6-21 regarding the requirement for projects to comply with SWRCB Order WQ 2023-0102 Term 37 of Attachment A (Section 1, General Requirements and Prohibitions), which would prevent impacts related to alteration, diversion, or impairment of stream flow and alignment. Furthermore, Mitigation Measure M-BI.2-1 outlines requirements for an LSA authorization, and M-BI.1-6 requires surveys and avoidance of southwestern pond turtles. However, although the comment notes that a CESA ITP would be required for take of western pond turtle, this species is not listed or a candidate under CESA, and the take provisions under CESA would not apply to this species. Regardless, impacts on this species would be avoided with implementation of Mitigation Measure M-BI.1-6.

Comment A6-27

Water Use

Water use and diversions for cannabis cultivation, especially when clustered along a stretch of a stream or river, can substantially reduce water availability in streams and reduce suitable habitat and movement for species including aquatic and avian wildlife. Sufficient flows are essential for fish passage and breeding habitat for steelhead and other aquatic species.

Recommendation #12: The FPEIR should provide a mechanism for analysis of water use from individual cannabis cultivation projects that have potential to impact instream flows and water availability for aquatic-dependent wildlife and habitat including steelhead, sensitive frogs, and other fish and amphibians. CDFW also recommends the County assess the aquatic carrying capacity of watersheds where cannabis would be allowed. The focus of the assessment should be to determine the maximum water use availability from watersheds to maintain adequate water supply for fish and wildlife resources, considering the cumulative demand from existing and future permitted cannabis cultivation projects. The review process for individual SECP projects should include a required water use and hydrology study to evaluate whether the Project would alter, divert, or impair stream flow and alignment, or otherwise impact stream resources. These reports should be submitted to CDFW for review prior to the initiation of any project activities. This step would be included as part of the County review process further described in the section below titled Agency Collaboration.

Mitigation Measure #8: CDFW recommends the County require all commercial cannabis cultivation projects disclose all sources of water and expected demand by season and annually. Outdoor projects with water use should include a well completion report, and potentially a hydrologic study by a qualified entity that analyzes potential impacts to in-stream flow from water use. Measures to manage water to protect habitat and wildlife species for each SECP project should include forbearance periods consistent with SWRCB and CDFW requirements.

Response A6-27
The reader is referred to the response to Comment A6-21 regarding the requirement for projects to comply with SWRCB Order WQ 2023-0102 Term 37 of Attachment A (Section 1, General Requirements and Prohibitions), which would prevent impacts related to alteration, diversion, or impairment of stream flow and alignment.

Comment A6-28
Burrowing Owl

Mitigation measure M-BI.1-8 for burrowing owls includes guidance provided by the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012), as has been consistently recommended by CDFW. However, as of October 2024 the status of burrowing owls was elevated to candidate species by the Fish & Game Commission due to decreasing population throughout the State.

Recommendation #13: Mitigation measures related to burrowing owls may evolve as their status is updated as part of the Petition to List California Populations of the Western Burrowing Owl as Endangered or Threatened under CESA (CBC 2024) to reflect best practices according to the most recent research available. Please be advised that the 2012 Staff Report on Burrowing Owl Mitigation, and measure identified therein, may be amended as part of the BUOW listing process.

Mitigation Measure #9: If take or adverse impacts to burrowing owl cannot be avoided during Project activities or over the life of the Project, the County should require the Project applicant to consult CDFW to determine if a CESA ITP is required, as appropriate.

Response A6-28
Burrowing owl is included in the biological resources analysis in the Draft PEIR, and mitigation for potential impacts on this species are included in Mitigation Measure M-BI.1-8, “Conduct Take Avoidance Survey for Burrowing Owl and Implement Avoidance Measures.” Although this measure references the *2012 Staff Report on Burrowing Owl Mitigation*, it does not include elements of this guidance that may now be considered take under CESA. Implementation of this mitigation measure would result in avoidance of take, and incidental take permitting would not be required.

Comment A6-29
Tricolored Blackbird

A review of CNDDB indicates recorded observations of tricolored blackbird, a CESA-listed threatened species, in multiple locations throughout the County. Due to the presence of riparian vegetation and documented occurrence of tricolored blackbirds in the area, the Project has a potential to impact this bird species from the loss of foraging and nesting habitat and indirect effects (noise, lighting, introduction of non-native flora and fauna).

Mitigation Measure #10: The DPEIR should contain avoidance measures to tricolored blackbirds in rural areas as recommended in the Department (CDFW 2015). If take of tricolored blackbird would occur from Project construction or operation, CDFW recommends the Project obtain appropriate take authorization under CESA which may include an ITP. The requirement to demonstrate that consultation for this CESA-listed species has occurred and appropriate CDFW authorization has been obtained and provided to the County should be included in individual SECP approvals prior to initiation of the Project. Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields, March 19, 2015 (CDFW 2015). If take of tricolored blackbird would occur from Project construction or operation, CDFW recommends the Project obtain appropriate take authorization under CESA which may include an ITP. The requirement to demonstrate that consultation for this CESA-listed species has occurred and appropriate CDFW authorization has been obtained and provided to the County should be included in individual SECP approvals prior to initiation of the Project.

Response A6-29
Tricolored blackbird is included in the biological resources analysis in the Draft PEIR, and mitigation for potential impacts on this species is included in Mitigation Measure M-BI.1-10, "Conduct Preconstruction Special-Status Nesting Bird Surveys and Establish Protective Buffers." Implementation of this mitigation measure would result in avoidance of take, and incidental take permitting would not be required.

Comment A6-30
Scientific Collecting Permit

Mitigation Measure #11: A scientific collecting permit would be necessary if there is a plan to capture and relocate wildlife. Pursuant to the California Code of Regulations, title 14, section 650, qualified biologist(s) must obtain appropriate handling permits to capture, temporarily possess, and relocated wildlife to avoid harm or mortality in connection with Project-related activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). A Scientific Collecting Permit is required to monitor Project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). Please visit CDFW's Scientific Collection Permits webpage for information.

Response A6-30
Mitigation Measures M-BI.1-5 and M-BI.1-6 for special-status amphibians and reptiles, respectively, have been revised to add that any relocation of individual animals will be conducted by a biologist with an appropriate CDFW scientific collecting permit.

Text as presented in the Draft PEIR:

> **M-BI.1-5: Conduct Preconstruction Surveys for Special-Status Amphibians**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

If arroyo toads or California red-legged frogs are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site), then it shall be assumed that cultivation and noncultivation activities could result in take of these federally listed species, and the application shall be denied.

If western spadefoot toads are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site) and this species (which is currently proposed for listing) is listed under ESA at the time of the survey, then it shall be assumed that cultivation and noncultivation activities could result in take of the species, and the application shall be denied.

If special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications, relocation of the site, relocation of individual animals, or installation of exclusionary fencing, shall be necessary and appropriate.

Regardless of detection during the initial biological survey, if habitat suitable for special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) is present in the proposed development area, a qualified biologist familiar with the life cycle of these species (i.e., coast range newt, western spadefoot [if not listed under ESA at the time of the survey]) shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status amphibian species shall be conducted throughout the proposed construction area and a minimum 400-foot buffer around the proposed development area or other buffer size as recommended by CDFW. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for salamanders and visual searches for frogs. Preconstruction surveys shall be conducted during the appropriate season to maximize potential for observation for each species, and appropriate surveys shall be conducted for the applicable life stages (i.e., eggs, larvae, adults).

If special-status amphibians are not detected during the preconstruction survey and, for arroyo toad, California red-legged frog, or western spadefoot (if listed under ESA at the time of the survey), the species is determined to be unlikely to occur, then further mitigation is not required.

If special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status amphibians shall be avoided by modifying project design, relocating the site, or relocating individual animals.

Text as presented in the Final PEIR:

M-BI.1-5: Conduct Preconstruction Surveys for Special-Status Amphibians

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

If arroyo toads or California red-legged frogs are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site), then it shall be assumed that cultivation and noncultivation activities could result in take of these federally listed species, and the application shall be denied.

If western spadefoot toads are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site) and this species (which is currently proposed for listing) is listed under ESA at the time of the survey, then it shall be assumed that cultivation and noncultivation activities could result in take of the species, and the application shall be denied.

If special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications, relocation of the site, relocation of individual animals by a biologist with an appropriate CDFW scientific collecting permit, or installation of exclusionary fencing, shall be necessary and appropriate.

Regardless of detection during the initial biological survey, if habitat suitable for special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) is present in the proposed development area, a qualified biologist familiar with the life cycle of these species (i.e., coast range newt, western spadefoot [if not listed under ESA at the time of the survey]) shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status amphibian species shall be conducted throughout the proposed construction area and a minimum 400-foot buffer around the proposed development area or other buffer size as recommended by CDFW. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for salamanders and visual searches for frogs. Preconstruction surveys shall be conducted during the appropriate season to maximize potential for observation for each species, and appropriate surveys shall be conducted for the applicable life stages (i.e., eggs, larvae, adults).

If special-status amphibians are not detected during the preconstruction survey and, for arroyo toad, California red-legged frog, or western spadefoot (if listed under ESA at the

time of the survey), the species is determined to be unlikely to occur, then further mitigation is not required.

If special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status amphibians shall be avoided by modifying project design, relocating the site, or relocating individual animals by a biologist with an appropriate CDFW scientific collecting permit.

Text as presented in the Draft PEIR:

M-BI.1-6: Conduct Surveys for Special-Status Reptiles and Implement Avoidance Measures

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

If southwestern pond turtles are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site) and this species (which is currently proposed for listing) is listed under ESA at the time of the survey, then it shall be assumed that cultivation and noncultivation activities could result in take of the species, and the application shall be denied.

If special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications, relocation of the site, relocation of individual animals, or installation of exclusionary fencing, shall be necessary and appropriate.

Regardless of detection during the initial biological survey, if habitat suitable for special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) and including southwestern pond turtle (if not listed under ESA at the time of the survey) is present in the proposed development area, a qualified biologist familiar with the life cycle of these species shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status reptile species shall be conducted throughout the proposed construction area, and a minimum 400-foot buffer, or other buffer size as recommended by CDFW, shall be established around the proposed development area. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for reptiles and visual searches for southwestern pond turtles in aquatic habitat and potential burrows.

If special-status reptiles are not detected during the preconstruction survey and, for southwestern pond turtle (if listed under ESA at the time of the survey), the species is determined to be unlikely to occur, then further mitigation is not required.

If special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status reptiles shall be avoided by modifying project design, relocating the site, or relocating individual animals.

Text as presented in the Final PEIR:

M-BI.1-6: Conduct Surveys for Special-Status Reptiles and Implement Avoidance Measures

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

If southwestern pond turtles are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site) and this species (which is currently proposed for listing) is listed under ESA at the time of the survey, then it shall be assumed that cultivation and noncultivation activities could result in take of the species, and the application shall be denied.

If special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications, relocation of the site, relocation of individual animals by a biologist with an appropriate CDFW scientific collecting permit, or installation of exclusionary fencing, shall be necessary and appropriate.

Regardless of detection during the initial biological survey, if habitat suitable for special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) and including southwestern pond turtle (if not listed under ESA at the time of the survey) is present in the proposed development area, a qualified biologist familiar with the life cycle of these species shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status reptile species shall be conducted throughout the proposed construction area, and a minimum 400-foot buffer, or other buffer size as recommended by CDFW, shall be established around the proposed development area. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for reptiles and visual searches for southwestern pond turtles in aquatic habitat and potential burrows.

If special-status reptiles are not detected during the preconstruction survey and, for southwestern pond turtle (if listed under ESA at the time of the survey), the species is determined to be unlikely to occur, then further mitigation is not required.

If special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status reptiles shall be avoided by modifying project design, relocating the site, or relocating individual animals by a biologist with an appropriate CDFW scientific collecting permit.

Comment A6-31
Public Lands

Section 2.5.3.2 Approach to Analysis of the DPEIR states,"[t]he program does not apply to the incorporated cities; coastal zone; tribal lands; military lands; or to public lands managed by the US Forest Service, the California Department of Parks and Recreation (California State Parks), the US Bureau of Land Management, or CDFW. Impact mechanisms for development under the program could include clearing of native vegetation; tree removal; grading, trenching, or tilling associated with new buildings or outdoor cultivation areas; ground disturbance from construction of storage ponds; installation of irrigation systems, drainage improvements, and water storage; road and building construction; extension of electrical facilities and infrastructure; installation of fencing; and operation of artificial nighttime lighting and generators. Project implementation associated with cultivation and noncultivation activities may include conversion of natural habitats to developed or agricultural land covers" (Program Draft EIR Page 2.5-24). CDFW has multiple ecological reserves, wildlife areas, mitigation banks, conserved land throughout SD County. Many of these locations, such as Rancho Jamul and Ramona Grasslands, may be in proximity to potential cannabis sites and should be documented. Please visit CDFW's Lands website (CDFW 2025) for more information. CDFW has concerns that these activities, if located adjacent or proximal to CDFW and other conserved lands, could result in potentially significant impacts from access, pesticide drift, runoff, lighting, fencing and conversion of land.

Recommendation #14: CDFW has multiple ecological reserves, wildlife areas, mitigation banks, conserved land throughout SD County. Many of these locations, such as Rancho Jamul and Ramona Grasslands, may be in proximity to potential cannabis sites and should be documented. Please visit CDFW's Lands website (CDFW 2025) for more information. All cannabis facilities should be located sufficiently away from CDFW and other public lands to prevent direct and indirect impacts to those lands. Such impacts include impacts from access, pesticide drift, runoff, lighting, fencing and conversion of land. Include mapping of public lands by ownership the project area for each individual operation and ensure that appropriate buffers and setbacks are established to prevent impacts due to proximity.

Response A6-31
The draft Zoning Ordinance amendments require outdoor and mixed-light cannabis cultivation areas to be set back a minimum of 100 feet from all lot lines and a minimum of 300 feet from legal residences on adjoining parcels existing at the time of permit application submittal. Furthermore, Alternatives 3, 4, and 5 would require larger setbacks (1,000 feet) from sensitive uses, including regional parks, local parks, public trails, recreation facilities, and preserves with

visitor-serving amenities. Requirements in the ordinance and Draft PEIR mitigation measures would reduce direct and indirect impacts on adjacent land described in this comment.

Comment A6-32
Mitigation and Monitoring Reporting Plan

CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The County is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A). CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB website provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the Combined Rapid Assessment and Relevé Form.

The County should ensure data collected for the preparation of the FPEIR is properly submitted.

Response A6-32
This comment describes that CDFW's recommended mitigation measures are provided in a table at the end of the comment letter, and requests that occurrences of special-status species documented during implementation of the project be submitted to the CNDDB. Response to requested refinements to mitigation measures are provided in the responses above. These administrative remarks are acknowledged for the record.

Comment A6-33
FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the County and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

Response A6-33
These administrative remarks are acknowledged for the record.

Comment A6-34
CDFW believes having the appropriate analysis and mitigation in the DPEIR is essential for SECP program implementation to distinguish between individual projects that would not require additional/subsequent review and those that would require additional assessments, and potentially CEQA review, to address sensitive resources and to minimize the environmental impacts of cannabis cultivation. This will allow SECP projects to confidently move forward with licensing under the DCC and ensure compliance with the FGC. Our comments on the DPEIR are intended to identify situations where individual projects should be excluded from any ministerial process unless sufficient information is provided to assure that all impacts to sensitive resources can be avoided, and where unavoidable, can be adequately mitigated to less than significant. CDFW recommends that individual SECP projects, in particular those with outdoor components, be evaluated on a case-by-case basis in coordination with the resource agencies to develop project specific avoidance and mitigation measures for individual projects. CDFW believes the DPEIR, with incorporation our comments and collaboration at the appropriate time of individual project review, would help to facilitate and support SECP implementation for local and State permitting and licensing. CDFW prefers being involved in the County's individual project review as early as possible to maximize resource protection, minimize project cost, and streamline use of documentation for local and State permitting.

CDFW appreciates the opportunity to comment on the DPEIR for the SECP and values working with the County to support the regulation of commercial cannabis cultivation, and future cannabis grant opportunities, while protecting the fish and wildlife resources held in trust for all Californians. CDFW is available for consultation during all stages of the CEQA process, to share information related to fish and wildlife resources, and discuss potential impacts and proposed mitigation. We look forward to receiving notice of the FPEIR and continuing our partnership with the County. If you have any questions regarding this letter, please contact Environmental Scientist Andrew Valand in the Cannabis Program at (562) 292-6821 or Andrew.Valand@wildlife.ca.gov.

Response A6-34
This comment provides a summary of the comments provided in full above. These closing remarks are acknowledged for the record and will be reviewed by decision makers prior to consideration of approval of a program alternative.

Comment A6-35
Attachment 1

APPENDIX B

Proposed Amendments to the San Diego County Zoning Ordinance and Code of Regulatory Ordinances for Cannabis Uses (October 2024 version)

CDFW recommends the following text be included in the final proposed amendments to the zoning ordinance, which comprises the proposed project under CEQA (State CEQA Guidelines §§ 15378 and 15124).

- Section 1110 (Definitions)
    - The definition for microbusiness should clarify if it could include an outdoor component. For example, an existing warehouse that has an adjacent outdoor (hoop) component within the same premise.
    - Hoop Houses. The definition section and ordinance should address the use of hoop houses if they are anticipated to be used.
- Section 6995 (Cannabis Facilities)
    - Item c (conformance with County plans) should reference MSCP, BMO and RPO
    - Items e (development standards) should incorporate the design criteria in the BMO including 86.505 (Project Design Criteria), 85.606 (Habitat Based Mitigation) and 86.507 (Species Based Mitigation)
    - Item e 3 (Location) should include biological minimization measures including BMO 86.505 (Project Design Criteria) and 85.606 (Habitat Based Mitigation) and 86.507 (Species Based Mitigation)
    - Item 4 (Buffer) should acknowledge biological habitat, MSCP pre-approved mitigation areas (PAMA), biological core resources areas (BCRA)s, and lakes, rivers and streams as sensitive uses with corresponding setbacks.
    - Item f (performance standards)
        - 2 (fencing) should specify that wildlife compatible fencing is required in all cases.
        - 5. (water source) should include the annual reporting of usage and use of forbearance if needed to protect the environment. RPO should also be incorporated here.
    - Item g (Activity Specific Standards)
        - 2. Cultivation. This section should incorporate the biological setbacks in the BMO for areas in the County's MSCP SAP. viii (enclosed fencing) should identify the need for wildlife compatible fencing.
    - Item h (permitting requirements). This section should acknowledge that other state approvals/authorization other than DCC include CDFW and Water Boards (BPC § 26060.1).
        - 1 (Cultivation), i. (Outdoor). The criteria for the administrative permit should be expanded to incorporate RPO and BMO siting criteria for the least sensitive portion of the site, avoidance and mitigation.
            - i. Since site specific mapping of biology resources will not occur until the individual project level and it is not known where the exact locations of cultivation would occur at the site level, the

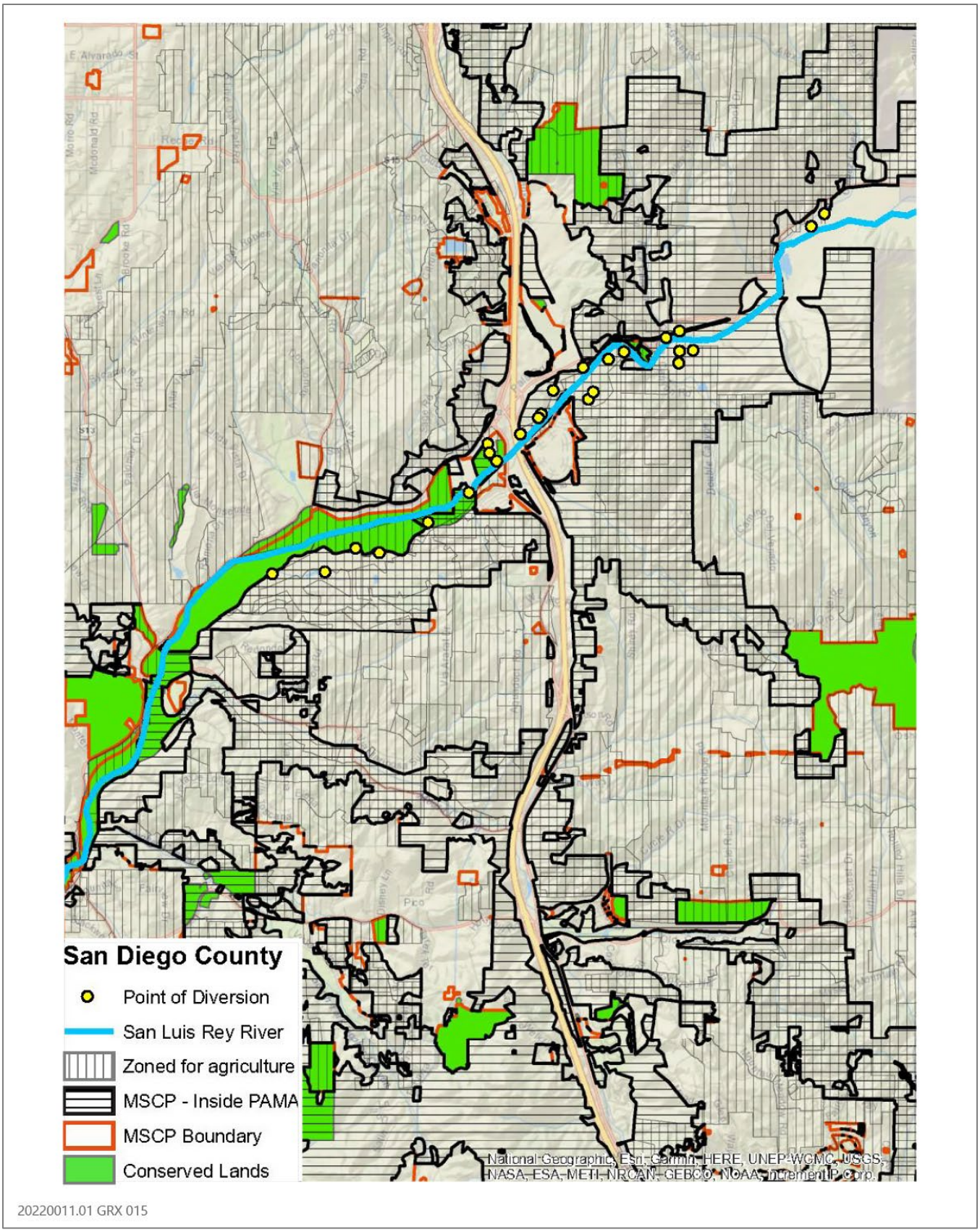
determination of whether 5,000 square could be ministerial, considering license may be stacked, should occur in all locations where there could be potential impacts to biological resources.

- a), the F (floodplain) and W (flood channel) special areas designators should all be included here to indicate site with these designators would require discretionary review.

- b) existing operations that use water from wells or otherwise would be located adjacent to lakes, rivers or streams should require discretionary review.

Response A6-35

The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program,” regarding potential refinement of the proposed Cannabis Program.



Source: Image produced and provided by SWRCB in 2023; Adapted by Ascent in 2025.

Figure 9-1 **San Luis Rey River Points of Diversion**

9.1.3 Organization Comments and Responses

Letter O1 Americans for Safe Access

Shelby L. Huffaker, Chair
February 7, 2025

Comment O1-1
As a respected non-profit organization working to advance safe access to cannabis for therapeutic use and research, the San Diego chapter of Americans for Safe Access submits this comment on the proposed regulatory and zoning changes in response to the County's draft Cannabis Environmental Impact Report. We support Alternative 2 for the following reasons:

Response O1-1
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O1-2
State Regulations for Buffer Standards

State regulations for buffer standards align with public health objectives and are essential to ensuring safe access for patients and consumers, promoting equity for communities disproportionately impacted by cannabis criminalization, minimizing underage access, and conserving limited public services resources while presenting opportunities for revenue generation.

Response O1-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. Because no comments on the Draft PEIR were provided, no further response is provided.

Comment O1-3
Safe Access for Patients and Consumers

Stringent licensing caps and zoning restrictions severely limit access to legal cannabis and cannabinoid products in San Diego County. With just five licensed cannabis facilities serving over half a million residents in the unincorporated areas,[1,2] this equates to only one licensed cannabis business for every 100,000 residents. This scarcity forces medical cannabis patients and consumers to travel long distances to access regulated products, resulting in added automobile-related carbon emissions and disproportionately burdening individuals with mobility restrictions and limited transportation options.

Consequently, many consumers turn to unlicensed operators, who currently account for twice the annual cannabis sales of the licensed market in California ($8 billion in sales).[3] Meanwhile, an analysis found that California cannabis consumers overwhelmingly prefer to shop from legal sources when they are accessible.[4]

If access to pharmacies were as restricted as cannabis businesses, it would be considered a public health crisis (almost half of U.S. residents live within one mile of a pharmacy; three-quarters live within two miles).[5] Adopting state regulations for buffer standards would ensure safe, equitable access to licensed cannabis retail outlets for patients and consumers. A similar premise holds true for other types of cannabis business licenses, including those for cultivation, manufacturing, processing, distribution, and consumption lounges, all of which are equally vital components of the regulated supply chain.

Response O1-3
The comment provides general statements regarding cannabis facilities in the county and the state. Because no comments on the Draft PEIR were provided, no further response is provided.

Comment O1-4
Cannabis Social Equity

Achieving the County's equity goals requires increasing business licenses and easing zoning restrictions to accommodate more Socially Equitable Cannabis Program (SECP) applicants. The County's Cannabis Social Equity Assessment reveals stark racial disparities in cannabis-related arrests from 2012 to 2017:

- Black individuals were arrested at **4.85 times** the rate of white individuals.
- Pacific Islanders: **3.08 times** the rate.
- Latiné individuals: **2.17 times** the rate.
- Indigenous individuals: **30% higher** than white individuals.[6]

The lasting impacts of incarceration are severe and include loss of opportunities related to employment, education, housing, and capital.6 Incarceration deprives individuals and communities of invaluable time with loved ones and is associated with poor mental and physical health outcomes (e.g., depression, PTSD, substance use disorders, HIV, hepatitis C, tuberculosis).[7] Aligning the County's Cannabis Program with state regulations for buffer standards would create pathways to cannabis business ownership and employment for those disproportionately affected by the War on Drugs, driving economic investment, advancing restorative justice, and enhancing public health outcomes.

Response O1-4
The comment provides general statements regarding cannabis social equity in the County and the State. Because no comments on the Draft PEIR were provided, no further response is provided.

Comment O1-5
Youth Access to Cannabis and Cannabinoid Products

While concerns about youth substance use are valid, the data suggest that the liberalization of cannabis laws has not contributed to an increase in use among young people. In fact, the regulation and enforcement of age restrictions appear to be having a positive impact in reducing access among minors. For example, findings from the 2024 Monitoring the Future Survey, an annual National Institutes of Health-sponsored study that tracks substance use behaviors and beliefs among youth and adults across the U.S, reveal that cannabis use remains at historically low levels—even showing a decline among 12th graders between 2023 and 2024.[8] Additionally, overall substance use among teens remains lower than it was before the pandemic, including in states (e.g., Washington, Colorado, California) where cannabis has been legalized for both medical and adult use.[9–11]

The evidence is clear: the expansion of legal cannabis markets has not resulted in increased youth consumption. In fact, audits show licensed retailers consistently comply with age verification, with compliance rates between 90 and 100%.[12–14] Meanwhile, a study in the Journal of the American Medical Association found higher delta-8-THC use among 12th graders in states where cannabis is still criminalized.[15] Therefore, adopting state regulations for buffer standards would not conflict with public health goals surrounding underage access to cannabis and cannabinoid products.

Response O1-5
The comment provides general statements regarding youth access to cannabis and cannabinoid products in the county and the state. Because no comments on the Draft PEIR were provided, no further response is provided.

Comment O1-6
Use of Riskier Substances and Public Service Sector Savings

The liberalization of cannabis laws has been associated with reductions in the use of more harmful substances, including alcohol, opioids, and other prescription drugs. For example, states with legal cannabis programs have reported decreases in prescription opioid use and overdose mortality.[16,17] In Oregon, proximity to a cannabis retail outlet correlated with a 1-3.9% reduction in per capita opioid prescriptions.[18] Additionally, Medicaid data from 2011-2019 indicate that recreational cannabis legalization is associated with reductions in the prescribing of drugs for pain, depression, anxiety, sleep, psychosis, and seizures.[19] In Canada, where cannabis was legalized for adult use in 2016, the country has seen significant decreases in beer sales in every region except for the Atlantic provinces, where access to cannabis retail outlets is comparatively more restricted than in other regions.[20,21] These trends are consistent with surveys of cannabis consumers who use cannabis to substitute other drugs including opiates, alcohol, and benzodiazepines.[22–24] On a population level, this evidence suggests that increased access to cannabis does not support the “gateway drug” theory and may in fact facilitate transitions away from substances that pose greater risks to public health.

Beyond improved health outcomes and reduced use of riskier substances, expanding access to the legal cannabis market through the adoption of state regulations for buffer standards

could also lead to cost savings for public services, including law enforcement and healthcare. For example, within the City of San Diego, there was a 4.23% decrease in domestic violence-related calls for assistance in the four years following cannabis legalization compared to the four years prior.[25]

In addition, the dominance of the unlicensed cannabis market presents a significant missed opportunity for local revenue generation. High barriers to entry, restrictive zoning laws, and exorbitant licensing costs ($49,460 for a medical cannabis license in the County) drive businesses into the illicit market.[6] To fully realize the revenue potential of cannabis legalization, the County should reduce barriers to entry and encourage the transition of unlicensed operators into the legal market.

Expanding access through the adoption of state regulations for buffer standards would enable the County to collect taxes on cannabis purchases that would otherwise occur in the unregulated market or neighboring jurisdictions. The City of Vista provides a strong example of how a thriving legal cannabis market benefits local economies, including the public service sector.[26]

Response O1-6
The comment provides general statements regarding use of cannabis and cannabinoid products in the county and the state. Because no comments on the Draft PEIR were provided, no further response is provided.

Comment O1-7
Outdoor Cultivation

Outdoor cannabis cultivation offers significant environmental and health benefits compared to indoor-only operations alone. Prohibiting outdoor cultivation is not justified based on available evidence.

As a whole, cannabis uses similar amounts of water as other crops in California.[27] However, outdoor cultivation can be a more environmentally responsible alternative, particularly when regenerative farming techniques are employed. Organic pest control, soil regeneration, and advanced water conservation methods reduce cannabis' ecological footprint, making it an ideal model for sustainable agriculture.[28] In addition, outdoor farms utilize significantly less energy and emit fewer carbon emissions than indoor farms.[29]

Furthermore, much of the environmental degradation posed by cannabis cultivation in California can be attributed to illicit cannabis production.[27] Expanding entry into the licensed, regulated market would allow the County to enforce responsible farming practices, mitigating environmental damage and promoting sustainable agriculture.

Beyond environmental benefits, outdoor cultivation enhances the therapeutic quality of cannabis. Sun-grown plants develop a richer, more diverse profile of cannabinoids and terpenes—compounds crucial to cannabis' medicinal properties.[30,31] This diversity can amplify therapeutic effects while mitigating potential adverse reactions for consumers, especially medical patients.[32]

Response O1-7
The comment expresses general support for outdoor cultivation and for general cannabis cultivation practices. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR evaluates the range of alternatives at an equal level of detail of analysis, their potential to achieve most of the basic project objectives, and whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. Alternatives 2, 3, and 5 would allow outdoor cannabis cultivation, while Alternative 4 would prohibit outdoor cultivation. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O1-8
Conclusion

In sum, aligning county policies with state buffer standards and allowing for outdoor cannabis cultivation are essential steps toward promoting public health, equity, and environmental sustainability. For these reasons, we support Alternative 2. We appreciate the opportunity to submit this public comment and welcome further discussion on these critical issues.

Response O1-8
The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” and Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O1-9
About the San Diego Chapter of Americans for Safe Access

The San Diego Chapter of Americans for Safe Access (ASA) is the local chapter of the largest national member-based organization of patients, medical professionals, scientists, and concerned citizens promoting safe and legal access to cannabis for therapeutic use and research. ASA works to overcome political and legal barriers by creating policies that improve access to medical cannabis for patients and researchers through legislation, education, litigation, grassroots actions, advocacy, and services for patients and their caregivers. ASA has over 150,000 active members with chapters and affiliates in all 50 states. San Diego ASA helps protect the rights of cannabis patients. We are working to change local and federal policy to meet the immediate needs of patients as well as create long-term strategies for safe access and programs that encourage research.

References

1. County of San Diego, Health and Human Services Agency, Public Health Services, Community Health Statistics Unit. *2016-2020 CITY DEMOGRAPHIC PROFILES*.; 2022.

https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/CHS/2020%20City%20Demographic%20Profiles.pdf

2. Cannabis Regulatory Requirements. Engage San Diego County. Accessed February 1, 2025. https://engage.sandiegocounty.gov/cannabis-regulatory-requirements

3. Alexander Nieves. California's legal weed industry can't compete with illicit market. POLITICO. October 23, 2021. Accessed February 1, 2025. https://www.politico.com/news/2021/10/23/california-legal-illicit-weed-market-516868

4. California D of CCS of. 86% of Californians who consume cannabis believe it is important to shop legally. Department of Cannabis Control. Accessed July 2, 2024. https://cannabis.ca.gov/2024/02/86-of-californians-who-consume-cannabisbelieve-it-is-important-to-shop-legally/

5. Berenbrok LA, Tang S, Gabriel N, et al. Access to community pharmacies: A nationwide geographic information systems cross-sectional analysis. *J Am Pharm Assoc*. 2022;62(6):1816-1822.e2. doi:10.1016/j.japh.2022.07.003

6. Womxn's Work Consulting, LLC. *Justice in the 4/20 Industry: The County of San Diego Social Equity Assessment*.; 2022. https://www.sandiegocounty.gov/content/dam/sdc/cao/oerj/cannabis-social-equity-assessment.pdf

7. Favril L, Rich JD, Hard J, Fazel S. Mental and physical health morbidity among people in prisons: an umbrella review. *Lancet Public Health*. 2024;9(4):e250-e260. doi:10.1016/S2468-2667(24)00023-9

8. Abuse NI on D. Reported drug use among adolescents continued to hold below pre-pandemic levels in 2023 | National Institute on Drug Abuse (NIDA). December 13, 2023. Accessed January 10, 2025. https://nida.nih.gov/news-events/newsreleases/2023/12/reported-drug-use-among-adolescents-continued-to-hold-below-pre-pandemic-levels-in-2023

9. 2023 Healthy Youth Survey results offer signs of hope and resiliency among Washington students | Washington State Department of Health. Accessed January 10, 2025. https://doh.wa.gov/newsroom/2023-healthy-youth-survey-resultsoffer-signs-hope-and-resiliency-among-washington-students

10. *OVERVIEW OF THE 2011 HEALTHY KIDS COLORADO COLORADO SURVEY: HIGH SCHOOL*.

11. Gregory Austin, Thomas Hanson, Nisha Bala, Cindy Zheng. *Student Engagement and Well-Being in California, 2019–21 Results of the Eighteenth Biennial State California Healthy Kids Survey, Grades 7, 9, and 11*.; 2023. https://data.calschls.org/resources/18th_Biennial_State_1921.pdf

12. Buller DB, Woodall WG, Saltz R, Starling R. Pseudo-Underage Assessment of Compliance With Identification Regulations at Retail Marijuana Outlets in Colorado. *J Stud Alcohol Drugs*. 2016;77(6):868-872.doi:10.15288/jsad.2016.77.868

13. Fell JC, Toomey T, Eichelberger AH, Kubelka J, Schriemer D, Erickson D. What is the likelihood that underage youth can obtain marijuana from licensed recreational marijuana outlets in California, a state where recreational marijuana is legal? *J Safety Res*. 2022;82:102-111. doi:10.1016/j.jsr.2022.05.002

14. Berg CJ, Romm KF, Pannell A, et al. Cannabis retailer marketing strategies and regulatory compliance: A surveillance study of retailers in 5 US cities. *Addict Behav*. 2023;143:107696. doi:10.1016/j.addbeh.2023.107696

15. Harlow AF, Miech RA, Leventhal AM. Adolescent Δ8-THC and Marijuana Use in the US. *JAMA*. 2024;331(10):861-865. doi:10.1001/jama.2024.0865

16. Bradford AC, Bradford WD. Medical Marijuana Laws Reduce Prescription Medication Use In Medicare Part D. *Health Aff (Millwood).* 2016;35(7):1230-1236. doi:10.1377/hlthaff.2015.1661

17. Denkyirah E, March R, Furton G, Rayamajhee V, Yonk R. Because I Got High? Recreational Marijuana Legalization's Impact on Opioid Overdose Deaths. Published online June 8, 2023. doi:10.2139/ssrn.5056296

18. Beasley WJ, Dundas S. Recreational cannabis dispensary access effects on prescription opioid use and mortality. *Reg Sci Urban Econ*. Published online June 8, 2024:104036. doi:10.1016/j.regsciurbeco.2024.104036

19. Raman S, Bradford A. Recreational cannabis legalizations associated with reductions in prescription drug utilization among Medicaid enrollees. *Health Econ*. Published online April 15, 2022. doi:10.1002/hec.4519

20. Mital S, Bishop L, Bugden S, Grootendorst P, Nguyen HV. Association between non-medical cannabis legalization and alcohol sales: Quasi-experimental evidence from Canada. *Drug Alcohol Depend*. 2024;257:111137.doi:10.1016/j.drugalcdep.2024.111137

21. Myran DT, Brown CRL, Tanuseputro P. Access to cannabis retail stores across Canada 6 months following legalization: a descriptive study. *Can Med Assoc Open Access J*. 2019;7(3):E454-E461. doi:10.9778/cmajo.20190012

22. Sexton M, Cuttler C, Finnell JS, Mischley LK. A Cross-Sectional Survey of Medical Cannabis Users: Patterns of Use and Perceived Efficacy. *Cannabis Cannabinoid Res*. 2016;1(1):131-138. doi:10.1089/can.2016.0007

23. Corroon JM, Mischley LK, Sexton M. Cannabis as a substitute for prescription drugs - a cross-sectional study. *J Pain Res*. 2017;10:989-998. doi:10.2147/JPR.S134330

24. Reiman A. Cannabis as a substitute for alcohol and other drugs. *Harm Reduct J.* 2009;6:35. doi:10.1186/1477-7517-6-35

25. State of California Department of Justice - OpenJustice. Accessed August 26, 2024. https://openjustice.doj.ca.gov/exploration/crime-statistics/domestic-violence-related-calls-assistance

26. Vista's Cannabis Tax Helped Revive the City's Budget. Accessed February 1, 2025. https://voiceofsandiego.org/2024/08/20/vista-cannabis-tax-revenue/

27. How Does Cannabis Cultivation Affect California's Water? Public Policy Institute of California. Accessed February 1, 025. https://www.ppic.org/blog/how-does-cannabis-cultivation-affect-californias-water/

28. Environmental Sustainability in the Cannabis Industry: Impacts, Best Management Practices, and Policy Considerations. The National Cannabis Industry Association. Accessed February 1, 2025. https://thecannabisindustry.org/reports/environmental-sustainability-in-the-cannabis-industry-impacts-best-managementpractices-and-policy-considerations/

29. New Frontier Data, Scale Microgrid Solutions, Resource Innovation Institute. *THE 2018 CANNABIS ENERGY REPORT*. https://www.trorc.org/wp-content/uploads/2020/10/NFD-TheCannabisEnergyReport-102418.pdf

30. Zandkarimi F, Decatur J, Casali J, Gordon T, Skibola C, Nuckolls C. Comparison of the Cannabinoid and Terpene Profiles in Commercial Cannabis from Natural and Artificial Cultivation. *Molecules*. 2023;28(2):833.doi:10.3390/molecules28020833

31. Rock EM, Parker LA. Constituents of Cannabis Sativa. *Adv Exp Med Biol*. 2021;1264:1-13. doi:10.1007/978-3-030-57369-0_1

32. Vaporized D-limonene selectively mitigates the acute anxiogenic effects of Δ9-tetrahydrocannabinol in healthy adults who intermittently use cannabis - *ScienceDirect*. Accessed February 1, 2025. https://www.sciencedirect.com/science/article/abs/pii/S0376871624001881?via%3Dihub

Response O1-9
Information regarding the San Diego Chapter of Americans for Safe Access and the reference materials are noted. Because no comments on the Draft PEIR were provided, no further response is provided.

Letter O2 Fallbrook Land Conservancy

Karla Ibarra, Executive Director
March 6, 2025

Comment O2-1
The following letter is submitted by Fallbrook Land Conservancy (FLC) in response to public comment on the Draft EIR for the San Diego County Socially Equitable Cannabis Program (SCH # 2023090330).

FLC urges the County to adopt Alternative 1 No Project, Retention of Current Cannabis Regulations, due to the significant impacts on aesthetics, biological resources, and water resources to the unincorporated communities of San Diego County.

Response O2-1
The commenter's preference for Alternative 1: No Project, Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR evaluates a reasonable range of alternatives at an equal level of detail of analysis, evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O2-2
The following comments are respectfully submitted as related to Table S.1, Summary of Impacts and Mitigation Measures, in the Draft EIR:

Issue 2.2, Aesthetics, Topic, 2. Substantially Degrade Visual Character or Quality.

Even after mitigation measures, Alternatives 2-5 are still found to have Significant and Unavoidable impacts on visual character or quality. This impact will negatively affect unincorporated community's ability to govern through the community planning process, and has significant potential to have negative economic effects, as many unincorporated, rural towns rely on tourist-based industry, agritourism, and eco-tourism.

Response O2-2
The comment correctly indicates that Draft PEIR identifies significant and unavoidable impact on visual character or quality under Alternatives 2, 3, 4, and 5 (see Section 2.2, "Aesthetics," in the Draft PEIR). The commenter's concerns related to governance through effects on the community planning process are unclear. Additionally, approved land uses must be consistent with adopted Community Plans and the San Diego County General Plan.

With regard to potential adverse economic effects on tourist-based industry, agritourism, and eco-tourism, State CEQA Guidelines Section 15131(a) states that economic or social effects of a project shall not be treated as significant effects on the environment.

Comment O2-3
Issue 2.2, Aesthetics, Topic, 3. Adversely Affect Views due to New Light and Glare.

We strongly disagree with the findings of Less than Significant for Alternatives 1-5 as it relates to lighting and glare. We believe that the proposed project fails to sufficiently address the risks it poses to Fallbrook's goal of becoming an International Dark Sky Community. Cannabis greenhouses, with their high-intensity lighting requirements, pose a significant threat to the quality of night skies. Sky glow, a form of light pollution that causes the brightening of the night sky, is a serious concern. Fallbrook's proximity to the Palomar Observatory, one of the most

important astronomical research facilities in the world, heightens the urgency of protecting the area's dark skies. Light pollution from greenhouse operations could interfere with astronomical observations, harming research and the local community's enjoyment of the night sky.

Response O2-3
Under Alternative 1, there would not be new sources of light and glare; thus, impacts were determined to be less than significant. The comment does not offer any evidence to suggest that implementation of Alternative 1 would increase light such that dark skies could be adversely affected.

The potential for new sources of light to affect nighttime views and dark skies is addressed in Draft PEIR Section 2.2, "Aesthetics," Section 2.2.3.6, "Issue 3: Adversely Affect View due to New Light and Glare." As discussed in this section, cannabis cultivation facilities would be subject to the California Energy Commission's Building Energy Efficiency Standards (CCR Title 24, Parts 1 and 2) and DCC regulations (CCR Title 4, Division 19, Section 16304) adopted for the purpose of reducing light and glare, as well as regulations in Section 51.201 et seq. of the Regulatory Code that were adopted for the purposes of minimizing light pollution in San Diego County and of protecting astronomical research at the Palomar and Mount Laguna Observatories from its detrimental effects. The Cannabis Program proposes amendments to the Zoning Ordinance that would further reduce light and glare from new cannabis uses. Section 6995(f)(1) specifies exterior lighting requirements to reduce light pollution and prevent spillover light, such as the use of motion sensors; LED bulbs; and luminaries that are cut-off, shielded, and downward facing. Section 6995(g)(2) would prohibit lighting in agricultural shade and crop structures and require the use of blackout curtains to prevent light escape from mixed-light cannabis cultivation. Section 6995(g)(2) specifies setback requirements for cultivation uses, which would prevent the spillover of light onto adjacent properties. Further, Regulatory Code Section 21.2510(3)(B) is proposed and requires establishment of a lighting plan showing existing and proposed exterior and interior lights that would provide security lighting for use and compliance with the San Diego County Zoning Ordinance sections 6233-6326, the Light Pollution Ordinance, and San Diego County Code of Regulatory Ordinances sections 51.201-51.209. Compliance with these regulations would ensure consistency with the General Plan policies that restrict outdoor light and glare in semirural and rural areas (Policy COS-13.1) and maintain dark skies, particularly surrounding the Palomar and Mount Laguna Observatories (Policy COS-13.2 and Policy COS-13.3). Proposed commercial cannabis facilities would be subject to site-specific review during the application process to ensure compliance with the County's development standards.

The comment does not offer any evidence to suggest that implementation of Alternatives 2, 3, 4, or 5 would increase light such that dark skies could be adversely affected. No changes to the document are required.

Comment O2-4
Issue 2.3, Air Quality, Topic 3. Result in Emissions of Odors Adversely Affecting a Substantial Number of People.

Alternatives 2, 3, and 5 are shown to have **Significant and Unavoidable** impacts, and **no mitigation measures are available** for these alternatives to reduce the impacts. This is

concerning and should not be taken lightly. Once established, cannabis operations will have and continue to have unavoidable negative impacts on air quality that cannot be mitigated, negatively impacting all residents within proximity of a cannabis operation.

Response O2-4
The comment correctly states that the Draft PEIR identifies significant and unavoidable impacts associated with odors for Alternatives 2, 3, and 5. These odor impacts are due to the emissions from outdoor cannabis cultivation. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors."

Comment O2-5
Issue 2.5, Biological Resources, Topics 1-6.

Alternatives 2-5 are shown to have a **Significant** effect on biological resources before mitigation measures. FLC strongly disagrees with the findings that, after mitigation measures, Alternatives 2–5 will have a Less than Significant on biological resources. While mitigation measures are in place to guide the avoidance of impacting sensitive resources or, when impacts are unavoidable, to offset the impacts through agency approved offsite mitigation measures, the potential for cumulative impacts may still be significant. Habitat fragmentation, degradation of native vegetation communities, and introduction of non-native species are unavoidable local impacts, and, without proper knowledge of the locations and extent of proposed cannabis operations, a determination cannot be reasonably made to assume less than significant effects on local resources. Additionally, as stated in the Draft EIR, the North and East County MSCPs are not yet approved and adopted documents. The Draft EIR assumes compliance with adopted policies and assumes that the North and East County MSCPs will be adopted and implemented in a timely manner, consistent with adoption of any policy related to cannabis cultivation. This assumption is overarching and may lead to significant impacts to biological resources if no MSCP or similar document is in place.

Response O2-5
Section 2.5 in the Draft PEIR addresses effects on biological resources. Issue 1 addresses special-status plant and wildlife species, including individuals and habitats, which is summarized in the Draft PEIR in Section 2.5.7.1, "Issue 1: Special-Status Plant and Wildlife Species," as follows:

> Alternative 1 would have no impacts on special-status plant and wildlife species.
>
> Cultivation and noncultivation activities associated with Alternatives 2, 3, 4 and 5 would have the potential to directly and indirectly adversely affect special-status plant and wildlife species. Therefore, the project would result in a potentially significant impact on these resources. Implementation of Mitigation Measures M-BI.1-1 through M-BI.1-19 would reduce potentially significant program-level and cumulative impacts on special-status plant and wildlife species to a less-than-significant level because special-status plant and wildlife species would be identified through reconnaissance-level and focused or protocol-level surveys (as applicable), avoidance measures would be implemented to prevent impacts on these species, and appropriate permitting or compensation would be obtained or provided for impacts on special-status species that cannot be avoided.

> Thus, this impact would be less than significant for Alternatives 2, 3, 4, and 5. In addition, the proposed Cannabis Program would not contribute to a significant cumulative impact.

Issue 2 addresses the potential to cause habitat fragmentation, which is summarized as follows in Section 2.5.7.2, "Issue 2: Riparian-Habitat and Other-Sensitive Natural Communities":

> Alternative 1 would have no impacts to riparian habitat and other sensitive natural communities.
>
> Cultivation and noncultivation activities associated with Alternatives 2, 3, 4 and 5 would have the potential to result in direct and indirect impacts on riparian habitat, sensitive natural communities, and oak woodlands. Therefore, the project would result in a potentially significant impact on these resources. Implementation of Mitigation Measures M-BI.1-1 and M-BI.2-1 would reduce potentially significant program-level and cumulative impacts on riparian habitat, sensitive natural communities, and oak woodlands to a less-than-significant level because these resources would be identified through reconnaissance-level and focused surveys, avoidance measures would be implemented to prevent removal or degradation of the habitats, and appropriate permitting and compensation would be required for impacts on these resources. Thus, this impact would be less than significant for Alternatives 2, 3, 4, and 5. In addition, the proposed Cannabis Program would not contribute to a significant cumulative impact.

The comment states that there may be residual cumulative effects on biological resources after mitigation due to habitat fragmentation, degradation of native vegetation communities, and introduction of nonnative species. Existing County regulations require avoidance of wildlife movement corridors and habitat linkages, and mitigation measures in the Draft PEIR require additional project siting requirements to avoid habitat fragmentation and impacts on wildlife movement; mapping, avoidance, or compensation for loss of sensitive natural communities and other sensitive habitats; and measures to avoid introduction or spread of nonnative species. These requirements are among other measures listed in Section 2.5 of the Draft PEIR, "Biological Resources." The effectiveness of mitigation measures in reducing environmental effects is addressed in Section 2.5.7, "Conclusion," in the Draft PEIR.

The potential to conflict with the County's MCSP is addressed in Issue 6 in Section 2.5 of the Draft PEIR, "Biological Resources," and summarized in the third paragraph on page 2.5-64 as follows (Note that this text reflects staff initiated changes consisting of changing the would payment to purchase and fees to mitigation creds. Please refer to Section 9.2, Staff Initiated Text Changes to the Draft PEIR Outside of Comments Received," for more details on this modified text.):

> Under Alternative 1, could be expansion of existing sites; however, these sites are already developed and disturbed. Therefore, there would be no contribution to cumulative impacts related to conflicts with the MSCP. Cultivation and noncultivation activities associated with Alternatives 2 through 5 would be required to participate in the MSCP, including purchase of associated mitigation credits and implementation of species-

based and habitat-based mitigation, which would offset the project's contribution to this significant cumulative impact, and no conflict with the MSCP would occur; therefore, this impact would be less than significant. Thus, the contribution of cultivation and noncultivation activities associated with the program to significant cumulative impacts from conflicts with adopted HCPs or NCCPs would be less than cumulatively considerable under Alternatives 2, 3, 4, and 5.

The Draft PEIR does require participation and compliance with the North and East County MSCPs, when those plans are approved; however, the mitigation measures also include requirements in the interim period prior to approval, or should the plans not be approved. Therefore, the less-than-significant conclusion does not depend on approval of these plans. The comment does not provide specific examples or evidence to indicate how a significant environmental effect may occur. Thus, no further response can be provided.

Comment O2-6

Issue 2.11, Hydrology and Water Quality, Topic 2. Substantial Decrease of Groundwater Supplies or Interfere Substantially with Groundwater Recharge.

Alternatives 2-5 will have **Significant and Unavoidable** impacts after mitigation measures on groundwater supplies. In areas such as Fallbrook, where the Santa Margarita River, through the Conjunctive Use Project, provides water supply to residents, this could lead to significant water reliability issues for residents.

Response O2-6

The comment correctly states that the Draft PEIR identifies significant and unavoidable impacts on groundwater supplies. This comment is general and does not address specific points for which further response can be provided. The reader is referred to the impact discussion under Issue 2 in Draft PEIR Section 2.11, "Hydrology and Water Quality."

Comment O2-7

In addition to the above comments, the following concerns are raised:

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

This alternative does not implement the Cannabis Program with incorporation of Measures 1, 2, and 3 from the June 15, 2022, Board direction and, therefore, does not take into consideration the location of regional parks, local parks, public trails, recreation facilities, preserves with visitor-serving amenities, religious assembly, childcare centers, public libraries operated by the County or other cities, residential care facilities, and other cannabis facilities when approving new cannabis operations.

The Board of Supervisors approved Measures 1, 2, and 3 to specifically protect sensitive uses above and beyond those defined by the state.

Response O2-7

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of

detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. Alternatives 3, 4, and 5 would implement the Cannabis Program with incorporation of Measures 1, 2, and 3 from the June 15, 2022, Board direction (Draft PEIR page 1-19). The Board will provide further direction on which program elements, evaluated in the Draft PEIR, will be considered for approval during future decision-making. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O2-8
Alternatives 3-5:

While these alternatives incorporate Measures 1, 2, and 3 as directed by the Board, FLC feels that a 1,000-foot buffer from preserve with visitor serving amenities is not adequate to protect the best interest of the public and preserve users, especially given the significant and unavoidable impacts of the proposed program.

Please let me know if you have any questions.

Response O2-8
The comment provides an opinion regarding the merits or qualities of Alternatives 3, 4, and 5. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter O3 Rainbow Community Planning Group

Martin Kurland, Chair
March 19, 2025

Comment O3-1
COMMENTS ON THE COUNTY OF SAN DIEGO SOCIALLY EQUITABLE CANNABIS PROGRAM DRAFT EIR, REGULATORY AMENDMENTS.AND ZONING AMENDMENTS

The Rainbow Community Planning Group has worked with the Fallbrook Community Planning Group to review the SECP Draft EIR and prepared these comments for the PDS to review. Please note that the Rainbow CPG has added additional comments which are shown in RED.

DRAFT EIR

ALTERNATIVE 4 IS THE MOST ENVIRONMENTALLY SUPERIOR ALTERNATIVE

THIS IS CITED IN THE DEIR- CHAPTER 4 ALTERNATIVES 4.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

There is substantial evidence throughout the DEIR that Alternative 4 is reasonable and feasible and accomplishes the basic objectives of the Social Equity Cannabis Program.

Response O3-1
The comment correctly identifies that Alternative 4 is identified as the environmentally superior alternative. The reader is referred to Chapter 4 of the Draft PEIR, “Alternatives,” for more information regarding the program alternatives.

Comment O3-2
However, from more recent studies, facts and information obtained from municipalities that have had cannabis programs for a number of years, we conclude that facts used to generate the DEIR were outdated and deficient and we question its accuracy.

Response O3-2
The comment states that the facts used to generate the Draft PEIR were outdated and deficient, but does not provide examples of where information is not adequate. The Draft PEIR presents a good-faith effort at evaluating the environmental effects of the program alternatives based on substantial evidence. Throughout the document, citations have been added within the discussions, and full reference information is presented in Chapter 6, “References.” This reference information includes recent natural habitat data, computer modeling, and other current resources. The County considers the Draft PEIR impact analysis to be supported by accurate substantial evidence. No further response can be provided.

Comment O3-3
It is very important to note that even with Alternative 4, there are many questions and concerns regarding setbacks, outdoor temporary events, retail hours and locations where cannabis can be cultivated, that need to be revised.

The single most environmentally detrimental element in Alternative 2, which is being called “The Program”, is outdoor cultivation. Alternative 4 prohibits outdoor cultivation. Data from other municipalities that have had cannabis programs for a number of years and that was not included in this DEIR, as well as new data that is just being discovered, shows that odors, pesticides, water, runoff and other factors from outdoor cultivation have had and continue to have substantially negative effects and threaten the health and safety of residents, especially growing children. In addition, in looking at the trend for indoor cultivation licenses in regions like Riverside County show that outdoor cultivation licenses are minimal, thus no real impact in removing outdoor grow option by selecting Alternative 4.

Residents that will be subjected to the Cannabis Program in their unincorporated areas should have a major weighted say in deciding whether or not indoor or outdoor cultivation will be allowed, because the agriculturally zoned lands where any type of cannabis cultivation is allowed in Alternatives 2,3,4,5 are adjacent to residential zones where families live.

Topics in “The Program”, which are consistent with state requirements, appear to be based more on urban areas. Since this Program is in rural areas, these topics, especially outdoor cultivation, setbacks and sensitive areas, should be adjusted to reflect the rural setting for this Program.

Alternative 4 is the most environmentally superior alternative. It is also the alternative that is least damaging to the unique, unincorporated rural lifestyle.

Alternative 4, with certain revisions should be chosen for this Cannabis Program.

HOWEVER, OTHER MUNICIPALITIES WITH PROGRAMS THAT HAVE ALLOWED CANNABIS CULTIVATION FOR MANY YEARS, HAVE FOUND IT TO BE SO EXTREMELY PROBLEMATIC WITH DEVASTATING IMPACTS ON THEIR COMMUNITES THAT THEY ARE NOW REVISING THEIR PROGRAMS.

BECAUSE OF THIS, CULTIVATION SHOULD BE REMOVED FROM ANY OF THE ALTERNATIVES UNTIL FURTHER UP TO DATE ANALYSIS, RELIABLE STUDIES AND INFORMATION CAN BE OBTAINED.

RATIONALE FOR ALTERNATIVE 4

Chapter 4 4.2.1

ATTAINMENT OF PROJECT OBJECTIVES

Alternative # 4 would develop a cannabis program generally consistent with the project objectives However, more research and emphasis need to be directed toward developing the regulatory program that will assist in protecting public health, safety and welfare, and protecting resources including power and water. *****See comments in the Regulatory Code Amendment

This program needs to be flexible and be able to adapt to new technologies and changing community needs. (Adaptive regulations)

ENVIRONMENTAL IMPACTS OF THE CANNABIS PROGRAM

A70 and A72 Agriculture Zones as well as other C and M Zones, are interspersed and are often adjacent to residential areas in the unincorporated areas. Buffer distances as currently listed in all the Alternatives would provide little, if any real protection for residents in terms of odor, traffic, pollution run-off, fire hazards and other adverse effects from Cultivation in these zones.

More up to date studies indicate that cannabis farming, particularly outdoor cultivation does have adverse effects on other crops.

Cannabis cultivation and other cannabis businesses are different in nature than other agricultural products that are farmed and used by consumers. Cannabis Cultivation in particular has more negative environmental impacts than most other agriculture. As such, they should have more stringent regulations and inspections. Additionally, under federal law, cannabis is not legal.

Response O3-3
The comment states that studies indicate that cannabis farming, particularly outdoor cultivation, has adverse effects on other crops. However, no data or technical analysis is provided to support this statement.

As described in Draft PEIR Section 2.3, "Agricultural and Forest Resources," because cannabis cultivation would be considered an agricultural use, which may be enrolled in a land conservation program, the Cannabis Program would be consistent with General Plan Policy COS-6.2. Additionally, the Cannabis Program noncultivation cannabis uses allowed in agricultural zones (A70 and A72) and are limited to nonvolatile manufacturing, distribution, and non-storefront retail associated with a microbusiness. These uses are considered supportive agricultural activities similar to packing and processing uses allowed in these zones as provided in Sections 2702 and 2722 of the Zoning Ordinance and are not considered development that results in the conversion of agricultural resources or conflicts with existing agricultural operations (pages 2.3-13 to 2.3-14 of the Draft PEIR). These noncultivation uses would also be consistent with General Plan Policy COS-6.2. For these reasons, the proposed Cannabis Program would not result in the loss of agricultural lands or result in conflicts with agricultural uses under any of the alternatives evaluated.

Consistent with CEQA requirements, Sections 2.2 through 2.19 of the Draft PEIR present a discussion of the existing conditions; regulatory framework; environmental impacts associated with implementation of the Cannabis Program under Alternatives 1 through 5, which are evaluated at an equal level of detail (as described in Chapter 1, "Project Description, Location, and Environmental Setting"); mitigation measures to reduce the level of impact; and residual level of significance (i.e., after application of mitigation, including impacts that would remain significant and unavoidable after application of all feasible mitigation measures). No specific comments on the Draft PEIR are provided for which further response can be provided.

The comment indicates support for Alternative 4. The commenter's preference for Alternative 4 has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Comment O3-4
How is crop residue disposed of to prevent contamination from pesticides and other chemicals?

https://www.swansea.ac.uk/media/Environmental-Impacts-of-the-Legalization-of-Cannabis-in-California.pdf

Response O3-4
Proposed commercial cannabis operations would generate solid waste from cannabis plant and product waste, as well as non-cannabis waste (e.g., vegetation clearing and other related solid waste). As described in Section 2.18.2, "Regulatory Framework," CCR, Title 4, Section 17223 requires cultivation facilities to have a cannabis waste management plan that identifies methods for managing cannabis waste, including on-premises composting, collection and processing by an agency, or self-hauling to a permitted facility. Transportation of self-hauled cannabis waste

shall be performed only by the licensee or employees of the licensee. A licensee must report all cannabis waste activities, up to and including disposal, into the state's track-and-trace system. CCR, Title 4, Division 19, Section 15049 requires that all disposed cannabis is entered into the track-and-trace system for disposal purposes. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

Please refer to Issue 3 in Section 2.18, "Utilities and Service Systems," for additional information related to cannabis waste management.

Comment O3-5
DEVELOPMENTAL IMPACTS

Related to development area, operational demand or resources, earth moving, etc. (top page 4-4)

Alternative #4 impacts would be less than the Programs (as stated in the DIER)

Response O3-5
The comment addresses the impacts of Alternative 4, but does not provide any specific point for which further response can be provided. Draft PEIR Table 1.4 does identify that Alternative 4 would have a reduced activity footprint (738 acres) as compared to Alternatives 2, 3, and 5 (1,032 acres).

Comment O3-6
PUBLIC SERVICES

The conclusions in the DEIR appear to be inconsistent with studies and information that are just now coming to light based on other areas with Cannabis Programs. More up to date studies need to be conducted.

The unincorporated areas have a total population of over 500,000 residents. While none of the alternatives might require additional law enforcement facilities, hiring only 2 additional code compliance officers would not serve the public in dealing with hundreds of potential complaints that could be generated for theft, noise, odor and other health and safety concerns caused by this program.

For reference, Santa Barbara County's total population is under 500,000, with their unincorporated population area being approximately 150,000. This is important to know because 4,000 odor complaints were filed in Santa Barbara County's unincorporated areas. None of these complaints were ever resolved. (Santa Barbara County Code Enforcement)

More impaired drivers could cause more accidents and put greater demands on our fire and paramedic first responders. California is the most dangerous state for freeway driving. One of

the deadliest freeways is the I-15. There are no known tests to determine a person's impairment.

Consumer Affairs Website- Deadliest Roads
https://www.consumeraffairs.com/automotive/deadliest-roads-in-california.html

Studies now show that hospital ER visits have increased with the increase in cannabis use as well, especially in older adults.
https://pubmed.ncbi.nlm.nih.gov/36622838/#:~:text=Conclusion%3A%20Cannabis%2Drelated%20ED%20visits,m edical%20care%20for%20older%20adults

This program could severely strain already understaffed law enforcement.

Enclosed cultivation would be required in Alternative #4. This would help prevent crime associated with outdoor grows. This is evidenced by crimes already faced by current citrus, avocado and other outdoor groves.

Response O3-6
As discussed in Section 2.15 of the Draft PEIR, "Public Services," and according to Appendix G of the State CEQA Guidelines, the proposed Cannabis Program would have a significant impact if it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, and other performance objectives for police protection services. As described in Section 2.15 of the Draft PEIR, "Public Services," under Issue 2, expanded or new cannabis facilities would be required to comply with state and local regulations and standards related to security and site access, which would minimize impacts related to police protection services. While the comment provides general opinions of the workload that may be faced by County Code Compliance or other law enforcement agencies, the comment provides no evidence to suggest that new or physically altered government facilities would be necessary due to implementation of any of the program alternatives.

The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," regarding enforcement measures and security measures. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.

Comment O3-7
The DEIR states that because Cannabis would be considered an agricultural use, it would not have an impact on agricultural resources. (Chapter 4, bottom page 4-4) While Cannabis may not have an impact of agricultural resources, the strong and pungent odor from Outdoor Cannabis cultivation appears to have a more significant negative effect on other crops, especially vineyards that are close by. For example, it has recently been observed that the odor from cannabis can be so strong that it can permeate the skin of the grapes being grown close by and alter their flavor.

If food crops are replaced by cannabis for financial incentives, it could affect our local production and availability of food crops further driving up food costs.

Response O3-7
The reader is referred to the response to Comment O3-3. The comment states that cannabis odors could have negative effects on other crops. This is often referred to as “taint,” where the smell or taste of one agricultural product affects the smell or taste of another agricultural product. The commenter does not provide data or technical analysis to support this statemen. Cannabis contains terpenes, the chemical compounds associated with scent and flavor. A recent study evaluated the potential of hemp terpenes to taint wine grapes planted in close proximity to a hemp field. Wine grapes samples were collected from the vineyard over a five-week period when both the hemp plants and wine grapes were nearing harvest. Overall, the study indicated that hemp plants contained high levels of terpenes; however, using a headspace gas-chromatography/mass spectrometry analysis, there were no detectable levels of hemp terpenes on the wine grapes or the resultant wine made from the vineyard in the study (Sellu 2020).

Comment O3-8
4.4.1 AESTHETICS, ISSUE 2

The impact would be significant and unavoidable in Alternative 2 (The Program) Impact would be LESS in Alternative 4

Response O3-8
The comment correctly identifies the comparative severity of impacts related to aesthetics, as identified in Chapter 4 of the Draft PEIR, “Alternatives.” Because no comments on the adequacy of the Draft PEIR were provided, no further response is provided.

Comment O3-9
4.4.2 AIR QUALITY, ISSUE 3

The impact would be significant and unavoidable in Alternative 2 because outdoor cultivation would require outdoor spraying of pesticides and other chemicals.

Impact would be LESS in Alternative # 4 because all spraying would be indoors.

Alternative # 4 would result in the LEAST emissions of odors from pesticides (overspray), chemicals and cannabis plants, adversely affecting substantial number of people.

Other municipalities that allow outdoor grows have suffered significant environmental impact due to odors. For example, children in Santa Barbara County at times have been unable to play outdoors at recess due to odors.

https://enewspaper.latimes.com/infinity/article_share.aspx?guid=5de42829-8623-4ff9-88af-35f90aa5bb97

Additionally, Alternative 4, with the 1000 ft buffer, also helps ensure that the concentration of cultivation sites in any given area is minimized. Although not mentioned in the impact analysis, this helps to ensure issues like increased VOCs from concentration of cultivation sites, or impact from increased use of Nitrogen fertilizers impacting air quality are minimized compared to Alternative 2.

Response O3-9
The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors,” regarding odors from cannabis cultivation. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

The comment states that the use of nitrogen fertilizers would impact air quality, but provides no data or technical analysis to support this statement. As identified in Section 2.4, “Air Quality,” no significant construction or operational air quality emission impacts are expected to occur under any of the alternatives. As described in Section 2.11, “Hydrology and Water Quality,” a nitrogen management plan is required for commercial cannabis cultivation sites SWRCB Order WQ 2023-0102-DWQ.

Comment O3-10
4.4.3 HYDROLOGY AND WATER QUALITY, Issue 2 Substantial Decrease in Groundwater Supplies or Interfere Substantially with Groundwater Recharge

The impact would be significant and unavoidable in Alternative 2 (The Program)

Impact would be LESS in Alternative # 4

4.4.6 UTILITIES AND SERVICE SYSTEMS ISSUE 1: ADEQUATE WATER SUPPLIES

The impact would be significant and unavoidable in Alternative 2 (The Program)

4.4.6.3 Impact would be LESS in Alternative # 4

4. 5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Alternative 4 is the environmentally superior alternative as stated in the DEIR TABLE 4.1 (pp 4-13-4-14)

Summary of the Environmental Effects of Alternative 4 Relative to Those of the Proposed project

Alternative 2 (The Program) 6- Significant

8-Less than significant

3- Less than significant with mitigation

Alternative 4- ENVIRORNMENTALLY SUPERIOR

12- Less than Significant 5- Similar to Alternative 2

Alternative 3

16- Similar to Alternative 2/ Program 1- Less

Alternative 5

16- Similar to Alternative 2/Program 1- Less

Response O3-10
The comment indicates that some environmental effects would be less under Alternative 4 than under Alternative 2. The commenter's preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O3-11
COMMENTS ON THE DRAFT REGULATORY CODE AMENDMENT

21.2504 MAXIMUM NUMBER & TYPE OF AUTHORIZED CANNABIS BUSINESSES

Limits on total number of dispensaries in each community

The regulatory program/zoning needs to establish limits on the total number of dispensaries/lounges in each community. It is recommended that this be based on the population of each unincorporated community. For example, 1 per 20,000 residents.

Location of Cultivation in A70 & A72

Additionally, the regulatory program/zoning needs to establish not only the location of grows within the A70 and A72 Zones but establish a limit on the total number of grows allowed in each unincorporated Community.

Cultivation adjacent to residential areas has the potential to destroy a town's residential areas, neighborhoods and rural way of life.

A remediation program should be required as part of licensing and permitting for Cannabis Cultivation. This program would ensure that when cannabis cultivation operations on a property cease, the property is cleared of any trash, pesticides and remaining buildings, and are not left in disrepair. See more under 21.2510 APPLICATION SUBMITTAL REQUIREMENTS

Limits on Cultivation

There should be a limit on the total number of acres for cultivation in each community and in the total unincorporated areas.

Setbacks

Setbacks should be a minimum of 1,000 ft from sensitive areas which should include residences, schools, daycare, churches, parks, and any areas or businesses that cater to families and especially children.

d) Limits on the maximum number of retail storefront uses in any one of the planning areas or unincorporated communities are essential so that one community doesn't take the brunt of these retail dispensaries and consumption lounges and the associated traffic, law enforcement needs and other environmental impacts.

e) There must be limits on the maximum total number of non-storefront retail cannabis businesses. Without these limits the consequences could be devastating to entire communities and their residents and businesses, especially those that are adjacent to or near cannabis cultivation and other non-retail cannabis businesses. Example: A70 and A72 Zoning is interspersed throughout residential zones in the unincorporated areas. With no limits, this could cause irreparable harm to the health and safety of children, adults and animals with odors, traffic, lights, noise, pollution and crime and other environmental impacts. Residents could conceivably no longer be able to enjoy the peace and tranquility of their rural lifestyle due to these environmental impacts.

f) Modification of the maximum number of Cannabis Business licensed should never be increased.

21.2508 BUILDING PERMITS AND INSPECTIONS

Must be subject to Design Standards where there is a B Designator.

21.2510 APPLICATION SUBMITTAL REQUIREMENTS

(3) SECURITY

b) Light plan

Must comply with the Community's lighting regulations

(5) Neighborhood Compatibility Plan

How would this function? Who with knowledge of the neighborhood will review? Will neighbors have input?

Any Cultivation/grows on A70 and A72 should have 24-hour on-site security.

(6) Odor Mitigation Plan

How will this be enforced? Will APCD be involved? Neighbors or community members should be involved in a quarterly review. These should be publicly posted ahead of time and the results published after.

(E) How will the Director or their designee determine if the Cannabis business is following procedures established by the licensee? Quarterly, unannounced inspections should be required. How will access to locked properties be handled?

Additionally, a remediation program which includes a “remediation” bond should be required as part of licensing and permitting for Cannabis Cultivation. This program would ensure that when cannabis cultivation operations on a property cease, the property is cleared of any trash, pesticide and remaining buildings, and is not left in disrepair. Once cultivation has ceased, all grow houses and associated materials (lights, fans, irrigation, pots, tables, trash, PVC piping, landscape fabric, tarps, etc.) must be disassembled and stored out of sight or properly disposed of within 90 days of operations ending. A post-inspection would determine compliance.

THE WALL STREET JOURNAL

https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults_pos1&page=1

21.2520 SUSPENSION OR REVOCATION OF CANNABIS BUSINESS LICENSE

(b) What is considered a major violation?

21.2525 GENERAL OPERATING REQUIREMENTS

(d) This contradicts the County’s Live Well Program “Smoke is Smoke” and no smoking ordinances. Secondhand Cannabis smoke contains cancer causing chemicals and some at higher amounts than tobacco.

https://www.cdc.gov/cannabis/health-effects/secondhand-smoke.html

https://www.uclahealth.org/news/article/secondhand-marijuana-smoke-what-are-the-risks-to-your-health

https://no-smoke.org/secondhand-marijuana-smoke-fact-sheet/

(j) This is not realistic. How will businesses be responsible for safely controlling loitering without having to call already understaffed Law Enforcement if the loiterers do not comply?

(m) Signage and notices

Must comply with Design Standards

(o) Odor Control-

Code compliance should be available 24 hours a day to investigate odor complaints in real time. Unannounced inspections should take place quarterly or more often if there have been any complaints.

In other municipalities with Cannabis Programs, this has been shown to be nearly impossible to control. Please see previous information under Air Quality.

www.coastalview.com/news/county-planners-support-tough-odor-controls-for-all-cannabis-greenhouses/article

https://www.independent.com/2025/03/06/landmark-ruling-certifies-a-class-action-against-valley-crest-for- nuisance-odor-in-carpinteria-valley/

https://www.independent.com/2025/01/15/the-coming-crackdown-on-greenhouse-cannabis/

https://www.independent.com/2025/03/12/public-invited-to-community-forum-on-cannabis-odor-in-carpinteria/

21.2527 RETAIL HOURS

Closing time of 8:00 pm is a more reasonable time. In rural communities, there are very few businesses that stay open late into the night. Having an earlier closing time could help prevent crime. Additionally, our roads are dark and often windy. Impaired drivers would make them even more dangerous than they already are.

21.2528 CONSUMPTION LOUNGES

(f) What measures will be used to determine if a patron is impaired?

Many of the rural unincorporated communities do not have ride share services for consumers who are impaired after consuming cannabis products. Consumption Lounges should be prohibited in areas that do not have or have limited ride share services such are Uber of Lift. Consumption lounges should close at 8:00pm.

Are Consumption lounges liable for impaired patrons? Will there be training for bud tenders?

Impaired drivers

https://aaafoundation.org/development-and-validation-of-messaging-to-deter-cannabis-impaired-driving/

Consumer Affairs Website- Deadliest Roads
https://www.consumeraffairs.com/automotive/deadliest-roads-in-california.html

Consumption Lounges should be prohibited from selling or allowing sampling of any injectable cannabis products. https://www.sfgate.com/cannabis/article/california-injectable-cbd-gets-fda-warning-

20219801.php?utm_campaign=CMS%20Sharing%20Tools%20(Premium)&utm_source=share-by- email&utm_medium=email

c.xii What will be the maximum occupant load for the designated cannabis smoking room?

21.2529- 2533 WHEN WILL THESE SECTIONS BE AVAILABLE FOR COMMENTS? Also missing section for

Processing

21.2534 TEMPORARY CANNABIS EVENTS

The number of Temporary Cannabis Events should be limited to a total for all licensees to 6 times per year. This would prevent the possibility of temporary events being held by many different licensees on so many dates throughout the year that local businesses and residents could be unduly disrupted by crowds, traffic, noise, odors and other negative factors.

Neighbors or businesses within a 1,000 ft radius should be notified when the permits are applied for, prior to the event so that they can comment during the approval process.

Because of the rural nature of the unincorporated areas, sound, noise, lights and other environmental impacts carry quite a distance more than in an urban area. Because of this, large outdoor events should end at dusk.

The maximum number of attendees should be limited to a reasonable number. Will the licensees be required to have special event training for their staff?

How would the odor and other effects of large amounts of secondhand cannabis smoke be mitigated for surrounding neighbors and businesses?

Outdoor smoking contradicts the smoking-room requirements of The Program.

There will be significant negative impacts to the roads that were not designed to handle large increases in traffic associated with temporary events. Traffic control plans, law enforcement, noise and other requirements/regulations are needed.

Temporary Events should not be allowed in communities that do not have sufficient ride share services.

In addition to the regulations for Temporary Cannabis Events that are listed, these events should also be subject to all the other regulations that are required for other temporary community events.

No Temporary Events should be allowed on rural roads that do not have multiple routes of egress for emergencies similar to any MUP requirements as defined by Fire Code.

21.2537 INSPECTIONS

Inspections should be unannounced and quarterly. There should never be any reduced inspections.

COMPLAINTS

Hiring 2 extra Code Compliance Officers will be insufficient. Currently Code Compliance is understaffed and cannot efficiently and effectively handle the complaints they already receive.

Subsequent iterations of the regulatory codes should include weighted comments from PGs/SGs and the Public who live in the unincorporated areas.

Changes to the current noise regulations and ordinance may need to be revised for this program. While noise levels from Cannabis cultivation may not exceed the maximum decibels, they can still be annoying and disruptive to the peace and tranquility of residents who live adjacent to grows.

The industry oversight committee should also include representatives from PGs/SGs.

COMMENTS ON THE DRAFT ZONING ORDINANCE AMENDMENTS

General

Terminology of Administrative Permit and Discretionary Administrative Permit needs to be consistent such that the Discretionary Administrative Permit is not confused with a Ministerial Administrative Permit

6129

The number of Temporary Cannabis Events should be limited to a total for all licensees to 6 times per year. This would prevent the possibility of temporary events being held by many different licensees on so many dates throughout the year that local businesses and residents could be unduly disrupted by crowds, traffic, noise, odors and other negative factors.

Event facilities with Major Use Permits should be included in the total limit of 6 times a year for Cannabis events.

6861 NON-CONFORMING

f) Exemptions

Just like any other business, exterior building modifications or additions should not be exempt from any Design Standards if subject to B Designator.

6995 Cannabis Facilities

f) Performance Standards

Missing line item which reiterates the Performance Standard of section 1.6.1.4 stating no generators shall be used except for emergency situations

g) Activity Specific Standards 2i & 2ii)

Cultivation setbacks between adjacent parcels based on residence versus vacant parcel lend itself to significant issues for both licensee and neighbor if owner of vacant parcel decides to develop adjacent vacant parcel.

Licensee would be required to remove crops to adjust for change of 100ft setback to 300ft setback. This could prove to be a significant amount of crops if for example properties abut by a 1000ft boundary which is not uncommon in rural setting and 20 acre lots. This would translate to about 2 acres of crop that would need be removed to comply with setback change. In addition, there will be high likelihood of dealing with enforcement by code enforcement and litigation surrounding such events. To avoid these potential issues, it is recommended that all setbacks, independent of adjacent parcel being vacant or developed be set at 300 ft.

2vi.) Given all cannabis processing must be performed in an enclosed structure, also implies that now odor mitigation must be managed and a new license with APCD acquired to monitor and enforce such odor mitigation efforts.

Response O3-11
The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program,” regarding potential refinement of the proposed Cannabis Program; Section 9.1.1.6, “Master Response: Consideration of Environmental Impacts of Cannabis,” regarding environmental impact evaluation of the implementation of the proposed Cannabis Program; Section 9.1.1.1, “Master Response: Cannabis Odors,” regarding the Draft PEIR cannabis odor impact analysis; and Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” regarding various state regulations and proposed regulations in the Cannabis Program to address compliance issues.

Comment O3-12
SUMMARY

While our recommendation is Alternative 4, we conclude that the DEIR fails to adequately address topics which have been discussed in the DEIR and Regulatory comments. In particular:

1. The effects and impacts to our rural roads and infrastructure.

2. The negative effects from impaired drivers who have visited cannabis lounges and temporary events.

3. The negative environmental effects of cannabis cultivation on utilities, rural aesthetics and surrounding residents and businesses.

4. The negative impacts of outdoor temporary events.

5. The negative environmental effects of cannabis cultivation odors.

6. Negative effects on other crops.

7. Negative effects on law enforcement, first responders and public services.

We recommend that the EIR be revised to include a more thorough and up to date analysis of these topics and their negative environmental impacts on our unincorporated communities.

OTHER REFERENCES

FEDERAL LAW

Federal law (21 USC § 860) is clear: no alcohol, drugs of ANY kind are to be sold, grown, manufactured, or processed within 1000 feet of a school facility or club.

All setbacks/buffers should be a minimum of 1,000 ft for the protection of residences and businesses.

ILLEGAL CANNABIS OPERATIONS

The idea that legal cannabis businesses will help prevent illegal cannabis business appears to be flawed. https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults_pos1&page=1

According to NBC News 2022, 70-80% of MJ sold in state-LEGAL dispensaries in Calif was produced and grown ILLEGALLY (SOURCE: https://learnaboutsam.org/wp-content/uploads/2023/04/2023-Report.pdf)

Siskiyou County Sheriff, “We have definitive proof of illegal, toxic pot going to a Los Angeles ``dispensary". https://www.ganjingworld.com/video/1g8ntrcvb523T6Ky2i0Ptv06e1oi1c

CARTELS & HUMAN TRAFFICING

https://www.latimes.com/california/story/2023-05-05/california-weed-regulators-confront-human- trafficking?utm_id=96600&sfmc_id=2400471

ECONOMIC VIABILITY- MAY COST MORE TO REGULATE THAN TAX REVENUE

https://pasoroblesdailynews.com/grand-jury-finds-legal-cannabis-has-not-been-economically-viable-for-slo- county/193704/

PESTICIDES

https://www.latimes.com/california/story/2024-12-19/california-weed-cleanup

GRAND JURY INDICTS 51 IN EAST VILLAGE OPEN AIR DRUG MARKET CRACKDOWN LOCAL – fox 5 kusi – April 25, 2024

https://fox5sandiego.com/news/local-news/grand-jury-indicts-51-in-east-village-open-air-drug-market- crackdown/

Journal of CannabisResearch. A narrative review on environmental impacts of cannabis cultivation https://jcannabisresearch.biomedcentral.com/articles/10.1186/s42238-021-00090-0#:~:text=2013).,in%20state%20or%20federal%20agencies

Response O3-12
The comment provides a summary of the comment letter, concluding with a general opinion that several topics were not adequately addressed in the Draft PEIR and a list of references. The reader is referred to the responses to Comments O3-1 through O3-11 as well as Draft PEIR Sections 2.2, "Aesthetics"; 2.3, "Agricultural and Forest Resources"; Section 2.13, "Noise"; 2.15, "Public Services"; 2.16, "Transportation"; and 2.18, "Utilities and Service Systems," which provide technical analyses of the items listed in the comment.

Letter O4 Bonsall Community Sponsor Group

Larissa Anderson, Interim Chair; Michael Collier, Member; Jared Rowley, Member; Steven B. Norris, Member; Jennifer Haider, Member; Meghan Van Leeuwen, Member
March 20, 2025

Comment O4-1
Reference: Curtis v. Valley Crest Farms, LLC, Santa Barbara County Superior Court, Case No. 21 CV04272, class-action lawsuit, certified in March 2025.

Dear Members of the San Diego County Planning Commission, The Bonsall Community Sponsor Group (BCSG) respectfully submits the following public comments regarding the Socially Equitable Cannabis Program (SECP) and the accompanying Environmental Impact Report (EIR) currently open for public review. The BCSG has significant concerns regarding various aspects of the SECP and its potential impacts on our community, public safety, the environment, and the broader County of San Diego.

Response O4-1
This comment is noted. This comment is introductory in nature and does not address the adequacy of the Draft PEIR. Therefore, no further response is required.

Comment O4-2
Comment 1: Concerns Regarding the Inclusion of Diversity, Equity, and Inclusion (DEI) Elements

The SECP incorporates aspects of Diversity, Equity, and Inclusion (DEI) within its framework. However, it is important to note that DEI principles are no longer permissible under federal policy due to recent executive orders, which have deemed such provisions discriminatory. The County must carefully evaluate the potential consequences of including DEI principles in the SECP, particularly considering the risks of future legal challenges.

Moreover, the inclusion of DEI provisions may create complications in funding aspects of the SECP. Under the current federal administration, any program that incorporates DEI may be ineligible for certain federal grants or funding, which could significantly affect the program's future sustainability and oversight.

While DEI principles are important in many social programs, their incorporation into the SECP may expose the County to costly lawsuits, particularly if they result in discrimination claims under federal guidelines. The County should address these potential legal liabilities and evaluate the costs of defending potential lawsuits, which could strain taxpayer resources.

Response O4-2
The purpose of the PEIR is addressed in Section 1.7 of the Draft PEIR, "Purpose and Use of this Program Environmental Impact Report." As discussed in the third paragraph on page 1-20 of the Draft PEIR, the basic purposes of CEQA are to inform government decision makers about potential environmental impacts of projects, identify ways the impacts can be reduced or avoided, prevent significant unavoidable environmental damage through alternatives and mitigation, and disclose to the public the reason that decision makers approved a project that may result in environmental impacts, and disclose what those potential impacts may be. CEQA requires the preparation of an EIR for projects that require a discretionary action by government decision makers and that may result in a significant environmental impact. Consideration of potential legal liability and the costs of defending potential lawsuits are not subject to review under CEQA. No changes to the document are necessary.

Comment O4-3
Comment 2: Concerns About Cannabis Grow Operations on Agricultural Land

The SECP proposes permitting cannabis grow operations on agricultural-zoned land within the County, raising several significant concerns related to public safety, environmental degradation, and the wellbeing of nearby communities. Currently, the program involves minimal county review of these grow operations, which may increase the risk of theft and other criminal activity.

The EIR should provide a detailed analysis of the environmental impacts associated with cannabis grow operations, including the safety risks posed by these operations, such as theft, trespassing, and other unlawful activities. Additionally, the SECP does not adequately address the environmental impacts of cannabis cultivation, such as water usage, pesticide application, and resource concerns. The EIR must ensure that cannabis cultivation complies with environmental protection standards to avoid harm to local ecosystems.

Response O4-3
The Draft PEIR contains an analysis of the overall environmental effects of future development in the unincorporated area that would be allowed under the proposed Cannabis Program.

The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," regarding enforcement measures and security measures. Water usage is addressed in Section 2.18, "Utilities and Service Systems," under Issue 1. Pesticide application is addressed in Section 2.10, "Hazards and Hazardous Materials," under Issue 1. Other potential effects on resources are addressed throughout the Draft PEIR. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

Comment O4-4
Furthermore, the strong odors produced by cannabis grow operations have been a source of significant concern. The **Curtis v. Valley Crest Farms** class-action lawsuit is a pertinent example, where residents argued that persistent "sewer-like" odors from a cannabis greenhouse operation disrupted their quality of life. The Santa Barbara County Superior Court's decision to certify this lawsuit demonstrates the potential for similar legal and environmental challenges in San Diego County. The EIR must evaluate how these odors could affect surrounding properties, potentially reducing property values and affecting public health.

Response O4-4
As of June 2025, the case of *Curtis v. Valley Crest Farms* is ongoing. A judge recently certified a class action related to cannabis odor from the site for homes within a 1-mile radius of Valley Crest Farms, a cannabis greenhouse operation in the Carpinteria Valley, in which residents in those homes can collectively seek damages for the pervasive smell of cannabis invading their properties. Although odor is considered to cause an environmental effect, issues pertaining to property values are economic and social issues that are not environmental in nature.

The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors,” regarding the Draft PEIR cannabis odor impact analysis associated with cannabis cultivation would be considered a significant and unavoidable impact. This ruling does not affect the content or conclusions presented in the Draft PEIR, and no changes to the document are required.

Comment O4-5
Comment 3: Concerns About Future Litigation and Costs

The BCSG believes that the SECP, as currently framed, is likely to face significant legal challenges. The inclusion of DEI principles, the permitting of cannabis grow operations on agricultural land, and the potential for environmental harm could result in costly litigation for the County. While the EIR focuses on environmental impacts, the County should also recognize the indirect costs associated with legal challenges.

The EIR should assess the potential financial impacts of litigation arising from the SECP, including the costs of defending lawsuits and possible settlements or damages. These legal risks should be fully considered as part of the overall program costs, which may ultimately affect San Diego County taxpayers.

Response O4-5
The reader is referred to the response to Comment O4-2.

Comment O4-6
Comment 4: Impact of Cannabis Grow Operations on Surrounding Properties

The persistent odor associated with cannabis grow operations is a critical issue that needs to be addressed in the EIR. The **Curtis v. Valley Crest Farms** lawsuit exemplifies how odors

from cannabis cultivation can negatively impact surrounding properties, causing diminished property values and a decreased quality of life for nearby residents.

The EIR should evaluate the potential for similar odor issues in San Diego County and assess how cannabis grow operations in agricultural zones could affect surrounding properties. The County should not only consider the environmental impact but also the economic and social consequences of these operations, including potential legal action and the long-term effects on local property markets.

Response O4-6
The reader is referred to the response to Comment O4-4. State CEQA Guidelines Section 15131 states that the economic and social effects of a project shall not be treated as significant effects on the environment.

Comment O4-7
Conclusion and Final Recommendation

In conclusion, the Bonsall Community Sponsor Group strongly urges the County to reconsider several aspects of the SECP, particularly those related to the inclusion of DEI principles, the permitting of cannabis grow operations outdoors on agricultural land, the long-term costs of potential litigation and the impact on law enforcement. Given the concerns outlined in this letter, and as voted by the BSG (6 -0) on our March 18, 2025 special meeting, we respectfully unanimously recommend that the County support **Alternative 1: The No Project Alternative**.

The No Project Alternative provides a prudent course of action that avoids the potential legal, financial, and environmental risks associated with implementing the SECP as proposed. By choosing this alternative, the County would maintain the status quo, which has allowed the existing regulatory framework to function without introducing the risks of litigation and the challenges associated with cannabis cultivation on agricultural lands.

Comment on the BCSG Vote and the Importance of Addressing the "Project" as Described in the EIR

The Bonsall Community Sponsor Group's vote in favor of recommending the No Project Alternative is based on a comprehensive evaluation of the entire SECP as described in the EIR, including the new "Socially Equitable Elements" and other provisions of the program. The group carefully considered the potential environmental, social, and legal impacts of the project as presented in the EIR and provided comments based on these concerns.

The BCSG's concerns are grounded in the overall impacts of the SECP as currently proposed, rather than opposition to cannabis regulation itself. These considerations emphasize the importance of evaluating the full scope of the project, as described in the EIR, and addressing the potential risks that these provisions pose to the community.

We appreciate the opportunity to provide input on this important issue and look forward to the County's careful consideration of these concerns in the final SECP and EIR.

Response O4-7
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," regarding of the range of alternatives evaluated in the Draft PEIR and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter O5 Warner Springs Community Sponsor Group

Kathryn Fletcher, Chair
March 24, 2025

Comment O5-1
The Warner Springs Community Sponsor Group (WS CSG) met on March 20, 2025, to present, discuss, and seek input from the community on the Socially Equitable Cannabis Program Draft Environmental Impact Report. Upon consideration, our recommendation to the County is to pursue Alternative 4.

The primary concerns expressed at the meeting were:

Response O5-1
The commenter's preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," regarding of the range of alternatives evaluated in the Draft PEIR and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O5-2
1. Groundwater contamination (as our residents are all on wells): Anza residents have seen that cannabis grow facilities use large amounts of fertilizers, herbicides/pesticides and the like.

2. Surface water contamination: Ephemeral/seasonal creek contaminants can flow large distances. Wildlife (flora/fauna) will suffer.

Response O5-2
The potential to affect water quality is addressed in Section 2.11 of the Draft PEIR, "Hydrology and Water Quality," under Issue 1. The existing regulatory requirements that address surface and groundwater contamination are discussed, beginning in the last paragraph on page 2.11-39, as reproduced below:

> …SWRCB Order WQ 2023-0102-DWQ contains requirements for commercial cannabis cultivation. These requirements include plans that address site erosion and sediment control, disturbed areas stabilization, nitrogen management, implementation of best

practical treatment or control measures, site closure procedures, and monitoring and reporting requirements. In addition, the order contains requirements for land development maintenance, erosion control, drainage features, stream-crossing installation and maintenance, soil disposal and spoils management, and roadway design and maintenance. Cannabis cultivation operations that cover less than 2,000 square feet are conditionally exempt, are required to obtain coverage under the waiver, and are still subject to standards in SWRCB Order WQ 2023-0102-DWQ. These requirements include implementation of the best practical treatment or control measures provided in Attachment A of SWRCB Order WQ 2023-0102-DWQ, which address:

- riparian and wetland protection and management;
- water diversion, storage, and use;
- irrigation runoff;
- land development and maintenance, erosion control, and drainage features;
- soil disposal;
- stream crossing installation and maintenance;
- fertilizer and soil use and storage;
- pesticide and herbicide application and storage;
- petroleum products and other chemical use and storage;
- cultivation-related waste disposal (including cannabis wastewater);
- refuse and human waste disposal; and
- winterization.

These required best practical treatment or control measures contain specific procedures, associated with the topics listed above, to prevent direct discharge of waste to surface waters and stormwater mobilization of constituents of concern (e.g., nitrogen, pathogens, phosphorus, salinity, and turbidity) to waters of the state, which includes groundwater and surface waterbodies.

The comment does not provide any evidence that surface or groundwater contamination may occur with implementation of these requirements. No further response can be provided.

Comment O5-3

3. Air quality: Burning and burying wastes have occurred in many of the grows that exist(illegally) in our area. Also, the odor of the mature plants gives many people headaches and nausea.

Response O5-3

The Draft PEIR addresses legal cannabis cultivation. Transportation of self-hauled cannabis waste must be performed by only the licensee or the employees of the licensee. A licensee must report all cannabis waste activities, up to and including disposal, into the state's track-and-trace system. CCR, Title 4, Division 19, Section 15049 requires that all disposed cannabis is entered

into the track-and-trace system for disposal purposes. Cannabis is not allowed to be burned as part of its disposal. For further discussion regarding waste management, please see Issue 3 in Section 2.18 of the Draft PEIR, "Utilities and Service Systems." This comment does not address any specific issue for which further response can be provided.

Comment O5-4

4. Traffic: As with any large-scale agricultural endeavor, large truck traffic causes unsafe road conditions and erosion of dirt roads that access adjacent residents, at times making them impassable.

Response O5-4

The comment provides general comments regarding truck movement along roadways associated with agricultural uses. Transportation is assessed in Section 2.16 of the Draft PEIR, "Transportation." Traffic safety is addressed under "Issue 3: Substantially Increase Hazards due to a Design Feature." As discussed in the last paragraph on page 2.11-39 of the Draft PEIR, SWRCB Order WQ 2023-0102-DWQ contains requirements for land development maintenance, erosion control, drainage features, stream-crossing installation and maintenance, soil disposal and spoils management, and roadway design and maintenance. No specific comments on the PEIR are provided for which further response can be provided.

Comment O5-5

5. Lights: In Warner Springs, a candidate for dark-sky region recognition and within the restricted lighting zone for Palomar Observatory, night-lighting is a problem. Light-blocking materials must be used for greenhouse construction.

Response O5-5

Please refer to Response O2-3. The potential for new sources of light to affect nighttime views and dark skies is addressed in Section 2.2.3.6, "Issue 3: Adversely Affect View due to New Light and Glare." As discussed in this section, cannabis cultivation facilities would be subject to the California Energy Commission's Building Energy Efficiency Standards (CCR Title 24, Parts 1 and 2) and DCC regulations (CCR Title 4, Division 19, Section 16304) adopted for the purpose of reducing light and glare, as well as regulations in Section 51.201 et seq. of the Regulatory Code that were adopted for the purposes of minimizing light pollution in San Diego County and of protecting astronomical research at the Palomar and Mount Laguna Observatories from its detrimental effects. The Cannabis Program proposes amendments to the Zoning Ordinance that would further reduce light and glare from new cannabis uses.

Comment O5-6

6. Noise: Increased noise due to general business access would present a problem to the backcountry community.

Response O5-6

The potential for long-term operation noise is addressed in Section 2.13, "Noise," under Issue 2. The potential effects of long-term noise are summarized on page 2.13-45 of the Draft PEIR, reproduced as follows.

2.13.7.2 Issue 2: Excessive Long-Term Stationary Noise Levels

Alternative 1 would have less-than-significant stationary noise impacts.

Implementation of Mitigation Measure M-N.2-1 would provide substantial reductions in operational noise associated with loading activities at cannabis distribution facilities by requiring a noise analysis and implementation of noise reduction measures for proposed facilities located within 30 feet of an adjacent land use. In addition, the Cannabis Program proposes amendments to the Zoning Ordinance (Section 6995(f)(3)) and the Regulatory Code (Section 21.2510(5)(A)) that would include noise standards to reduce excessive noise levels associated with cannabis facilities consistent with County General Plan policy and noise regulations. Therefore, permanent operational stationary noise levels associated with operation of Alternatives 2 through 5 would be less than significant with mitigation. In addition, the proposed Cannabis Program would not contribute to a significant cumulative impact.

No specific comments on the PEIR are provided for which further response can be provided.

Comment O5-7

7. Demographic changes: Dangerous elements of the population often frequent cannabis grow areas. A mass shooting occurred a few years ago at a grow operation in a neighboring community. Safety of hikers and horseback riders could be another problem if security for the grows are vigilante in nature.

Response O5-7

The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” regarding various state regulations and proposed regulations in the Cannabis Program to security issues.

Comment O5-8

8. Aesthetics: Large sites with greenhouses can overtake the scenery and cause backcountry areas to become industrialized. This has happened where nurseries such as Altman Plants near Escondido have changed the whole character of a valley and negatively impacted the quality of life and lowered property values there. 0.5 acres of greenhouses should be the limit with vegetative screening and air filters for odor reduction installed. The number of projects should be strictly limited in a particular valley or geographic region.

9. Residences should be considered as "sensitive" and an increased buffer of ¼ mile applied.

Response O5-8

Section 2.2 of the Draft EIR, “Aesthetics,” contains an evaluation of the programs effects on scenic vistas and scenic resources (Issue 1) and the potential to substantially degrade visual character and quality (Issue 2). As discussed on pages 2.2-13 through 2.2-22, cannabis facilities would resemble existing uses in agricultural, commercial, and industrial zones. Cannabis cultivation and microbusiness uses are assumed to have similar characteristics as existing agricultural and rural uses that currently occur in the unincorporated county, except for enclosed fencing around outdoor cultivation areas. Indoor cultivation and noncultivation uses would likely locate into existing industrial and retail buildings in the unincorporated area;

however, any new buildings that would be constructed under the Cannabis Program are assumed have similar massing, size, and use to existing commercial and industrial buildings. Additionally, commercial cannabis facilities implemented under any of the alternatives would be subject to local regulations adopted for the purpose of preserving scenic views and protecting scenic resources within viewsheds of the unincorporated County. For these reason, impacts on scenic vistas and scenic resources would be less-than-significant.

With regard to degradation of visual character and quality (Issue 2 in Section 2.2 of the Draft EIR, "Aesthetics"), while compliance with regulations and regulatory processes involving aesthetics (e.g., site-specific review during the application process, setbacks, zoning ordinance and regulatory code requirements for site development) would reduce potential effects, because cannabis uses have distinctly recognizable visual characteristics as compared to other traditional forms of agriculture in the unincorporated county (e.g., security fencing and business signage) impacts were determined to be potentially significant. Mitigation Measure M-AE.2-1 would require applicants to site outdoor and mixed-light cultivation facilities outside of public views. However, site-specific conditions may not always allow project proponents to locate agricultural shade or crop structures away from public viewpoints. For example, there may be instances in which all developable sites on a property are within public view or the sites outside of public view contain sensitive resources, require extensive grading, or do not contain fertile soils or other suitable conditions for growing cannabis. Overall, the potential for aesthetics impacts to occur is conservatively identified as significant and unavoidable under Alternatives 2 through 5 because aesthetic impacts are subjective, and cannabis uses would continue to have distinctly recognizable visual characteristics compared to other traditional forms of agriculture in the county.

The potential effects on nighttime lighting are addressed in Issue 3 of Section 2.2 of the Draft PEIR, "Aesthetics."

Comment O5-9
10. All night-time commercial activity should be prohibited.

Response O5-9
The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," regarding potential refinement of the proposed Cannabis Program.

Comment O5-10
The above concerns should be addressed in the EIR. Only small operations that are manageable for the impacts above should be considered. Strict oversight by county personnel shall be maintained at every site. Each site must be evaluated individually for environmental impact due to the highly variable conditions present in our backcountry. Large-scale operations need to be considered industrial in nature and do not belong in the rural and remaining wild areas which comprise Warner Springs.

Response O5-10
Responses to each comment in this letter are provided above. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the

Socially Equitable Cannabis Program," regarding potential refinement of the proposed Cannabis Program and Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis."

Letter O6 Lakeside Chamber of Commerce

Cassandra Usry, President & CEO
March 26, 2025

Comment O6-1
On behalf of the Lakeside Chamber of Commerce, I am writing to provide the following comments regarding the County of San Diego's Draft Environmental Impact Report (EIR) relating to the Socially Equitable Cannabis Program (Program). While we are neither opposed to the County developing a Cannabis Equity Policy, nor debating the merits of the use of cannabis, we have concerns that the safeguards that were to be researched by staff did not have adequate public outreach, and the adoption of piecemeal cannabis policy does not serve the best interests of residents in the unincorporated areas.

Response O6-1
The commenter's overall summary of concerns are noted. The reader is referred to the responses to the comments below.

Comment O6-2
On June 15, 2022, Supervisor Joel Anderson introduced a Board Letter that specifically requested three program design features be included within the Program EIR. These items include:

1. Expand the definition of "sensitive" uses to include the following (as defined by the General Plan and/or Zoning Ordinance that can also be further refined by staff):

    a. regional parks, local parks, trails, recreation facilities, and preserves (if preserve has visitor-serving amenities)

    b. places of worship (churches, temples, etc.)

    c. childcare centers

    d. public libraries operated by the County and/or other cities

    e. residential care facilities

    f. schools (including public, private, and charter)

    g. other cannabis facilities

2. Increase the setback of any cannabis facility from "sensitive" land uses from 600 feet to 1,000 feet (measured at the property line)

3. Expand existing County billboard regulations to prohibit advertising of cannabis on a billboard within 1,000 feet of a "sensitive" use

The Board unanimously approved this request.

We are concerned that the Proposed Project Alternative within the draft EIR does not include these recommendations. Rather, these recommendations are included in a separate alternative, despite clear direction that the intent of the Board was to support these specific recommendations as preferred characteristics of the Proposed Project to be evaluated in the draft EIR. In addition, the draft Zoning Ordinance amendments do not include the features unanimously approved by the Board.

We believe the Proposed Project Alternative and all associated documents, including zoning ordinance amendments, should have included these items at the express direction of the Board.

Response O6-2
As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. Alternatives 3, 4, and 5 would implement the Cannabis Program with incorporation of Measures 1, 2, and 3 from the June 15, 2022, Board direction (Draft PEIR page 1-19). The Board will provide further direction on which program elements, evaluated in the PEIR, will be considered for approval during future decision-making. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O6-3
Furthermore, we have serious concerns regarding the potential impacts related to cannabis cultivation and the potential for as many as 346 outdoor licenses. The draft EIR rightly concludes commercial cannabis operations would generate nuisance odors that would be significant and unavoidable. Outdoor cultivation in the unincorporated areas, such as Lakeside, are very concerning because agricultural zones are interspersed throughout our town with residential zones. Additionally, the significant and unavoidable impact these operations would have on our groundwater supplies and the availability of water would place an undue burden on the county's unincorporated populations versus those in incorporated jurisdictions. These negative impacts, correctly outlined as significant within the draft EIR, would hinder the enjoyment of the outdoors and our rural way of life.

Response O6-3
Consistent with this comment, the Draft PEIR indicates that approval of the Cannabis Program would result in significant and unavoidable impacts on odor and groundwater. As described in Section 2.4, “Air Quality,” under “Issue 3: Result in Emissions of Odors Adversely Affecting a Substantial Number of People,” odor emissions would be less than significant under

Alternatives 1 and 4 and significant and unavoidable under Alternatives 2, 3, and 5. Cannabis odors are further discussed under Section 9.1.1.1, “Master Response: Cannabis Odors.” Impacts associated with decreased groundwater supplies or interference with groundwater recharge are discussed in Section 2.11, “Hydrology and Water Quality,” under “Issue 2: Substantial Decrease of Groundwater Supplies or Interfere Substantially with Groundwater Recharge.” As discussed there, impacts on groundwater supplies or recharge would be less than significant under Alternative 1 and significant and unavoidable under Alternatives 2, 3, 4, and 5.

Comment O6-4
Based on the analysis presented and past actions of the Board, we believe staff should amend the draft EIR to have Alternative 4 serve as the preferred alternative, and the Board should include the prohibition of outdoor cultivation within any decision made.

Response O6-4
The commenter’s preference for Alternative 4 has been noted and will be reviewed by the Board during future decision-making activities.

Letter O7 Fallbrook Community Planning Group

March 27, 2025

Comment O7-1

Comments on the County of San Diego Socially Equitable Cannabis Program Draft EIR, Regulatory Amendments and Zoning Amendments.

Based on community input, we oppose this project and support
Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior
Alternative to the “No Project” as cited in the DEIR- Chapter 4.
Therefore, our DEIR comments are on Alternative 4.

There is substantial evidence throughout the DEIR that Alternative 4 is reasonable and feasible and accomplishes the basic objectives of the Social Equity Cannabis Program. Aside from Alternative 1, Alternative 4 is not only the most environmentally superior Alternative, it is also the least damaging to the unique, unincorporated rural lifestyle.

However, from more recent studies, facts and information obtained from municipalities that have had cannabis programs for a number of years, we conclude that the facts used to generate the entire DEIR were outdated and deficient and we question its accuracy.

It is very important to note that even though our second choice would be Alternative 4, there are still many questions and concerns regarding all of the project objectives and the environmental analysis of them. Of particular concern is Cannabis cultivation and temporary Cannabis events. Comments, questions and concerns are discussed further throughout this document.

Response O7-1
The commenter's preferences for the program alternatives have been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR regarding the range of alternatives evaluated in the Draft PEIR and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O7-2
Alternative 2 "The Program" allows outdoor cultivation, Alternative 4 prohibits it. Data from other municipalities that have had cannabis programs for a number of years, which was not included in this DEIR, as well as new data that is just being discovered, shows that odors, pesticides, water, drainage and other factors from outdoor cultivation have had, and continue to have substantially negative environmental effects. These effects threaten the health and safety of residents, especially growing children. In addition, trends for cultivation licenses in regions like Riverside County show that outdoor cultivation licenses are minimal, thus no real impact to this Program in removing outdoor grows by selecting Alternative 4.

A70 and A72 agriculturally zoned lands where Cannabis cultivation will be allowed in Alternatives 2,3,4,5 are adjacent to residential zones where families live throughout unincorporated San Diego County. Residents who will be subjected to the Cannabis Program in these unincorporated areas should have a major weighted say in deciding whether or not indoor or outdoor cultivation will be allowed,

Response O7-2
The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process and Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," regarding potential refinement of the proposed Cannabis Program.

Comment O7-3
Objectives in "The Program", which are consistent with state requirements, appear to be based more on urban areas. Since this Program is in rural areas, these objectives, especially outdoor cultivation, setbacks and sensitive areas, should be adjusted to reflect the rural setting for this Program.

Response O7-3
The comment expresses concerns related to the objectives of the Program, but does not offer any examples of objectives. Under CEQA, project objectives are intended to help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and decision makers in preparing findings or a statement of overriding considerations (CEQA Guidelines Section 15124[b]). The program objectives are listed in Section 1.2 of the Draft PEIR, "Project Objectives." The comment does not provide any examples of how the objectives could be adjusted to help inform decision-making and no further response can be provided.

Comment O7-4

COMMENTS ON ALTERNATIVE 4

Chapter 4
4.2.1 ATTAINMENT OF PROJECT OBJECTIVES

Alternative 4 would develop a Cannabis program generally consistent with the project objectives

However, more research and emphasis needs to be directed toward developing the regulatory program that will assist in protecting public health, safety and welfare, and protecting resources including power and water.
*****See comments in the Regulatory Code Amendment

This program needs to be flexible and be able to adapt to new technologies and changing community needs. (Adaptive regulations)

Response O7-4
The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process and Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," regarding potential refinement of the proposed Cannabis Program.

Comment O7-5
ENVIRONMENTAL IMPACTS OF THE CANNABIS PROGRAM

A70 and A72 Agriculture Zones as well as other C and M Zones in unincorporated San Diego County are interspersed and are often adjacent to residential areas. Buffer distances as currently listed in all the Alternatives would provide little, if any real protection for residents in terms of odor, traffic, pollution run-off, fire hazards and other adverse effects from Cultivation in these zones.

Response O7-5
The comment provides general opinions on how buffers may affect impacts related to odor, traffic, pollution run-off, fire hazards, and other adverse effects. Environmental impacts associated with cannabis operational odors, traffic, pollution runoff, and fire hazards are addressed in the Draft PEIR in Sections 3.2, "Air Quality;" 2.16, "Transportation;" 2.11, "Hydrology and Water Quality;" and 2.19, "Wildfire," respectively. No specific comments on the PEIR are provided; thus, no further response can be provided.

Comment O7-6
More up to date studies indicate that Cannabis cultivation, particularly outdoor cultivation does have adverse effects on other crops.

Cannabis cultivation and other Cannabis businesses are different in nature than other agricultural products that are farmed and used by consumers. Cannabis cultivation in particular has more negative environmental impacts than most other agriculture in terms of odor, water

usage, security requirements and chemical use. As such, they should have more stringent regulations and inspections.

Response O7-6
The comment states that cultivation of cannabis has adverse impacts on other crops, but provides no evidence or technical studies supporting this statement. As described in Draft PEIR Section 2.3, “Agricultural and Forest Resources,” the proposed Cannabis Program would not result in the loss of agricultural lands or result in conflicts with agricultural uses under any of the alternatives evaluated.

Consistent with CEQA requirements, Sections 2.2 through 2.19 of the Draft PEIR present a discussion of the existing conditions; regulatory framework; environmental impacts associated with implementation of the Cannabis Program under Alternatives 1 through 5, which are evaluated at an equal level of detail (as described in Chapter 1, “Project Description, Location, and Environmental Setting”); mitigation measures to reduce the level of impact; and residual level of significance (i.e., after application of mitigation, including impacts that would remain significant and unavoidable after application of all feasible mitigation measures). No specific comments on the PEIR are provided; thus, no further response can be provided.

Comment O7-7
Additionally, under federal law, cannabis is not legal.
https://www.reuters.com/legal/litigation/federal-court-dismisses-challenge-cannabis-prohibition-analyzing-canna-2024-07-10/

https://www.marijuanamoment.net/feds-say-marijuana-can-be-summarily-seized-from-state-legal-businesses-but-not-if-its-rescheduled/

Response O7-7
The reader is referred to Section 9.1.1.5, “Master Response: Legal Status of Cannabis,” regarding the legal status of cannabis.

Comment O7-8
How is crop residue disposed of to prevent contamination from pesticides and other chemicals?

https://www.swansea.ac.uk/media/Environmental-Impacts-of-the-Legalization-of-Cannabis-in-California.pdf

Response O7-8
Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

Proposed commercial cannabis operations would generate solid waste from cannabis plant and product waste, as well as non-cannabis waste (e.g., vegetation clearing and other related solid waste). As described in Section 2.18.2, “Regulatory Framework,” CCR, Title 4, Section 17223 requires cultivation facilities to have a cannabis waste management plan that identifies methods for managing cannabis waste, including on-premises composting, collection and processing by an agency, or self-hauling to a permitted facility. Transportation of self-hauled cannabis waste shall be performed by only the licensee or the employees of the licensee. A licensee must report all cannabis waste activities, up to and including disposal, in the state’s track-and-trace system. CCR, Title 4, Division 19, Section 15049 requires that all disposed cannabis is entered into the track-and-trace system for disposal purposes.

The reader is referred to Issue 3 in Section 2.18, “Utilities and Service Systems,” for additional information related to cannabis waste management.

Comment O7-9
DEVELOPMENTAL IMPACTS

Related to development area, operational demand or resources, earth moving, etc. (top page 4-4)

Alternative # 4 impacts would be less than the Programs (as stated in the DIER)

Response O7-9
The comment addresses the impacts of Alternative 4, but does not provide any specific point for which further response can be provided. The reader is referred to Draft PEIR Chapter 5, “Alternatives,” for a comparative analysis of the alternatives evaluated in the PEIR.

Comment O7-10
PUBLIC SERVICES

The conclusions in the DEIR appear to be inconsistent with studies and information that are just now coming to light based on other areas with Cannabis Programs. More up to date studies need to be conducted.

The unincorporated San Diego County has a total population of over 500,000 residents. While none of the alternatives might require additional law enforcement facilities, hiring only 2 additional code compliance officers would not serve the public in dealing with hundreds of potential complaints that could be generated for theft, noise, odor and other health and safety concerns caused by this Program.

For reference, Santa Barbara County’s total population is under 500,000, with their unincorporated population area being approximately 150,000. This is important to know because 4,000 odor complaints have been filed in Santa Barbara County’s unincorporated areas. None of these complaints were ever resolved. (Santa Barbara County Code Enforcement)

More impaired drivers could cause more accidents and put greater demands on our fire and paramedic first responders. California is the most dangerous State for freeway driving. One of

the deadliest freeways is the I-15. There are no known tests to determine a person's level of impairment.

Consumer Affairs Website- Deadliest Roads
https://www.consumeraffairs.com/automotive/deadliest-roads-in-california.html

Studies now show that hospital ED visits have increased with the increase in Cannabis use as well, especially in older adults.
https://pubmed.ncbi.nlm.nih.gov/36622838/#:~:text=Conclusion%3A%20Cannabis%2Drelated%20ED%20visits,medical%20care%20for%20older%20adults

This program could severely strain already understaffed law enforcement.

Indoor cultivation required in Alternative 4 could help prevent crime associated with outdoor grows. This is evidenced by crimes already faced by current citrus, avocado and other outdoor groves.

Response O7-10
The reader is referred to the response to Comment O4-6.

Comment O7-11
The DEIR states that because Cannabis would be considered an agricultural use and it would not have an impact on agricultural resources. (Chapter 4, bottom page 4-4) , However, if food crops are replaced by cannabis for financial incentives, it could affect our local production and availability of food crops further driving up food costs.

As previously discussed, recent studies indicate that outdoor Cannabis cultivation does have adverse effects on other crops. For example, it has recently been observed that the odor from Cannabis can be so strong that it can permeate the skin of the grapes being grown close by and alter their flavor. Indoor cultivation would help eliminate these negative impacts.

Pesticide overspray, pollution, chemical usage, drainage and odors from outdoor Cannabis cultivation could have detrimental impacts on adjacent open space, conservancy lands, parks and agricultural or natural resources.

Response O7-11
The reader is referred to the response to Comment O4-7.

Comment O7-12
4.4.1 AESTHETICS, ISSUE 2

The impact would be significant and unavoidable in Alternative 2 (The Program)

Impact would be LESS in Alternative 4

Response O7-12
The comment correctly identifies the comparative severity of impacts related to aesthetics, as identified in Chapter 4 of the Draft PEIR, "Alternatives."

Comment O7-13
4.4.2 AIR QUALITY, ISSUE 3

The impact would be significant and unavoidable in Alternative 2- The Program.

Impact would be LESS in Alternative 4 because all spraying would be indoors.

Alternative 4 would result in the LEAST emissions of odors from pesticides (overspray), chemicals and Cannabis plants, adversely affecting substantial number of people.

Other municipalities that allow outdoor grows have suffered significant environmental impact due to odors. For example, children in Santa Barbara County at times have been unable to play outdoors at recess due to odors.
https://enewspaper.latimes.com/infinity/article_share.aspx?guid=5de42829-8623-4ff9-88af-35f90aa5bb97

Additionally, Alternative 4 with the 1,000 foot buffer would also help to ensure that the concentration of cultivation sites in any given area is minimal. Although not mentioned in the impact analysis, this helps to ensure that VOCs from concentration of cultivation sites, or impact from increased use of nitrogen fertilizers impacting air quality are minimized compared to Alternative 2.

Response O7-13
The reader is referred to the response to Comment O4-9.

Comment O7-14
4.4.3 HYDROLOGY AND WATER QUALITY, Issue 2 Substantial Decrease in Groundwater Supplies or Interfere Substantially with Groundwater Recharge

The impact would be significant and unavoidable in Alternative 2 (The Program)

Impact would be LESS in Alternative # 4

4.4.6 UTILITIES AND SERVICE SYSTEMS ISSUE 1: ADEQUATE WATER SUPPLIES

The impact would be significant and unavoidable in Alternative 2 (The Program)

4.4.6.3 Impact would be LESS in Alternative # 4

4. 5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Alternative 4 is the environmentally superior alternative as stated in the DEIR.

TABLE 4.1 (pp 4-13-4-14)
Summary of the Environmental Effects of Alternative 4 relative to those of the proposed project

Alternative 2 (The Program)
6- Significant
8-Less than significant

3- Less than significant with mitigation

Alternative 3
16- Similar to Alternative 2/ Program
1- Less

Alternative 4- ENVIRORNMENTALLY SUPERIOR
12- Less than Significant
5- Similar to Alternative 2

Alternative 5
16- Similar to Alternative 2/Program
1- Less

Response O7-14
The reader is referred to the response to Comment O4-10.

Comment O7-15

COMMENTS ON THE DRAFT REGULATORY CODE AMENDMENT

21.2504 MAXIMUM NUMBER & TYPE OF AUTHORIZED CANNABIS BUSINESSES

Limits on total number of dispensaries in each community

The regulatory program/zoning needs to establish limits on the total number of dispensaries/lounges in each community. It is recommended that this be based on the population of each unincorporated community. For example, 1 dispensary per 20,000 residents.

Location of Cultivation in A70 & A72
The regulatory program/zoning needs to establish not only the location of grows within the A70 and A72 Zones but establish a limit on the total number of grows allowed in each unincorporated Community. Cultivation adjacent to residential areas has the potential to destroy a town's residential areas, neighborhoods and rural way of life.

A remediation program should be required as part of licensing and permitting for Cannabis cultivation. This requirement would ensure that when Cannabis cultivation operations on a property cease, the property is cleared of any trash and pesticides and remaining buildings are not left in disrepair. See more under 21.2510 APPLICATION SUBMITTAL REQUIREMENTS

Limits on Cultivation
There should be a limit on the total number of acres for cultivation in the entire unincorporated San Diego County as well as in each Community or Planning area.

Setbacks
Setbacks should be a minimum of 1,000 ft from sensitive areas which should include residences, schools, daycare, churches, parks, and any areas or businesses that cater to families, especially children.

d) Limits on the maximum number of retail storefront uses in any one Planning Area or unincorporated communities are essential so that one community doesn't take the brunt of these retail dispensaries and consumption lounges and the associated traffic, law enforcement needs and other environmental impacts.

e) There must be limits on the maximum total number of non-storefront retail Cannabis businesses. Without these limits the consequences could be devastating to entire communities and their residents and businesses, especially those that are adjacent to or near Cannabis cultivation and other non retail Cannabis businesses. Example: A70 and A72 Zoning is interspersed throughout residential zones in the unincorporated San Diego County. With no limits, this could cause irreparable harm to the health and safety of children, adults and animals with odors, traffic, lights, noise, pollution and crime and other environmental impacts. Residents could conceivably no longer be able to enjoy the peace and tranquility of their rural lifestyle due to these environmental impacts.

f) Modification of the maximum number of Cannabis business licenses should never be increased.

21.2508 BUILDING PERMITS AND INSPECTIONS

Must be subject to Design Standards where there is a B Designator.

21.2510 APPLICATION SUBMITTAL REQUIREMENTS

(3) SECURITY

b) Light plans must ensure that they not only comply with any dark sky ordinances, but also do not disrupt any nearby residents from enjoying the beauty of the nighttime stars.

(5) NEIGHBORHOOD COMPATIBILITY PLAN
How would this function? Who with knowledge of the neighborhood will review? Will neighbors have input?

Any Cultivation/grows on A70 and A72 should have 24-hour on-site security.

(6) ODOR MITIGATION PLAN
How will this be enforced? Will APCD be involved? Neighbors or community members should be involved in a quarterly review. Quarterly reviews should be publicly posted ahead of the review and the results published after.

(E) How will the Director or their designee determine if the Cannabis business is following procedures established by the licensee? Quarterly, unannounced inspections should be required. How will inspectors access to locked properties be handled?

Additionally, a remediation program which includes a "remediation" bond should be required as part of licensing and permitting for Cannabis cultivation. This program would ensure that when Cannabis cultivation operations on a property cease, the property is cleared of any trash, pesticide and remaining buildings are not left in disrepair. Once cultivation has ceased, all

grow houses and associated materials (lights, fans, irrigation, pots, tables, trash, PVC piping, landscape fabric, tarps,etc) must be disassembled and stored out of sight or properly disposed of within 90 days of operations ending. A post-inspection would determine compliance.

THE WALL STREET JOURNAL
https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults_pos1&page=1

21.2520 SUSPENSION OR REVOCATION OF CANNABIS BUSINESS LICENSE

(b) What is considered a major violation?

21.2525 GENERAL OPERATING REQUIREMENTS

(d) This contradicts the San Diego County's Live Well Program "Smoke is Smoke" and no smoking ordinances. Secondhand Cannabis smoke contains cancer causing chemicals. Some of these chemicals are in higher amounts than in tobacco.
https://www.cdc.gov/cannabis/health-effects/secondhand-smoke.html

https://www.uclahealth.org/news/article/secondhand-marijuana-smoke-what-are-the-risks-to-your-health

https://no-smoke.org/secondhand-marijuana-smoke-fact-sheet/

(j) This is not realistic. How will businesses be responsible for safely controlling loitering without having to call already understaffed Law Enforcement if the loiterers do not comply?

(m) Signage and notices
Must comply with Design Standards for retail businesses.

(o) Odor Control
Code Compliance should be available 24 hours a day to investigate odor complaints in real time. Unannounced inspections should take place quarterly or more often for particular business if there have been any complaints about that business.

In other municipalities with Cannabis Programs, odors and odor complaints have been shown to be nearly impossible to control. Please see previous information under Air Quality.
www.coastalview.com/news/county-planners-support-tough-odor-controls-for-all-cannabis-greenhouses/article

https://www.independent.com/2025/01/15/the-coming-crackdown-on-greenhouse-cannabis/

https://www.independent.com/2025/03/12/public-invited-to-community-forum-on-cannabis-odor-in-carpinteria/

21.2527 RETAIL HOURS

Closing time of 8:00 pm is a more reasonable time. In rural communities, there are very few businesses that stay open late into the night. Having an earlier closing time could help prevent crime. Additionally, unincorporated, rural roads are dark and often windy. Impaired drivers would make them even more dangerous than they already are.

21.2528 CONSUMPTION LOUNGES

(f) What measures will be used to determine if a patron is impaired?

Many of the rural unincorporated communities in San Diego County do not have ride share services for consumers who would be impaired after consuming Cannabis products. Consumption Lounges should be prohibited in areas that do not have a minimum number of full time ride share services such are Uber of Lyft. Consumption lounges should close at 8:00pm.

Are Consumption lounges liable for impaired patrons? Will there be training for bud tenders?

Impaired drivers
https://aaafoundation.org/development-and-validation-of-messaging-to-deter-cannabis-impaired-driving/

Consumer Affairs Website- Deadliest Roads
https://www.consumeraffairs.com/automotive/deadliest-roads-in-california.html

Consumption Lounges should be prohibited from selling or allowing sampling of any injectable cannabis products.
https://www.sfgate.com/cannabis/article/california-injectable-cbd-gets-fda-warning-20219801.php?utm_campaign=CMS%20Sharing%20Tools%20(Premium)&utm_source=share-by-email&utm_medium=email

c.xii What will be the maximum occupant load for the designated cannabis smoking room?

21.2529- 2533 WHEN WILL THESE SECTIONS BE AVAILABLE FOR COMMENTS?

21.2534 TEMPORARY CANNABIS EVENTS

The number of temporary Cannabis events should be limited to a total for all licensees to 6 times per year. This would prevent the possibility local businesses and residents from being unduly disrupted by crowds, traffic, noise, odors and other negative factors of temporary events being held on so many dates throughout the year.

Neighbors or businesses within a 1,000 ft radius should be notified when applicants apply for permits so that they can comment during the review process.

Because of the rural nature of San Diego County's unincorporated areas, sound, noise, lights and other environmental impacts carry much further of a distance than in an urban area.

Because of this, large outdoor events should end at dusk. This would also help prevent accidents caused by attendees (whether they're impaired or not), who are driving on dark often narrow and windy rural roads. For example, the Fallbrook Avocado Festival ends at 5:00 PM to help prevent nighttime accidents caused by drivers unfamiliar with Fallbrook's rural roads.

The maximum number of attendees should be limited to a reasonable number. Will the licensees be required to have special event training for their staff?

How would the odor and other effects of large amounts of secondhand Cannabis smoke be mitigated for surrounding neighbors and businesses?

Outdoor smoking contradicts the smoking-room requirements of The Program.

Temporary events could have significantly negative environmental impacts on rural roads that were not designed to handle large increases in traffic associated with numerous events. Traffic control plans, law enforcement, noise and other requirements/regulations are needed.

Temporary events should not be allowed in communities that do not have sufficient full time ride share services.

In addition to the regulations for Temporary Cannabis Events that are listed in this section, these events should also be subject to all the other regulations that are required for other temporary community events.

No Temporary Events should be allowed on rural roads that do not have multiple routes of egress for emergencies, similar to any MUP requirements as defined in the Fire Code.

<u>21.2537 INSPECTIONS</u>

Inspections should be unannounced and quarterly. There should never be any reduced inspections.

COMPLAINTS
Hiring two extra Code Compliance Officers will not be sufficient. Currently Code Compliance is understaffed and cannot efficiently and effectively handle the complaints they already receive.

Subsequent iterations of the regulatory codes should include weighted comments from Community Planning and Sponsor Groups and the Public who live in the unincorporated areas of San Diego County.

The Industry Oversight Committee should also include representatives from Community Planning Groups and Sponsor Groups.

Changes to the current noise regulations and ordinance need to be revised for this program. While noise levels from Cannabis cultivation may not exceed the maximum decibels, they can still be annoying and disruptive to the peace and tranquility of residents who live adjacent to grows. Further, barking from guard dogs protecting Cannabis grows could not only be disturbing to nearby residents and businesses, but could also be a danger to families,

especially children if these dogs get out of their secure areas. Nuisance barking is already a problem in rural communities and the noise regulations do not address this satisfactorily.

COMMENTS ON THE DRAFT ZONING ORDINANCE AMENDMENTS

6129
The number of Temporary Cannabis Events should be limited to a total for all licensees to 6 times per year. This would prevent the possibility of temporary events being held by many different licensees on so many dates throughout the year that local businesses and residents could be unduly disrupted by crowds, traffic, noise, odors and other negative factors.

Event facilities with Major Use Permits or who operate by right should be included in the total limit of 6 times a year for licensees who use these facilities for temporary Cannabis events.

6861 NON-CONFORMING

f) Exemptions
Just like any other business, exterior building modifications or additions should not be exempt from any Design Standards if subject to B Designator.

6995 CANNABIS FACILITIES

f) Performance Standards 1.6.1.4
No generators shall be used except for emergency situations.

g) Activity Specific Standards
2i & 2ii)
Cannabis cultivation setbacks between adjacent parcels, based on residence versus vacant parcel lend themselves to significant issues for both licensee and neighbor if owner of vacant parcel decides to develop adjacent vacant parcel. To avoid these potential issues, it is recommended that all setbacks, independent of adjacent parcel being vacant or developed be set at least 300 ft from the lot line.

2vi.) Given all Cannabis processing must be performed in an enclosed structure, also implies that now odor mitigation must be managed and a new permit with APCD acquired to monitor and enforce such odor mitigation efforts.

Response O7-15
The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program,” regarding potential refinement of the proposed Cannabis Program; Section 9.1.1.6, “Master Response: Consideration of Environmental Impacts of Cannabis,” regarding environmental impact evaluation of the implementation of the proposed Cannabis Program; Section 9.1.1.1, “Master Response: Cannabis Odors,” regarding the Draft PEIR cannabis odor impact analysis; and Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” regarding various state regulations and proposed regulations in the Cannabis Program to address compliance issues.

Comment O7-16

SUMMARY and CONCLUSIONS

We note that other municipalities which for years have allowed Cannabis cultivation have found it to be extremely problematic with devastating impacts on their communities. As a result, they are now revising their programs. Because of this, cultivation should be removed from any of the Alternatives until further up to date analyses, reliable studies and information can be obtained.

***** Special attention should be given to a recent "Landmark" Ruling in a Class Action Suit in Carpinteria where the Class prevailed for nuisance odor of "pervasive smell of pot" invading their properties.**
https://www.independent.com/2025/03/06/landmark-ruling-certifies-a-class-action-against-valley-crest-for-nuisance-odor-in-carpinteria-valley/

Response O7-16
The commenter's opinion on cannabis cultivation is noted. The reader is referred to the response to Comment O5-4 regarding ongoing litigation in Carpinteria, California.

Comment O7-17
Additionally, we conclude that this Project and the environmental impacts will affect all property owners, residents and businesses in the unincorporated San Diego County. Public notices should have been sent out to all of them, informing them about this Project and the DEIR. Public Notice of this Project and the DEIR was deficient.

Response O7-17
The process for public review is summarized in Section 1.8 of the Draft PEIR, "EIR Review Process." The Notice of Availability for the Draft EIR was posted and made available consistent with State CEQA Guidelines Section 15087. The comment provides no information that identifies noticing in conflict with these provisions of CEQA.

Comment O7-18
We recommend that the DEIR also be revised to include a more thorough and up to date analysis of these topics and their negative environmental impacts on the unincorporated San Diego County Communities:

1. The effects and impacts to our rural roads and infrastructure.

2. The negative effects from impaired drivers who have visited cannabis lounges and temporary events.

3. The negative environmental effects of Cannabis cultivation on utilities, rural aesthetics and surrounding residents and businesses.

4. The negative impacts of outdoor temporary events.

5. The negative environmental effects of Cannabis cultivation odors.

6. Negative effects on other crops.

7. Negative effects on law enforcement, first responders and public services.

FINAL COMMENT

Before proceeding any further, the entirety of the County of San Diego Socially Equitable Cannabis Program and Project should be paused, and be reevaluated based on current comparative program failures and court rulings in other Counties, Cities and States. For example, the idea that legal Cannabis businesses will help prevent illegal Cannabis businesses, appears to be flawed.

ILLEGAL CANNABIS OPERATIONS
The idea that legal cannabis businesses will help prevent illegal cannabis business appears to be flawed. https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults_pos1&page=1

According to NBC News 2022, 70-80% of MJ sold in state-LEGAL dispensaries in Calif was produced and grown ILLEGALLY (SOURCE: https://learnaboutsam.org/wp-content/uploads/2023/04/2023-Report.pdf)

Siskiyou County Sheriff, “We have definitive proof of illegal, toxic pot going to a Los Angeles ``dispensary". https://www.ganjingworld.com/video/1g8ntrcvb523T6Ky2i0Ptv06e1oi1c

OTHER REFERENCES

FEDERAL LAW
Federal law (21 USC § 860) is clear: no alcohol, drugs of ANY kind are to be sold, grown, manufactured, or processed within 1000 feet of a school facility or club.
All setbacks/buffers should be a minimum of 1,000 ft for the protection of residences and businesses.

CARTELS & HUMAN TRAFFICING https://www.latimes.com/california/story/2023-05-05/california-weed-regulators-confront-human-trafficking?utm_id=96600&sfmc_id=2400471

ECONOMIC VIABILITY- MAY COST MORE TO REGULATE THAN TAX REVENUE
https://pasoroblesdailynews.com/grand-jury-finds-legal-cannabis-has-not-been-economically-viable-for-slo-county/193704/

PESTICIDES
https://www.latimes.com/california/story/2024-12-19/california-weed-cleanup

GRAND JURY INDICTS 51 IN EAST VILLAGE OPEN AIR DRUG MARKET CRACKDOWN
LOCAL – fox 5 kusi – April 25, 2024

IMPAIRED DRIVERS
https://fox5sandiego.com/news/local-news/grand-jury-indicts-51-in-east-village-open-air-drug-market-crackdown/

https://www.forbes.com/sites/dariosabaghi/2025/03/19/nearly-85-of-cannabis-users-drive-the-same-day-they-consume-survey-finds/

Response O7-18
The comment provides a summary of the comment letter, concluding with a general opinion that several topics were not adequately addressed in the Draft PEIR and a list of references. The reader is referred to the responses to Comments O4-1 through O4-11 and O9-1 through 09-17.

Letter O8 Hidden Meadows Community Sponsor Group

Bret A. Sealey, Chair
March 31, 2025

Comment O8-1
On March 27, 2025, the Hidden Meadows Community Sponsor Group completed their review of the Draft Environmental Impact Report for the San Diego County Socially Equitable Cannabis Program SCH # 2023090330. As part of the public comment period, we are submitting the below as our official feedback.

Response O8-1
The comment includes introductory statements and does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, a response is not provided here.

Comment O8-2
As stated on page S-3, “the project alternatives differ in regard to the definition and buffer distance from sensitive uses…” The Group recommends including Residential Areas to the definition of Sensitive Uses for each alternative utilizing their respective buffer distances. Due to the density variety of residential types and high likelihood of at-risk populations within each area, the group feels that potential odors from grow facilities could easily impact nearby residents.

Response O8-2
The comment includes input regarding aspects of the proposed Cannabis Program and expresses concerns related to odors. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors,” regarding the Draft PEIR cannabis odor impact analysis and Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program,” regarding potential refinement of the proposed Cannabis Program.

Comment O8-3
Although technical mitigation measures have been explored, the recent related issues experienced by the City of Encinitas show that they are not always effective. Additionally, The National Institute of Health has shown that the content of the odors generated by cannabis growing facilities still requires further investigation.1 As technical mitigations have been implemented, new elements causing odor and potential harm continue to be discovered.

For these reasons, the Group recommends including Residential Areas to the definition of Sensitive Uses for each alternative allowing odors and their respective chemical makeups to disburse over a larger air volume before encountering residential units.

Please let me know if you have any questions.

Response O8-3
No specific comments on the PEIR analysis are included for which a response can be provided. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," regarding the Draft PEIR cannabis odor impact analysis and Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," regarding potential refinement of the proposed Cannabis Program.

Letter O9 Valley Center Community Planning Group

Dori Rattray, Chair
March 31, 2025

Comment O9-1
I am writing to formally express the Valley Center Community Planning Group's decision regarding the Socially Equitable Cannabis Program in the unincorporated area of Valley Center. Our Planning Group has decided on Alternative One (1) in a 11 to 1 vote.

On January 27, 2021, the Board of Supervisors voted 4-1 for a set of policies intended to improve economic and social equity to Cannabis. These policies were led by "then Chair" Nathan Fletcher and Co-Author Nora Vargas, who are no longer on the board. Our current Supervisor, Jim Desmond, opposed the policies and we plan to stand in alignment with Supervisor Demond.

While there is a push to place these programs in the unincorporated areas of San Diego County, the potential risks associated with cannabis businesses and growers outweigh the benefits, especially in Valley Center, which holds a large section of A70 and A72 agricultural zones, as well as other C & M zones.

I am providing our concerns, additional explanations, and references on why we have taken the position to choose Alternative One (1). These reasons are attached to this letter. The residents of Valley Center, along with the Valley Center Community Planning Group would like to thank the Planning and Development Services for their ongoing engagement of this topic and encourage you to consider the concerns of our community for years to come.

Response O9-1
The statements regarding history of the proposed Cannabis Program and concerns are noted. The comment identifies support for Alternative 1. The reader is referred Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," regarding the range of alternatives evaluated in the Draft PEIR and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O9-2

1. Environmental Impacts: Cannabis cultivation and other Cannabis businesses are different in nature than other agricultural products. Our concerns are odor emissions and air quality conflicts, increased noise, water depletion, aquafer depletion, ground water management, adequate water supply (6 gallons per plant per day), soil erosion due to water run-off, pesticide and hazardous chemical use, electrical grid demands, introduction of nonnative species, light pollution, loss of agricultural lands food production, adverse effects on aesthetic character and impact to soil and water supply due to waste and disposal of plant pesticides. The proper hazardous materials waste needs to be controlled, stored, and then disposed of properly (depending on what waste they produce). In addition, we only have one water treatment facility in Valley Center and reclaimed water is used on agriculture locations which will impact all species human and otherwise.

Response O9-2

The comment identifies environmental concerns associated with aesthetics (character and lighting), air quality, odor, loss of agricultural lands, biological resources associated with nonnative species, energy use, hazards associated with pesticides and other hazardous materials, groundwater resources, water quality, noise, and water supply. The issues are addressed in Draft PEIR Sections 2.1, "Aesthetics," 2.2, "Agricultural and Forest Resources," 2.3, "Air Quality," 2.4, "Biological Resources," 2.7, "Energy," 2.8, "Geology, Soils, and Mineral Resources," 2.10, "Hazards and Hazardous Materials," 2.11, "Hydrology and Water Quality," 2.13, "Noise," and 2.18, "Utilities and Service Systems." The reader is also referred Section 9.1.1.1, "Master Response: Cannabis Odors," and Section 9.1.1.9, "Cannabis Product Safety and Testing." The comment cites a water demand of 6 gallons per plant per day, but provides no source for this water demand. Water demand for cannabis cultivation varies by the type of cannabis cultivation operation. Draft PEIR Table 2.11.7 provides water demands by cannabis cultivation use type based on information from existing cannabis cultivation operations in other counties in northern and central California.

Comment O9-3

2. Safety Concerns: Cannabis cultivation and other Cannabis businesses will affect our roads with increased vehicle miles traveled, add more vehicles on our one laned roads, additional larger vehicles will degrade our roadways more rapidly, additional vehicles will affect roadway safety and provide transportation hazards, increase DUI incidents, crime, inability to adequately regulate compliance operations and most importantly wildfire risk during operation of cannabis facilities – especially during harvest season which coincides with our Santa Ana wind season. In one study, 84.8% of consumers indicated that they drive the same day that they consume cannabis, compared to never driving after use (defined by either waiting 8 hours or more and sleeping or not the same day). In addition, due to our limited resources in emergency services (fire & police), Valley Center would be the least appropriate location for Cannabis cultivation and businesses.

Response O9-3

The comment identifies concerns regarding increased vehicle miles traveled and associated impacts on roadway conditions from large vehicles and roadway safety. The comment also identifies concerns regarding impaired driving (from cannabis use), wildfire risk, and impacts to emergency services. Draft PEIR Section 2.16, "Transportation," does identify a significant and

unavoidable impact associated with increases in VMT for Alternatives 2 through 5. However, no significant impacts associated with deterioration of roadway conditions or traffic safety were identified in the Draft PEIR. Cannabis operations are expected to use vehicle types and sizes that are commonly used by other agricultural operations and businesses. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county. No significant wildfire impacts from implementation of the proposed Cannabis Program were identified in Draft PEIR Section 2.18, "Wildfire."

Comment O9-4

3. Habitat Risks: Cannabis cultivation and other Cannabis businesses will affect the health of our wild life by impacting sensitive habitats and species, the introduction of nonnative species, alteration of plant life due to pollination, most importantly if consumed by animals, there is no cure or reversal and any animal that has consumed can pass it on to another species by consumption, therefore creating a detriment to the circle of life in the habitat in Valley Center.

Response O9-4

The comment identifies concerns regarding impacts to biological resources, including habitats, wildlife, and plant species. Biological resources are addressed in Section 2.4, "Biological Resources." While cross-pollination can impact the quality and value of cannabis crops (e.g., cross-pollination between cannabis and hemp), it is not expected to result significant impacts to natural habitat conditions in the county. Outdoor cannabis cultivation sites are fenced to avoid wildlife interaction, while cannabis waste us subject to CCR, Title 4, Section 17223 that requires cultivation facilities to have a cannabis waste management plan that identifies methods for managing cannabis waste, including on-premises composting, collection and processing by an agency, or self-hauling to a permitted facility. Transportation of self-hauled cannabis waste is performed only by the licensee or employees of the licensee. A licensee must report all cannabis waste activities, up to and including disposal, into the state's track-and-trace system.

Comment O9-5

4. Legal Risks: Drug level in Cannabis have been rising significantly since California voted to legalize Cannabis. DEA and USDA oversight is needed to protect the public. Limitation must be made by USDA to control the level of THC as it is a Class One Drug with long- and short-term safety studies not completed. THC is a drug, and all drugs require a special DEA license and background checks to manage. Scheduled drugs require pharmacists with Federal licenses to distribute. California is ignoring the law by permitting and taxing the sale of THC under the umbrella of cannabis.

Response O9-5

The comment states concerns regarding the legal issues of allowing cannabis in California. The reader is referred to Section 9.1.1.5, "Master Response: Legal Status of Cannabis."

Comment O9-6

5. Revenue Risks: The consideration of Cannabis cultivation and Cannabis businesses may impact the valuation of real estate in Valley Center. If assessed valuations decline or are litigated due to the negative impact of Cannabis cultivations or businesses, the impact

could reduce County Budgets, School Districts Budgets, Water Districts Budgets, and already limited - Emergency Services Budgets.

Response O9-6
The comment identifies economic impacts associated with decreased property values and litigation costs. Economic issues are not subject to environmental review as provided under State CEQA Guidelines Section 15131.

Comment O9-7
6. Health Risks: Cannabis is the most commonly consumed illicit drug in several countries around the world, including the United States and the United Kingdom, and approximately 3.8% of the world's population are recreational. These high rates of cannabis use are a matter of concern, given evidence showing unfavorable cognitive, behavioral, and mental health issues attributed to cannabis use, mainly with frequent and heavy use, among youths. In fact, a range of adverse outcomes, such as poor social and academic functioning, cognitive impairment, and mental heal th problems such as psychosis, cannabis dependence, depression, and suicidality, have been shown to be significant among young people. In addition, these adverse effects often continue throughout the lifespan, leading to enduring physical and psychological difficulties, other substance misuse, and involvement with the criminal justice system. THC is absorbed into various body tissues and organs (e.g., the brain, heart, and in fat) or metabolized by the liver into 11-hydroxy-THC and carboxy-THC (metabolites). Typically, THC, the psychoactive component of marijuana, is detectable for up to 90 days in hair, anywhere between 1 day to a month or longer in urine (depending on how often the individual uses it), up to 24 hours in saliva, and up to 12 hours in blood. Cannabis consumption amongst youths have increased and more access to our youth would negatively impact our community. As sited by one of our constituents, Cannabis use in the junior high and high school level is at a record high due to the marketing technics and creative containers used. Studies have sited frequent consumption may significantly increase a person's risk for heart attack and stroke which if driving on our country roads could cause more collisions.

Response O9-7
The comment identifies health concerns regarding the use of cannabis products. The reader is referred to Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use."

Letter O10 Farm Bureau of San Diego

Dana Groot
April 1, 2025

Comment O10-1
On behalf of the San Diego County Farm Bureau (SDCFB), we would like to express our sincere appreciation to the staff at Planning and Development Services (PDS) for their hard work and due diligence throughout this process. We have worked closely with PDS staff and greatly appreciate their courtesy, professionalism, and willingness to listen to all stakeholders.

After careful consideration, SDCFB strongly supports Alternative 2 as the most reasonable and balanced approach to cannabis cultivation in San Diego County. Alternative 2 aligns most

closely with state regulations and provides a viable pathway for the legal cannabis industry—specifically cultivation—to succeed. Furthermore, this proposal directly addresses the concerns we have raised with county staff in a manner that cultivators can work with while also considering community interests.

Other alternatives impose greater restrictions on cultivation, including increased setbacks from sensitive use areas, which we know from past ordinances severely limit the amount of available land for cannabis cultivation. Under previous regulations, these restrictions left only a handful of viable properties, many of which were already occupied or undevelopable for cannabis. If San Diego farmers are to have any realistic opportunity to cultivate cannabis legally, Alternative 2 is the only option that provides a fair and workable solution.

Response O10-1
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," regarding the range of alternatives evaluated in the Draft PEIR and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment O10-2
We acknowledge that cannabis cultivation is a topic of debate, but at its core, cannabis is simply another agricultural crop. San Diego County is one of the largest greenhouse-growing regions in the nation, and cannabis should be recognized as part of that legacy. The county already enforces strict regulations regarding water use, traffic, pesticide application, and land grading, all of which ensure that cannabis cultivation adheres to established environmental and safety standards. Additionally, at the state level, cannabis is subject to the strictest pesticide regulations in the country, ensuring minimal environmental impact.

Response O10-2
Comment noted. No specific comments on the Draft PEIR analysis are included for which a response can be provided.

Comment O10-3
One frequently raised concern is odor. However, it is important to recognize that agriculture often comes with inherent smells, whether from row crops, orchards, or livestock operations. When the county rapidly developed and adopted hemp regulations in less than a year, odor mitigation was never a consideration—despite hemp and cannabis having virtually identical scents. Requiring cannabis growers to install costly odor mitigation systems adds an unnecessary financial burden on legal cultivators, further increasing start-up costs and ongoing expenses such as electricity and maintenance. Given that odor was not addressed in hemp regulations, we strongly urge the county to remove any requirement for odor mitigation in the new cannabis ordinance.

Response O10-3
The comment expresses concern related to cannabis odors and requests removal of odor mitigation measures provided in the Draft PEIR. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors." As discussed in this master response, odor impacts from outdoor cultivation are identified as significant and unavoidable impacts in the Draft PEIR. No specific issues pertaining to the impact analysis of the Draft PEIR are presented in this comment; thus, no further response can be provided.

Comment O10-4
A key priority of SDCFB has always been to support policies that help farmers remain economically viable. Cannabis presents an opportunity for struggling farms to diversify their portfolio to higher value crops amid rising costs of water, labor, and land in San Diego County. A well-regulated and properly implemented cannabis ordinance can provide both safety and security for the community while also making economic sense for farmers.

We urge the Board of Supervisors to support Alternative 2 and implement a fair, practical regulatory framework that allows local farmers to participate in this industry while ensuring appropriate safeguards for the community. Thank you for your time and consideration. We appreciate your leadership and commitment to supporting San Diego's agricultural sector.

Response O10-4
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," regarding the range of alternatives evaluated in the Draft PEIR and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

9.1.4 Individual Comments and Responses

Letter I1 Jennifer T.

January 30, 2025

Comment I1-1

Besides being against this-I'm reading through the County Draft.

My main concerns are not found in the draft and need to be included under Developmental

Standards. Why does it just say distance from elementary schools?!

1) Let's say at minimum 500-1000 feet from a residential property

2) 1000 feet from religious organization or worship

3) 1000 feet from Federal, State, County Parks and Libraries

4) where's the limit of establishments per unincorporated area let's say limit 2

5) same distance from middle and high schools

This entire draft is vague with loopholes!

Thank you and looking forward to a response and these additions.

Response I1-1

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054(b) regarding distances from certain state-defined sensitive uses, including schools, daycares, and youth centers) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I2 Keith Wilson

January 31, 2025

Comment I2-1

I believe all Cannabis equity programs should go forward, as it brings jobs and income to the community

Response I2-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I3 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Michelle Kevorkian
February 1, 2025

Comment I3-1
Hello,

My name is Michelle Kevorkian. I live at [redacted address] in San Diego. I am a resident of Supervisor District 3. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- State Mandate Sensitive
- Use Buffers

I do NOT support including the below sensitive use buffers:

- Residential care because hospice use marijuana and they are old people
- Religious facilities because are transitory and can pop up anytime
- Preserve because is to vague

This program is important to me because:

This is an opportunity for me to change the way people look at marijuana for people that have cancer/dying. My mother has cancer and I don't want her taking a triple script medication. And

it's a opportunity to make a better life for my family and stay legal. I want to give back to our community that's what I will be able to do with a dispensary.

Thank you,

Name: Michelle Kevorkian

Response I3-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054(b) regarding distances from certain state-defined sensitive uses, including schools, daycares, and youth centers) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities.

Letter I4 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Carleton Jones
February 1, 2025

Comment I4-1
Hello,

My name is Carleton Jones. I live [redacted address] in San Diego. I am a resident of Supervisor District 4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- Schools
- Youth centrers
- Day Care Centers

I do NOT support including the below sensitive use buffers:

- Libraries because
- religious because seperation of church & state
- parks because
- public trails because unnecessary & vague

This program is important to me because:

as a Social equity candidate I should have equal access to resources & opportunities,

Thank you,

Name: Carleton Jones

Response I4-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I5 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Alan Toma
February 1, 2025

Comment I5-1
Hello,

My name is Alan Toma. I live [redacted address] in El Cajon. I am a resident of Supervisor District 2. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- State mandatemegan

I do NOT support including the below sensitive use buffers:

- Parks because Too restrictive
- Preserves because Too restrictive
- religious assembly because unclear deffinition/vegue
- Public trails because Too restrictive

This program is important to me because:

My entire economic future reliege on the outcome of this programe. for sixteen years I have been held back from having a bright future.

Thank you,

Name: Alan Toma

Response I5-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I6 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Geronimo Mejia
February 1, 2025

Comment I6-1
Hello,

My name is Geronimo Mejia. I live [redacted address]in San Diego. I am a resident of Supervisor District 4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed

Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- state mandated buffers only!

I do NOT support including the below sensitive use buffers:

- Regional and Local Parks because these have nothing to do with a cannabis store front
- Religious Assembly because Religion should not encroach on my freedom.
- Preserves with visitor Amenities. because are really big and a dispensary being by a lake does not have a negative effect.
- Residential care facilities because hospice care residents deserve fair Access

This program is important to me because:

This could be a life changing event for the better. Residents of San Diego deserve safe access.

Thank you,

Name: Geronimo Mejia

Response I6-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I7 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Malik King
February 1, 2025

Comment I7-1
Hello,

My name is Malik King. I live [redacted address] in San Diego. I am a resident of Supervisor District 4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- State mandate sensitive use buffers

I do NOT support including the below sensitive use buffers:

- Residential care facilities because cannabis is being used in residential care facilities
- Other cannabis facilities because competition would provide better prices
- Recreation facilities because people like to use cannabis prior to recreation
- Public trails because it will limit access to those in need

This program is important to me because:

As a license vocational nurse (LVN) since 2003 and a California Registered Nurse since 2007; I have seen first the benefits of cannabis for our golden aged baby boomer generation to enjoy both medically and adult users for the greatest well-being for the most amounts of people.

Thank you,

Name: Malik King, LVN, RN, BSN, PhN

Response I7-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed

by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I8 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Alfonso Huey
February 1, 2025

Comment I8-1
Hello,

My name is Alfonso Huey. I live [redacted address] in.San Diego. I am a resident of Supervisor District.4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- State mandate
- Sensitive use
- Buffer

I do NOT support including the below sensitive use buffers:

- Residential care facilities because cannabis is used as medicine for hosplo
- Religious assembly because can appear at anytime anywhere
- Regional and local parks because its to vage
- trails because

This program is important to me because:

I have a chance to change my life and make for the times I was taken from my family. I will also help those who use cannabis as medication, my grandfather had Parkinson's and CBD cured him.

Thank you,

Name: Alfonso Huey

Response I8-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I9 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

William Hinks
February 1, 2025

Comment I9-1
Hello,

My name is William Hinks. I live [redacted address] in Adelanto. I am a resident of Supervisor District._I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- state mandated buffers

I do NOT support including the below sensitive use buffers:

- residential care facilities because I don't see a hospices patient being affected

This program is important to me because:

Because I am a 4th degree burn patient and I believe and know from personal experience The use of cannabis is better than any opioid safe way to medicate and this opportunitie would give me a chance to support and provide a holistic opition of medicating and create a ceature for my family

Thank you,

Name: William Hinks

Response I9-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I10 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Larry Molina
February 1, 2025

Comment I10-1
Hello,

My name is Larry Molina. I live [redacted address] in Oceanside. I am a resident of Supervisor District.4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- schools
- all state mandated

I do NOT support including the below sensitive use buffers:

- _____ because I only support state mandated.

This program is important to me because:

I was a victim of the war on drugs.

Thank you,

Name: Larry Molina

Response I10-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I11 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Andrew Banez
February 1, 2025

Comment I11-1
Hello,

My name is .Andrew Banez. I live at [redacted address]. in San Diego County. I am a resident of Supervisor District 4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- Only what state mandates

I do NOT support including the below sensitive use buffers:

- Religious assembly because barrier of entry is low
- Recreation & local parks because community safety is not an issue. I have a daughter myself – 5 year old
- Recreation facilities because children safety is not an issue – too vague
- Other cannabis facilities because the more sensitive use buffers will eliminate any allowed space

This program is important to me because:

I am a social equity applicant born and raised in SP for 38 years. I want to raise my family here & continue to serve my community here in San Diego. Cannabis will be descheduled within

this president term, which will allow to cross state lines. San Diego will be the example and continue to pioneer this industry.

Thank you,

Name: Andrew Banez

Response I11-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I12 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Jacob Raphael Moore
February 1, 2025

Comment I12-1
Hello,

My name is Jacob Raphael Moore. I live [redacted address] in Linda Vista, San Diego. I am a resident of Supervisor District 4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- Sensitive use
- State mandated buffers

I do NOT support including the below sensitive use buffers:

- Residential Care because some resident may use cannabis with for health benefit
- Religious Assembly because they are transatory and can appear at anytime
- Other Cannabis facilities because A company shouldn't have a ownership of part of a city

- Public libraries operate by county because access to knowledge should never be sperated from any

This program is important to me because:

I would like to become one of the future pillars of the community. Build a company and establishment the stand for better one's health and creating environment for growth and experience for the community & employees. I would love to see this program through to the finish line, thank you for the opportunity.

Thank you,

Name: Jacob Moore

Response I12-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I13 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Ryan Larceval
February 1, 2025

Comment I13-1
Hello,

My name is Ryan Larceval. I live [redacted address] in San Diego, CA. I am a resident of Supervisor District Monica Montgomery. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- Schools
- Youth centers
- Day care centers

I do NOT support including the below sensitive use buffers:

- Religious assembly because competition may open one to tamper compition
- Public trails because there are many public trails and would tamper w zoning
- Residential care facilities because there are a surplus of these poping up in the county
- Regional & local parks because there should be no restrictions towards this

This program is important to me because:

This program has gave me the chance to properly open a cannabis business the right way. It would give me a chance to provide to the community and create job opertunities as well as generate taxable income for the city and state.

Thank you,

Name:

Name: Ryan Larceval

Response I13-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I14 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Alexander Grable
February 1, 2025

Comment I14-1
Hello,

My name is Alexander Grable. I live at [redacted address] in Lemon Grove. I am a resident of Supervisor District 4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County San Diego - should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- _____

I do NOT support including the below sensitive use buffers:

- Religious assembly because due to the baseline of qualifications
- I reject all sensitive use buffers because

This program is important to me because:

I am a 3rd generation cannabis farmer that focuses an organic, no-zero run off water, sustainable, safe practices of cultivation. I have been negatively affected by the war on drugs, now a part of this life changing program.

Thank you,

Name: Alexander Grable

Response I14-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I15 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Chauncie Martin
February 1, 2025

Comment I15-1
Hello,

My name is Chauncie Martin. I live [redacted address] in Lemon Grove, CA. I am a resident of Supervisor District number 1. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County of San Diego adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- ____

I do NOT support including the below sensitive use buffers:

- Grow zoneing because it would hurt business

This program is important to me because:

This would be a finominal opportunity for my family

Thank you,

Name: Chauncie Martin

Response I15-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I16 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Steve Mora
February 1, 2025

Comment I16-1
Hello,

My name is Steve Mora. I live [redacted address] . in Buena Park. I am a resident of Supervisor District .N/A. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- schools
- youth centers
- Day Care Centers

I do NOT support including the below sensitive use buffers:

- Residential Care because they are not able to leave on their own
- public trails because most are adults and need ID to enter.

This program is important to me because:

I was operating a Dispensary from 09-14 and was raided and arrested. I did 3 years federal prison time. I did 3 years in federal prison time. My family got sick from cancer and passed away in 2022. this medicine helps people and we need to be able to help.

Thank you,

Name: Steve Mora

Response I16-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I17 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Albert Pepi
February 1, 2025

Comment I17-1
Hello,

My name is .Albert Pepi. I live at Clairemont [redacted address] in .San Diego, CA 92117. I am a resident of Supervisor District .4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- schools – state mandated
- youth centers
- day care centers

I do NOT support including the below sensitive use buffers:

- residential care facilities because patient and doctor need medicine at residential care.
- religious assembly because church gathering can happen at any time.
- preserves because are to wide space
- public libraries because are for readers not patients.

This program is important to me because:

I want this program to help my family generate wealth and tax money for needs of the City of San Diego.

Thank you,

Name: Albert Pepi

Response I17-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I18 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Markus Haynes
February 1, 2025

Comment I18-1
Hello,

My name is .Markus Haynes. I live [redacted address] Place in .San Diego. I am a resident of Supervisor District .4. I am an approved equity participant in the Socially Equitable Cannabis

Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- schools
- state mandated

I do NOT support including the below sensitive use buffers:

- residential care fac. because most patients are in need for medical purposes
- religious assemblys because everybodys beliefs or not the same
- other cannabis fac. because certain facilitie ceter to certain needs

This program is important to me because:

I learned what works for me herbally within my own health & bodily functions being A.D.H.D. I found what helps me focus on my health my stress levels my blood pressure my sleeping disorder what works for me might not work for you we are all different on a chemical balance

Thank you,

Name: Markus Haynes

Response I18-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I19 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Adriana Yañez
February 1, 2025

Comment I19-1
Hello,

My name is .Adriana Yañez. I live [redacted address] in .Alpine. I am a resident of Supervisor District .2. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- schools.
- day cares
- youth centers
- state mandated sensitive use buffers

I do NOT support including the below sensitive use buffers:

- regional parks too large of a space because it doesn't pose a threat & doesn't make sense.
- trails because too large of a space it doesn't make sense to include.
- Residential care facilities hospice because patients use medical cannabis
- religious centers because are transitory & can & this doesn't appear at any time, they don't oppose cannabis

This program is important to me because:

This will provide an alternative option for pain relief/holistic options to people suffering from various medical ailments. My grandmother used cannabis for pain relief from lung cancer while on hospice care.

Thank you,

Name:

Name: Adriana Yañez

Response I19-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I20 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Darfetta Denise Muhammad
February 1, 2025

Comment I20-1
Hello,

My name is. Darfetta Denise Muhammad. I live [redacted address] in .San Diego, CA 92139. I am a resident of Supervisor District .4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- state mandated sensitive use buffers

I do NOT support including the below sensitive use buffers:

- Residential care facilities because some residents have a medical need for cannabis. Such as hospice patients, patients that suffer from extreme anxiety or memory loss.
- Recreation facilities because it is too vague a term.
- Religious assembly because any building can be used as a religious assembly.

This program is important to me because:

I want to be able to provide medication – alternative medications to patients who like to have a choice other than pharmaceutical drugs

Thank you,

Name: Darfetta Denise Muhammad

Response I20-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I21 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Raphyal Crawford
February 1, 2025

Comment I21-1
Hello,

My name is.Raphyal Crawford. I live [redacted address] .San Diego. I am a resident of Supervisor District .one - empty. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County San Diego adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- state mandated buffers
- other cannabis facilities

I do NOT support including the below sensitive use buffers:

- regional and local parks because other restrictive of freedoms
- recreation facilities because it is discriminatory inre; to liquor stores

- public libraries because over restrictive and infringe on personal choices
- preserves with visitors because frivolous restriction, and too vague
- religious assembly because it lacks purpose, due to the proximity of liquor stores, cigarettes, and vapes

This program is important to me because:

This program is a economical avenue for my family and enables me to assist my community fundraisers. This program rights a wrong for those who paid the price with their freedom, creating generational wealth and retirement fulfilling the American dream.

Thank you,

Name: Raphyal Crawford

Response I21-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I22 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Lanell Brown
February 1, 2025

Comment I22-1
Hello,

My name is. Lanell Brown. I live [redacted address] in .El Cajon, CA. I am a resident of Supervisor District .4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- state mandate sensitive use buffers;

- schools
- youth centers
- day care centers

I do NOT support including the below sensitive use buffers:

- residential care facilities because some older folks use cannabis
- religious assembly because churches don't judge peopl go there for help.
- Recreational Facilities because its too vague
- Rec. Local Parks because Parks are big and could be sectioned off.

This program is important to me because:

I know a lot of people that use cannibis for medical reasons. My grandma used it for anxiety and it helped with her aches and pains. It gave her an appetite.

Thank you,

Name: Lanell Brown

Response I22-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I23 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Brian Scott
February 1, 2025

Comment I23-1
Hello,

My name is .Brian Scott. I live [redacted address] in .fontana. I am a resident of Supervisor District .1. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- State mandate sensitive use buffer

I do NOT support including the below sensitive use buffers:

- recreation facilities because too vague
- residential care facilities because they smoke too
- religious assemblies because I cant think of a religious group that doesn't like cannabis.

This program is important to me because:

I am second generation victim of a war on drugs. I am ready to be the first generation of correcting that and bring wealth to the same family that was hurt

Thank you,

Name: Brian Scott

Response I23-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I24 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Brian Goodin
February 1, 2025

Comment I24-1
Hello,

My name is Brian Goodin. I live [redacted address] Little Italy. I am a resident of Supervisor District 3. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County of San Diego adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2, 3, 4, 5 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- state standard buffers

I do NOT support including the below sensitive use buffers:

- public trails because because alcohol is sold near trails
- residential care because because may of these people use for medical
- recreation facilities because much to vage

This program is important to me because:

Because many people of color and lower economic status have been unjustly precuted. It would be wrong to just allow big business to profit now that cannabis is legal!

Thank you,

Name: Brian Goodin

Response I24-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2, 3, 4, or 5 has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I25 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Glynn Smith
February 1, 2025

Comment I25-1
Hello,

My name is .Glynn Smith. I live [redacted address] in .San Diego. I am a resident of Supervisor District .4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- only state mandated

I do NOT support including the below sensitive use buffers:

- _____ because _____

This program is important to me because:

So we can help those with ailments that cannabis is beneficial to. To legally help establish generational business/wealth for my family & friends & community

Thank you,

Name: Glynn Smith

Response I25-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I26 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Vincent Stalcup
February 1, 2025

Comment I26-1
Hello,

My name is. Vincent Stalcup. I live at [redacted address] in. Spring Valley. I am a resident of Supervisor District .1. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- schools
- youth centers
- day care

I do NOT support including the below sensitive use buffers:

- religious assemblies because many religions are pro cannabis
- residential care facilities because many patients in facilities use medical cannabis and need access.
- Public libraries because many books in libraries emphasize the good in cannabis.
- Public trails because trails are long and may impact many potential areas.

This program is important to me because:

It can reverse generational curses into generational wealth. Many victims of the failed war on drugs are still damaged to this day. This is a small may to correct systematic oppression and racism.

Thank you,

Name: Vincent Stalcup

Response I26-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I27 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Wiley Creeno
February 1, 2025

Comment I27-1
Hello,

My name is .Wiley Creeno. I live at [redacted address] in .San Diego. I am a resident of Supervisor District .4. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed

Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- Schools
- Youth centers
- Day cares

I do NOT support including the below sensitive use buffers:

- Religious assembly because anywhere can be a religious assembly
- Residential care because they often use cannabis

This program is important to me because:

It can reverse generational hardship. This is a small way to fix systematic oppression and racism.

Thank you,

Name: Wiley Creeno

Response I27-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I28 County of San Diego's Social Equity Entrepreneurs Program SEED Class Participants

Ryan Carroll
February 1, 2025

Comment I28-1
Hello,

My name is .Ryan Carroll. I live at [redacted address] in .San Marcos, CA. I am a resident of Supervisor District .5. I am an approved equity participant in the Socially Equitable Cannabis Program of San Diego County. I am writing to give you my feedback on the Proposed Cannabis Business Amendments to the San Diego County Code of Regulatory Ordinances presented in the Socially Equitable Cannabis Program Draft EIR.

I believe the County should adopt the proposed Socially Equitable Cannabis Program.

I support the program alternative number 2 and would like to see this alternative proposal adopted.

I believe that the following sensitive use buffers should be included in the county proposal:

- Schools
- Youth centers
- Day care centers
- .residential care facilities
- Public libraries

I do NOT support including the below sensitive use buffers:

- Other cannabis because commerce clause, free market competition
- Religious assembly because they can be almost anywhere
- preserves because they go along with recreational use
- Recreational/public trails because they go along with recreational use

This program is important to me because: *

There several major reasons why we need legalization & regulation which include but not limited to, product safety. Keeping minors safe & away from it, no product diversion to combat the illicit market.

Thank you,

Name: Ryan Carroll

Response I28-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to the response to Comment I3-1.

Letter I29 S. Edward Wicker

February 19, 2025

Comment I29-1
Please accept this email as support of Alternative 2 in the above referenced draft Environmental Impact Report.

I am writing as an attorney member of the California bar with more than 40 years of experience, 12+ years of which have been focused on working with clients in the cannabis industry. I am also writing as a Director of San Diego NORML, a respected group that has long advocated for reasonable and science based cannabis regulations.

I have reviewed the entire draft EIR and am aware of the need to have accurate and well balanced regulations that respect medical cannabis patients, adult cannabis consumers and the community at large. I believe that Alternative 2 best serves these interests.

I have also reviewed the thoughtful letter written by the San Diego Chapter of Americans for Safe Access in support of Alternative 2. Their letter is well reasoned and presents detailed facts supporting Alternative 2. I join in all of those remarks by the San Diego Chapter of Americans for Safe Access. I also restate their concluding remarks as follows:

In sum, aligning county policies with state buffer standards and allowing for outdoor cannabis cultivation are essential steps toward promoting public health, equity, and environmental sustainability. For these reasons, we support Alternative 2. We appreciate the opportunity to submit this public comment and welcome further discussion on these critical issues.

Please advise if you have any comments or questions.

Response I29-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during

future decision-making activities. The reader is referred to Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR.”

Letter I30 Albert Pepi

February 20, 2025

Comment I30-1
Adopt Alternative 2. State mandated buffers stay at 600 ft. No additional sensitive use buffers. Not to shut out equity applicants from viable locations. Thank you.

Response I30-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” and to response to Comment I1-1 regarding setbacks and buffers considered in the PEIR alternatives.

Letter I31 Larry Yafuso

February 20, 2025

Comment I31-1
I’m in favor of alternative 2. The county has not provided sufficient data to justify why these extensive use restrictions are necessary, particularly given the state’s existing robust cannabis regulations. Thank you.

Response I31-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” and to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program,” regarding any potential refinement to proposed County cannabis requirements.

Letter I32 Nora Pradel

February 21, 2025

Comment I32-1
I support Alternative 2 ,and the State mandated buffers with no additional sensitive use buffers.

Response I32-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," and response to Comment I1-1 regarding setbacks and buffers considered in the PEIR alternatives.

Comment I32-2
The sensitive use designations fail to differentiate between cannabis businesses and other industries, applying broad restrictions that do not align with the actual impacts of cannabis operations.

Response I32-2
The reader is referred to response to Comment I1-1 regarding setbacks and buffers considered in the PEIR alternatives.

Letter I33 Alexander Grable

February 25, 2025

Comment I33-1
Maximum # of activities only having 2 cannabis activities per lot will make it hard for small business in cannabis find a place to operate. Having 4 or more activities per lot would make for a fair fighting chance to find a location to fit zoning requirements.

Response I33-1
The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding any potential refinement to proposed County cannabis requirements.

Comment I33-2
Also opening up zoning would greatly help small cannabis brands survive the market.

Response I33-2
The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding any potential refinement to proposed County cannabis requirements.

Letter I34 Becky Rapp

February 25, 2025

The attached Los Angeles Times Article is provided in Appendix F of the Final PEIR.

Comment I34-1
I support alterative #1 maintaining the 5 existing pot shops and not adding any additional. Thanks.

Response I34-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I35 Breanna Cota

February 25, 2025

Comment I35-1
I, Breanna Cota am in favor of Alternative 2. I believe it is important to provide a safe way to support the people who for many reasons were eligable for this program. I think its important to fine tune and committ to creating safe grows. Releif for those incarcerated act.

It is important to come together as a community. I have seen safe practices to recycle & prevent run off water. When you create a safe place for edjucation then you create a safe place for knowledge. Safe and rule abiding practices. It is important to follow through and make this wrong right for those who have been put into a system for natural practices. Thank you.

Response I35-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I36 Chauncy Miller

February 25, 2025

Comment I36-1
I'm writing in support of the program as it gives people, not only a chance to start a business that could change their economic outlook but also a second chance at life.

Response I36-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I37 John Miller

February 25, 2025

Comment I37-1
Proper regulation & proper channels reduces dangerous criminal activity in our City by reducing gang activity & decreasing the use of more dangerous substances.

Response I37-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I37-2
Proper management of outdoor operations is crucial. Improper disposal of plant waste is a troubling fire hazard.

Response I37-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

The comment expresses concern regarding increased fire hazards as a result of improper plant waste disposal. The reader is referred to Section 2.18, "Utilities and Service Systems," and Section 2.19, "Wildfire," of the Draft PEIR.

Comment I37-3
It is imperative that zoning not be overly strict. I believe liquor stores to be a viable example to follow. If we trust our children to walk home past vapes & handles. If we trust the people behind the counter to ID. Our children; we should trust our farmers to distribute their product in a similar fashion. It is also worth mentioning that many cannabis establishments hire security, which makes the entire neighborhood safer.

Thank you for your time.

Response I37-3
This comment is noted. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," and Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding any potential refinement to proposed County cannabis requirements.

Letter I38 Karen Estes
March 14, 2025

Comment I38-1
I oppose the proposed program for Cannabis in Fallbrook. As a senior, I live near an area that could grow cannabis outside. Due to my health, if there was cannabis grown, I would have to sell my home and move.

I am asking the committee who is behind this to reconsider growing cannabis outside. The smell would cause me to move and I trust that those behind this project have not considered the negative impact of outdoor grows as concerns crime. Anza is an example of crime due to outside grows. If there is outdoor grows then Fallbrook needs to double their Sheriff's presence. Additionally, if cannabis lounges are allowed, our town of Fallbrook would need additional CHP to protect from

"buzzed driving". I doubt that will happen because we already a lack CHP presence.

I know Fallbrook and Bonsall are considered "step children" of San Diego County but I am hoping you take us into consideration on this proposed program.

Response I38-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. No comments regarding the adequacy of the environmental impact analysis in the Draft PEIR are provided.

The comment expresses concern about cannabis odors and increased crime rates related to the program. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," and Section 9.1.1.4, "Master Response: Code Enforcement and Crime." Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.

Letter I39 Don Weeks
March 15, 2025

Comment I39-1
Since there isn't a way to vote on this program, I am writing to comment on the project to sadly support option 4 because it is the only way I have a voice as a citizen.

Response I39-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future

decision-making activities. The reader is referred to Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR.”

Comment I39-2
1. I am very aware of two articles in the recent Union Tribune regarding "SD raises cannabis tax to help ease the budget" and "City owes record $533M for pension tab." Clearly, this Cannabis Program is to solve SD finance issues.

- This program puts funds down in San Diego at the expense of unincorporated areas.

Response I39-2
The comment expresses an opinion regarding the allocation of funds. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I39-3
2. We need to restrict this Cannabis Program to avoid damaging the beauty and lifestyle of the unincorporated areas.

Response I39-3
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The comment expresses concern regarding the damaging impacts to aesthetics as a result of the program. The project’s potential visual impacts, including those noted by the commenter, are addressed in the Draft PEIR. The reader is referred to Section 9.1.1.6, “Master Response: Consideration of Environmental Impacts of Cannabis,” and to Section 2.2, “Aesthetics” in the Draft PEIR.

Comment I39-4
The “sewer-like” smell of Cannabis will make small towns reek so that the county -- as a whole -- will certainly lose tourists.

Response I39-4
The comment expresses concern about “sewer-like” odors related to cannabis. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors,” regarding the evaluation of odor impacts in the PEIR.

Comment I39-5
SD has already raised cannabis tax so underground sales will flourish and increase crime. This criminal element is already happening due to CA legalization without Federal legalization. Increasing it only causes more jail time.

Again, I sadly prefer #4 Cannabis Program with Outdoor Cultivation Prohibition.

Response I39-5
This comment expresses concerns about increased crime and jail time related impacts associated with cannabis. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

The commenter’s preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” and Section 9.1.1.5, “Master Response: Legal Status of Cannabis.”

Letter I40 Jennifer Weeks

March 15, 2025

Comment I40-1
Since there isn't a way to vote on this program, I am writing to comment on the project to sadly support option 4 because it is the only way I have a voice as a citizen.

1. I am very aware of two articles in the recent Union Tribune regarding "SD raises cannabis tax to help ease the budget" and "City owes record $533M for pension tab." Clearly, this Cannabis Program is to solve SD finance issues.

- This program puts funds down in San Diego at the expense of unincorporated areas.

2. We need to restrict this Cannabis Program to avoid damaging the beauty and lifestyle of the unincorporated areas. The “sewer-like.” smell of Cannabis will make small towns reek so that the county -- as a whole -- will certainly lose tourists. SD has already raised cannabis tax so underground sales will flourish and increase crime. This criminal element is already happening due to CA legalization without Federal legalization. Increasing it only causes more jail time.

Again, I sadly prefer #4 Cannabis Program with Outdoor Cultivation Prohibition.

Response I40-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The comment expresses concern regarding the damaging impacts to aesthetics as a result of the program. The project’s potential visual impacts, including those noted by the commenter, are addressed in the Draft PEIR. The reader is referred to Section 9.1.1.6, “Master Response: Consideration of Environmental Impacts of Cannabis,” and to Section 2.2, “Aesthetics” in the Draft PEIR.

The comment expresses concern about “sewer-like” odors related to cannabis. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors.”

This comment expresses concerns about increased crime and jail time–related impacts associated with cannabis. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

The commenter’s preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR.”

Letter I41 Mark Mervich

March 17, 2025

Comment I41-1
Alternative 2 is the best compromise for the Citizens of our County.

Response I41-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR.”

Comment I41-2
Alternatives 1,3,4,5 are too restrictive especially with the addition of other entities to the restriction list and the 1000ft radius buffer. I have attended the Fallbrook Planning Group Committee meetings and they get caught up in worst case senarios and worry about Fallbrook becoming the grow capital of San Diego. Santa Barbara Co is having to go to the waitlist for new growers because permits are being withdrawn and the price of the product has fallen by 50%(see article Santa Barbara Independent April 28, 2023). The consensus for the PG Committee is that most of the local citizens are concerned about access to cannabis and not grows. This Committee is predominantly interested in limiting access to Cannabis to save us from what?(more worst case senarios).

Response I41-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program. The reader is referred to response to Comment I1-1 regarding the consideration of the range of alternatives and associated setbacks and future Board action on the Cannabis Program.

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter I42 April Holemo
March 19, 2025

Comment I42-1
This program would not be a positive for the Bonsall and Fallbrook communities. We do not have enough police presence to take care of the existing crime problems. This program can do nothing but bring more problems. It is unwanted in our area.

Response I42-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

This comment expresses concerns about the lack of current police presence in their community and increased crime associated with the program. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process and Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

Letter I43 Ariane Freville
March 19, 2025

Comment I43-1
Hello, I wanted to voice my worry about above mentioned program in Bonsall specifically. Bonsall is not the right place for the socially equitable cannabis program.

Response I43-1
The comment is introductory in nature and does not address the adequacy of the Draft PEIR. Therefore, no further response is required.

Comment I43-2
1. From a law enforcement perspective Bonsall remains grossly underserved. Inevitably this program will bring riff raff including people driving under the influence. I am worried with the lack of support from the county and the expected disregard of people who are 'visiting' on our quality of life. This cannabis program should be established in a place that has reliable, fast law enforcement coverage.

Response I43-2
This comment expresses concerns about the lack of current police presence in their community and increased crime associated with the project. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

Comment I43-3
2 Any tax revenue the county receives from those programs goes into the general fund, not for improvements in our area. We do to want to lower our quality of life and get nothing in return.

Response I43-3
No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I43-4
3. Santa Barbara County is spending millions in legal fees to unwind their initiative because of the impact on the quality of life for residents, particularly environmental impacts, especially on air quality. Frankly, I don't understand putting in a brand new park in Bonsall (just broke grounds) with playing fields if they can't be used due to air quality issues, or not being able to take a walk in the preserve next to our house.

Response I43-4
The comment expresses concern about the project's environmental impacts, including air quality. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," and Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis."

Comment I43-5
3. 600 feet away from school is the guideline. However, Environmental impacts, air quality, noise, people visiting, people under the influence driving aren't limited to 600 ft border.

Response I43-5
This comment expresses concern regarding a lack of setbacks for motorists driving under the influence of cannabis and how that may impact air quality, noise, and visitors. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," in regard to proposed ordinances requiring setbacks, and Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," which discusses a range of proposed setbacks evaluated under each alternative. Air quality and noise impacts of the proposed Cannabis Program are addressed in Draft PEIR Section 2.4, "Air Quality," and Section 2.13, "Noise." Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the County.

Comment I43-6
We do not want this program in our town.

Response I43-6
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter I44 David and Nancy Riddlebarger

March 19, 2025

Comment I44-1

I am writing as a concerned resident of Bonsall and a dedicated member of San Diego County's unincorporated communities to express my strong opposition to the proposed San Diego County Socially Equitable Cannabis Program.

My husband and I moved to Bonsall nearly four years ago from Marina Del Rey seeking a peaceful, family-friendly environment to start our own family, surrounded by nature and open space. We are well educated, high earners who are joyous to improve the community we live in. The implementation of this program threatens to disrupt the very qualities that make our community a desirable place to live, work from home, and raise a family.

The proposed program, which includes large-scale cannabis cultivation sites with armed guards, dispensaries, 'open-use' lounges, and public consumption events, poses a serious risk to the health, safety, and property values of our community. Reports from affected communities indicate increased crime rates, nuisances associated with cannabis-related businesses, and ongoing legal disputes regarding environmental and community degradation.

Response I44-1

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The comment expresses concern about increased crime rates and threat to the community's health, safety, and property values as a result to the project. The project's potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR, and the Master Responses in this Final PEIR. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use," and Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis."

Comment I44-2

Specifically, I have the following concerns regarding the proposed program:

Public Safety – The establishment of cannabis dispensaries, open-use lounges, and large-scale cultivation operations with armed security increases security concerns in our community. Crime rates, including burglary and vandalism, have been shown to rise near cannabis-related businesses in other jurisdictions. Large-scale cannabis operations and dispensaries have been linked to increased crime, requiring heightened security measures such as armed guards. This raises concerns for local families and creates an unwelcoming atmosphere in our neighborhoods.

Response I44-2
This comment expresses concern regarding increased crime rates, burglary, and vandalism as a result of the rise of cannabis-related businesses. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

Comment I44-3
Environmental Impact, Air Quality – The EIR acknowledges that the program will result in significant and unavoidable odor emissions that will affect nearby residents. This will diminish our ability to enjoy outdoor spaces, impact quality of life, and potentially lead to long-term public health issues. Additionally, the use of chemicals and high water consumption associated with cannabis production threatens our local ecosystem.

Response I44-3
The comment expresses concern regarding significant and unavoidable odor emissions related to cannabis as a result of the program. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors."

The comment expresses concern about the program's potential to lead to long-term public health issues. The reader is referred to Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use."

The comment expresses concern about the program's environmental impacts, including air quality, increased water consumption, and the use of chemicals. The reader is referred to Draft PEIR Section 2.11, "Hydrology and Water Quality," and Section 2.18, "Utilities and Service Systems," regarding the impact analysis of groundwater and municipal water usage by cannabis uses. It is unclear what the commenter is referring to in regard to "the use of chemicals." The reader is referred to Draft PEIR Section 2.9, "Hazards and Hazardous Materials," that address potential use of pesticides and hazardous materials associated with cannabis operations.

Comment I44-4
Negative Effect on Property Values – Studies and anecdotal evidence from other communities have shown that proximity to cannabis businesses can reduce property values, making it harder for homeowners to maintain their investments and quality of life.

Response I44-4
An evaluation of property values is not required by CEQA because property values do not have an impact on the natural or physical environment. As stated in Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment.

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I44-5
Incompatibility with Family-Oriented Communities – Bonsall and other unincorporated areas are known for their peaceful, rural character and family-friendly environment. The

presence of cannabis lounges and public consumption events is in direct opposition to the culture and values that many residents moved here to embrace.

Response I44-5
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

This comment expresses concern regarding the program's incompatibility with the family-oriented community and rural character of Bonsall and other surrounding unincorporated areas. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. The reader is referred to Draft PEIR Section 2.2, "Aesthetics," regarding the evaluation of visual character impacts of the proposed Cannabis Program.

Comment I44-6
Lack of Community Benefit – The program's structure includes licensing prioritization for individuals with prior drug convictions, which raises concerns about who will be operating these businesses. Additionally, events and dispensary hours extending into the night (up to 10 PM) disrupt community peace.

Response I44-6
The reader is referred to Section 9.1.1.8, "Master Response: Comments on the Proposed County Code Changes Under the Socially Equitable Cannabis Program."

Comment I44-7
Proximity to Schools and Residential Areas – The proposed 800-foot setback from roads is insufficient to protect schools, homes, and public spaces from the potential negative impacts of cannabis operations.

Response I44-7
This comment expresses concern that the proposed setback from roads is insufficient to protect schools, homes, and public spaces from the potential negative impacts of cannabis operations. The comment does not identify what "negative impacts" of cannabis operations should be addressed through setbacks. Setbacks proposed under the PEIR Alternatives 2 through 5 range from 600 feet to 1,000 feet as measured from defined uses as described in Draft PEIR Chapter 2, "Project Description, Location, and Environmental Setting." Business and Professional Code Section 26054(b) requires that cannabis facilities observe a 600-foot buffer from certain state-defined sensitive uses, including schools, daycares, and youth centers. Draft PEIR considers these proposed setbacks as part of the evaluation of odor and noise impacts, as discussed in Section 2.4, "Air Quality," and 2.13, "Noise." The reader is referred to response to Comment I1-1.

Comment I44-8
Water Consumption and Environmental Degradation – The program will place a substantial burden on our water resources, particularly in already drought-prone regions. The EIR identifies significant and unavoidable impacts on groundwater supplies, which could compromise the sustainability of our agricultural lands and rural homes.

Response I44-8
The reader is referred to Draft PEIR Section 2.11, “Hydrology and Water Quality,” and Section 2.18, “Utilities and Service Systems,” regarding the impact analysis of groundwater and municipal water usage by cannabis uses.

Comment I44-9
Traffic and Noise Pollution – The proposed cannabis operations will increase traffic congestion, noise pollution, and late-night activities, further disrupting the peace and safety of residential neighborhoods. The report highlights significant and unavoidable transportation impacts, including increased vehicle miles traveled and potential road hazards.

Response I44-9
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

The comment expresses concern regarding increased traffic congestion, noise pollution, and late-night activities that could impact neighborhood safety as a result of the program. The reader is referred to Section 2.16, “Transportation,” and Section 2.13, “Noise” of the Draft PEIR. Additionally, the reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

Comment I44-10
Fire Hazards in Wildland-Urban Interface Areas – Many unincorporated areas, including Bonsall, are already at high risk for wildfires. The introduction of cannabis operations, which require high energy consumption and could lead to electrical overloads, exacerbates this danger and puts residents at greater risk.

Response I44-10
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

The comment expresses concern regarding increased fire hazards. The reader is referred to Section 2.19, “Wildfire,” of the Draft PEIR.

Comment I44-11
Harm to Property Values and Community Livability - Homeowners in areas affected by cannabis programs have experienced decreasing property values due to the presence of dispensaries and cultivation sites. Families and prospective homebuyers are less inclined to move into communities where cannabis businesses are prevalent, leading to long-term economic decline in residential areas. Bonsall and other unincorporated areas of San Diego County are known for their rural, equestrian, and family-oriented communities—values that are completely incompatible with the objectives of this program.

Response I44-11
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

An evaluation of property values is not required by CEQA because property values do not have an impact on the natural or physical environment. As stated in Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I44-12
Given these concerns, I urge the County to prioritize the health, safety, and well-being of residents over commercial cannabis interests. The Draft EIR itself identifies multiple significant and unavoidable adverse effects of this program, making it clear that this initiative is not suitable for family-friendly communities like Bonsall as an unincorporated area of San Diego County.

I respectfully request that my concerns and opposition be included as part of the public record and that the County prioritize the well-being and wishes of its residents over commercial cannabis interests.

I urge you to reject or heavily restrict the implementation of this program in communities like mine that seek to maintain their peaceful, family-friendly character.

Thank you for your time and consideration.

Response I44-12
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. Responses to comments provided by the commenter are provided above in I44-1 through I44-11.

Letter I45 Harry Bold

March 19, 2025

Comment I45-1
I want to be absolutely clear—there is no support for the Socially Equitable Cannabis Program in Bonsall among those I have spoken with. The community does not favor this initiative, and we strongly oppose any efforts to implement it in our area.

Please consider this a firm NO on the matter.

Response I45-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I46 Hazel Livingston-Jones
March 19, 2025

Comment I46-1
Hi Ms Norton, a relative forwarded an email with this proposal. Please do this somewhere else far away from our homes. Maybe near the border to TJ?

Response I46-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I47 Kelley Cuerva
March 19, 2025

Comment I47-1
I would like to let you know that I support the possibility of cannabis farms in the Bonsall area.

Response I47-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I48 Markus Livingston
March 19, 2025

Comment I48-1
I am writing to express my firm opposition to the proposed cannabis program in Bonsall. This is not something the community asked for, nor is it something we welcome. Bonsall is not the place for this initiative, and we strongly urge you to reconsider your location.

Rather than imposing this program on a community that does not support it, I encourage you to find a more suitable location where there is actual demand. Bonsall residents take pride in our town, and we do not wish to see it disrupted by unwanted outside influences.

Please respect the wishes of this community and take your program elsewhere.

Response I48-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I49 Paul Lopez-Wood
March 19, 2025

Comment I49-1
Comment for this initiative. I support it and the benefits our communities would get from it.

Response I49-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's support for the proposed Cannabis Program has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I50 Arthur Rodriguez

March 20, 2025

Comment I50-1
I would like the following be entered as a comment on CEQA:

"It is my wish as a resident of Fallbrook that everything be done by the board considering this to deny it! I do not want ANY cannabis dispensaries, free use areas, growing operations, etc., in any part of San Diego County, especially in Fallbrook. Do not pass this item!"

Response I50-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I51 Jacci Eifler

March 23, 2025

Comment I51-1
As a homeowner and taxpayer in Bonsall, CA, I was saddened to learn of a potential socially equitable cannabis program located in my residential area. Although I am not against the personal choice of someone partaking in cannabis, I am not a cannabis user myself. I am against this program due to the long-range ramifications such as water run off, the pungent smell produced by the product/s, the clientele, etc. In addition, I would prefer not to see my hard-earned tax dollars spent in this manner.

Response I51-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The comment expresses concern about water runoff and odors related to cannabis. The reader is referred to Draft PEIR Section 2.11, "Hydrology and Water Quality," for the evaluation of water quality impacts from cannabis runoff and Section 9.1.1.1, "Master Response: Cannabis Odors," regarding the evaluation of cannabis odors.

Letter I52 Brooke Carsey

March 23, 2025

Comment I52-1

It's ridiculous that anyone would get approve a cannabis farm right next to an elementary school. Send that farm somewhere else. We don't want in in our community!

Response I52-1

There is currently a ban on any new cannabis facilities in the unincorporated areas of San Diego County, and no applications for a cannabis facility have been submitted. The Cannabis Program would allow for new cannabis facilities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054(b) regarding distances from certain state-defined sensitive uses that includes schools, daycares, and youth centers) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I52-2

A cannabis farm, with a "consumption patio," right near where our children school and play is ridiculous. The access, the impact to the neighborhood, the farming impact to the waterways, leach fields, and topsoil layers is also a problem—no matter what is being grown, and the nearness t playing children at the new community park—really this is just reckless planning!

Response I52-2

There is currently a ban on any new cannabis facilities in the unincorporated areas of San Diego County, and no applications for a cannabis facility have been submitted. The Cannabis Program would allow for new cannabis facilities. The reader is referred to response to Comment I52-1 regarding setbacks of cannabis uses from schools and Draft PEIR Section 2.11, "Hydrology and Water Quality," regarding potential impacts to surface water features. Term 27 of Attachment A of State Water Resources Control Board (SWRCB) Order WQ 2023-0102-DWQ prohibits discharge cannabis wastewater into septic systems and leach fields. Commercial cannabis activities would be subject to the County's Grading, Clearing, and Watercourses Ordinance, which includes requirements for cut and fill slopes, drainage terracing, setbacks for buildings from cut or fill slopes, and reporting requirements, including a soil engineer's report and final engineering geology report for approval of grading as affected by geological factors, as well as be subject to SWRCB Order WQ 2023-0102-DWQ, which contains requirements for soil erosion and sedimentation controls (BMPs) for soil stability and the implementation of a site erosion and sediment control plan and a disturbed area stabilization plan for higher risk sites.

Comment I52-3
Take this farm so where else. It should NOT be near homes, should NOT be near a park, should NOT be near athletic facilities, should NOT be near the river. There are plenty of other open spaces elsewhere in the vast county for cannabis farmers and users to gather. Not near my kids, please.

Response I52-3
There is currently a ban on any new cannabis facilities in the unincorporated areas of San Diego County, and no applications for a cannabis facility have been submitted. The Cannabis Program would allow for new cannabis facilities. The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The reader is referred to response to Comment I52-1 regarding setbacks. SWRCB Order WQ 2023-0102-DWQ establishes setbacks for cannabis cultivation uses from surface water features.

Letter I53 Juliana Hesselgesser

March 23, 2025

Comment I53-1
Hello. I am a homeowner and mother of four young children, living between Bonsall Elementary school and the proposed county park off Camino Del Rey and Lilac. I am vehemently against the socially equitable cannabis program and ask that the board halt the plan to add cannabis growing grounds in our community. No one in our community wants this!

Response I53-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I54 Sarah Springston

March 23, 2025

Comment I54-1
As a local resident less than 1/4 mile from the proposed Socially Equitable Cannabis farm in Bonsall near the Bonsall Elementary School and Bonsall park, please know that the community stands against this proposal. No one around us, in Lake Vista Estates or the surrounding neighborhoods, wants this type of "farm" in our backyard, and only hundreds of meters from where the local children attend school and the community enjoys time out in nature along the park's trails. This proposal stinks, as do any corrupt county board members that only see $$$ and are considering supporting this cannabis farm proposal. The "consumption bar and patio" is a joke…we don't want open drug use in our town. Let's put our tax money and land to better use, clean businesses that help our children have a brighter future in beautiful Bonsall rather than attracting criminal types and chemically dependent people.

Response I54-1
There is currently a ban on any new cannabis facilities in the unincorporated areas of San Diego County, and no applications for a cannabis facility have been submitted. The Cannabis Program would allow for new cannabis facilities. The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

This comment expresses concerns about potential crime related impacts associated with cannabis and the lack of setbacks from schools and parks. The reader is referred to Sections 9.1.1.4, "Master Response: Code Enforcement and Crime;" 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," in regard to proposed ordinances requiring setbacks; and 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR." which discusses a range of proposed alternatives. Alternative 2 would include a 600-foot setback from schools, while Alternatives 3, 4, and 5 would include a 1,000-foot setback from schools and parks.

Letter I55 Suzanne Nixon

March 23, 2025

Comment I55-1
I have lived in Bonsall for 22 years, this is my community. I have a lot of concerns about this project.

Alternative 4 has been proposed for our city.

This kind of business would impact our community in so many negative ways.

This is not a regular farming or agricultural business, which is very common in our area.

Response I55-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The comment also states that Alternative 4 has been proposed for the commenter's city, however, it should be noted that Alternative 2 is identified as the proposed project. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR." The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Comment I55-2
This kind of business would affect:

- Our water, air, the artificial lights and noise.

Response I55-2
The comment expresses concern regarding increased impacts to water, air quality, and increased artificial lights and noise as a result of the program. The program's potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.6,

"Master Response: Consideration of Environmental Impacts of Cannabis," Sections 2.2, "Aesthetics," 2.4, "Air Quality," and 2.13, "Noise," in the Draft PEIR.

Comment I55-3

- Traffic and noise from the outdoor events and extra consumers coming to our area.

Response I55-3
The comment expresses concern regarding increased traffic and noise from outdoor events as a result of the program. Please refer to Section 2.16, "Transportation," and Section 2.13, "Noise," of the Draft PEIR.

Comment I55-4

- Extra strain on our law enforcement personal and first responders.

Response I55-4
This comment expresses concern about the extra strain put on current law enforcement personnel and first responders as a result of the program. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," and Section 2.15, "Public Services."

Comment I55-5

- It would attract people to our community just to use cannabis.

Response I55-5
The comment does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, no further response is provided.

Comment I55-6
I am also very concerned were this is planning on being established.

It is very close to schools and neighborhoods. We have plans for a big park area going in for families and kids.

We do not want cannabis users hanging out in the park. We should have a voice in what kind of business go into our family area.

Response I55-6
This comment expresses concern regarding proximity to school, parks, and neighborhoods. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," in regard to proposed ordinances requiring setbacks, and Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," which discusses the range of proposed alternative setbacks.

Comment I55-7
Another concern is after these businesses are set up, who regulates them?

Who regulates the amount of people coming and going? Who maintains the roads and access? Many of these roads are narrow.

Who will review how the neighborhoods have been impacted?

Response I55-7
The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Comment I55-8
There are to many unknown and not enough reasons to put these businesses in a family community.

Please discontinue this program in our area.

Response I55-8
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Letter I56 Jacci Eifler

March 24, 2025

Comment I56-1
Thank you kindly for your promptness in response to this important issue. In addition to the previously listed potential adversities, I am also concerned about the downgraded aesthetics specifically canopies resulting from this proposed program. A major reason that I originally purchased property in Bonsall, CA is because of the beautiful, serene, peaceful, and country-like setting. In all fairness, Bonsall residents should not be subjected to this projected cannabis program.

Response I56-1
The comment expresses concern impacts to aesthetics as a result of the program. The project’s potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR. The reader is referred to Section 2.2, “Aesthetics” in the Draft PEIR.

Letter I57 Kathie Morris

March 29, 2025

Comment I57-1
I would like to make a few comments and have some questions regarding the Cannabis project potentially going into unincorporated areas of San Diego County.

First I stand with all comments made by the Fallbrook Planning Group.

Response I57-1
The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, no further response is provided. Responses to specific comments concerning environmental issues are provided below.

Comment I57-2
QUESTIONS:

What is the plan to handle toxic run off from fertilizers being used in grow areas?

What is the plan for toxic run off into our water table and water shed?

What is the procedure to remove hazardous materials?

Response I57-2
The reader is referred to Draft PEIR Section 2.11, “Hydrology and Water Quality,” regarding the impact analysis of water quality impacts to water resources by cannabis uses and Section 2.9, “Hazards and Hazardous Materials,” that addresses potential use of pesticides and hazardous materials associated with cannabis operations.

Comment I57-3
How will you handle property value loss as a result of potential "pot" farms being in close proximity of residential areas.? Will you compensate the public monetarily when this occurs?

What is the vetting process of convicts who will get these licenses?

What are the procedures for enforcement of any laws put in place for these facilities ?

Response I57-3
This comment raises the concern of property value loss resulting from cultivation near residential areas, and if there will be monetary compensation. This comment has been acknowledged. As stated in Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment and are not addressed in the PEIR. The comment expresses concern about the process of vetting convicts applying for cannabis grow licenses and the procedures for enforcing laws surrounding these facilities. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

Comment I57-4
What, if any are the procedures for harvest season? Will there be certain hours that harvesting can take place? Will they be allowed to have a 24/7 harvest crew? If so, where will these people stay, eat, use restrooms, leave trash, etc. Our motels are not big enough to handle the potential amount of short term hired labor. Additionally, our three motels are being used for the voucher system for the homeless.

Response I57-4
This comment raises the concern of harvesting hours and harvest crews. The harvest crew's lodging, restroom usage, and trash. There is also a concern for capacity of motels in the area for housing the crew. This comment has been acknowledged. The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Comment I57-5
Will there be weekly inspections of each farm guaranteeing they are operating within all the guidelines you put forth?

Who will be inspecting each farm for proper sanitation of restroom use, trash, additional drug use, etc?

What if any is the procedure of shutting down a facility if they are unsuccessful? Will they be responsible to remove and and all items they have put on the property? who will enforce this if they leave behind an extortionary amount of trash and debris?

Response I57-5
This comment raises the concern of harvesting hours and harvest crews. The harvest crew's lodging, restroom usage, and trash. There is also a concern for capacity of motels in the area for housing the crew. This comment has been acknowledged. The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Comment I57-6
What safe guards are in place to handle additional traffic/trucks on our already stressed roadways?

Response I57-6
The comment expresses concern regarding increased traffic on already stressed roadways. The reader is referred to Section 2.16, “Transportation,” of the Draft PEIR.

Comment I57-7
Is there a time frame or period that a cannabis farm can operate.. ie, one, two, three years, forever? What if they are operating in bad faith, what is the procedure to have them removed?

Response I57-7
The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Comment I57-8
How will you handle potential crime as a result of these farms? Our officers are already understaffed and over worked .

Response I57-8
This comment expresses concern about potential crime related impacts associated with cannabis farms and the current lack of law enforcement patrolling the area. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

Comment I57-9
What is your plan to mitigate smell even if they are using the the recommended procedures?

Response I57-9
The comment expresses concern about odor mitigation related to cannabis farms. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors,” regarding proposed Cannabis Program provisions that address odor control.

Comment I57-10
The EIR was deficient in your notification process in notifying the general public of the entire Fallbrook community as we will all be impacted.

My family and I are against this project.

Response I57-10
The commenter expressed concern associated with the notification process of the Draft PEIR. As mentioned in Section 1.8.1 in the Draft PEIR, “[i]n compliance with State CEQA Guidelines Section 15082, a notice of preparation (NOP) for this Draft PEIR was distributed to the California State Clearinghouse; relevant responsible and trustee agencies; other local, state, and federal agencies; and interested individuals and organizations. The 46-day public comment period for the NOP began on September 15, 2023, and ended on October 31, 2023. The NOP was published in the San Diego Union-Tribune newspaper, posted to the project’s webpage and Engage San Diego County website, posted to the County’s California Environmental Quality Act Public Review webpage, and distributed to the Cannabis Program email notification list. The NOP was posted at the PDS Zoning Counter and distributed to all public libraries located within the unincorporated area. In addition, 2 scoping meetings were held virtually on October 12, 2023, and October 17, 2023, to allow for input from the public, affected agencies, and interested organizations.”

On January 30, 2025, the County released the Notice of Availability (NOA) that announced the availability of the Draft PEIR for review and comment. The NOA was distributed to the California State Clearinghouse; relevant responsible and trustee agencies; other local, state, and federal agencies; and interested individuals and organizations. It was also published in the San Diego Union-Tribune newspaper, posted to the project’s webpage and Engage San Diego County website, posted to the County’s California Environmental Quality Act Public Review webpage, and distributed to the Cannabis Program email notification list.

The NOA identified a 60-day review period for the Draft PEIR, which is the maximum number of days permitted under State CEQA Guidelines Section 15105(a). The Draft PEIR was made available for public review at the County’s Project Processing Counter, 12 local library branches, and online.

Public meetings to provide comment on the Draft PEIR included the following:

- Three virtual public meetings on February 5, 6, and 12, 2025
- In-person open house event at the San Diego County Library - Lakeside Branch on February 25, 2025

- In-person open house event at the San Diego County Library - Valley Center Branch on February 26, 2025

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I58 Chris Hasvold

March 25, 2025

Comment I58-1
I STRONGLY SUPPORT ALTERNATIVE 1 - NO PROJECT

However, if you aren't willing to consider the disastrous environmental impacts on the unincorporated areas, my secondary preference is Alternative 4.

Response I58-1
The comment provides an opinion regarding the merits or qualities of the proposed program and expresses support for Alternative 1, and to a lesser extent Alternative 4. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I59 Dean Robinson

March 25, 2025

Comment I59-1
As a resident of Fallbrook, an unincorporated area in San Diego County, I support ALTERNATIVE 1 - NO PROJECT. However, the likelihood that the Board of Supervisors will adopt that Alternative is doubtful. In that case, my preference is Alternative 4, and I agree with the comments and support from the Fallbrook Planning Group.

Response I59-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I60 Cynthia Hauff
March 25, 2025

Comment I60-1
To whom this may concern:

WE OPPOSE THIS PROGRAM AND

SUPPORT ALTERNATIVE 1 - NO PROJECT

However, the likelihood that the Board of Supervisors will adopt that Alternative is doubtful. In that case, our preference is Alternative 4, with Fallbrook

Response I60-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I61 Erica Roberg Williams
March 25, 2025

Comment I61-1
WE OPPOSE THIS PROGRAM AND

SUPPORT ALTERNATIVE 1 - NO PROJECT

However, the likelihood that the Board of Supervisors will adopt that Alternative is doubtful. In that case, our preference is Alternative 4, with Fallbrook Planning Group's comments.

Response I61-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I62 Frank Hilliker

February 25, 2025

Comment I62-1
Social equity

Equity for those impacted needs to be spelled out. Whats that going to be? It needs to be spelled out? Thx.

Response I62-1
CEQA requires that public agencies consider the significant adverse physical environmental effects of projects over which they have discretionary approval authority before taking action on those projects (PRC Section 21000 et seq.). Equity concerns are a social issue. Section 15131 of the State CEQA Guidelines states that economic and social effects of a project shall not be treated as significant effects on the environment. Thus, no analysis of equity is provided in the PEIR.

Letter I63 Harlee Robinson

March 25, 2025

Comment I63-1
Thank you for coming to the meeting this morning and educating us on this matter. I would like to add my comments.

As a resident of Fallbrook, an unincorporated area in San Diego County, I support ALTERNATIVE 1 - NO PROJECT. However, the likelihood that the Board of Supervisors will adopt that Alternative is doubtful. In that case, my preference is Alternative 4, and I agree with the comments and support from the Fallbrook Planning Group.

Response I63-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I64 Jim Kabellis

March 25, 2025

Comment I64-1
WE OPPOSE THIS PROGRAM AND SUPPORT ALTERNATIVE 1 - NO PROJECT.

However, the likelihood that the Board of Supervisors will adopt that Alternative is doubtful. In that case, our preference is Alternative 4, with Fallbrook Planning Group's comments.

Response I64-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I65 Phil Delaney

March 25, 2025

Comment I65-1
WE OPPOSE THE CANNABIS PROGRAM AND

SUPPORT ALTERNATIVE 1 - NO PROJECT

However, the likelihood that the Board of Supervisors will adopt that Alternative is doubtful. In that case, our preference is Alternative 4, with Fallbrook Planning Group's comments.

Response I65-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I66 Tracy Ellis

March 25, 2025

Comment I66-1
I am voicing my opposition to the county-sponsored development of the cannabis industry. If people want to cultivate cannabis commercially they can relocate to where regulations for commercial growing are already allowed.

Response I66-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Comment I66-2
The EIR has not addressed how allowing legal cannabis cultivation has been a disaster in this State by any measure. Using northern California as an example, cartels and human traffickers control massive amounts of cultivation, taking advantage of decriminalization, and flooding the market with cannabis. I implore you to view how legal operations in northern California have not been successful; the compliant growers are trying to abide by all the regulations but they cannot earn a profit by playing by the regulations while the cartels control it. In my view there have been few economic or societal benefits from supporting this industry, while the negative impacts have been massive, just use northern CA counties as an example of what could happen here. This proposal is out-of-step and behind-the-curve with current knowledge of legalization impacts and should be discontinued from consideration.

Response I66-2
CEQA requires that public agencies consider the significant adverse physical environmental effects of projects (in this case the proposed Cannabis Program) over which they have discretionary approval authority before taking action on those projects (PRC Section 21000 et seq.). CEQA does not require an evaluation of the effectiveness of establishing a regulated cannabis cultivation program to address issues with illegal cannabis cultivation and associated operations. The California Department of Cannabis Control's California Cannabis Market Outlook 2024 Report identifies that California produced more cannabis for the licensed market in 2024 than any year since the 2018 Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA). Consumption of cannabis produced for the licensed market also continued to increase in 2024. The share of total consumption supplied by the licensed market continues to be stable at about 40 percent. Statewide efforts to eradicate unlicensed cannabis production are having some effect as unlicensed production is around the same levels compared with pre-MAUCRSA.

Comment I66-3
There are other numerous negative impacts and the environmental impact report describes these:

SIGNIFICANT AND UNAVOIDABLE IMPACTS

TOPIC	ISSUE/IMPACT
Aesthetics	Substantially degrade visual character or quality
Air Quality	Emissions of odors adversely affecting a substantial number of people
Groundwater	Decrease groundwater supplies or interfere with groundwater recharge
Noise	Excessive temporary (construction-related) noise levels
Transportation	Exceed the threshold for vehicle miles travelled (VMT)
Utilities & Service Systems	Adequate water supplies

Response I66-3
The commenter lists the significant and unavoidable impacts provided in the Draft PEIR. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I66-4
One observation on this proposal is that the County has never supported any other agricultural commodity in this manner when several commodities would have benefitted from this much State and County government support. No red carpet has been rolled out for any other agricultural industry or the people affiliated with them.

Response I66-4
This comment is noted. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I66-5
Please do not change the cannabis regulations in San Diego County! There is already plenty of cannabis on the market and it should not receive any special local support. Why should we make it easier for people to grow and obtain this commodity when the market is flooded already and there are many healthier crop alternatives.

Response I66-5
No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter I67 Ian Murdock

March 27, 2025

Comment I67-1
I was notified by one of my neighbors of this **upcoming** meeting, Thursday night, March 27th.

In essence, and correct me if I'm wrong and am oversimplifying this matter, but it is my understanding that one of the proposals is to establish a cannabis farm on the hillside of West Lilac road in Bonsall - essentially not far from the newly proposed Bonsall Park (and a location that is just below a densely populated residential neighborhood, next to many condominiums on Del Cielo Este).

Response I67-1
There is currently a ban on any new cannabis facilities in the unincorporated areas of San Diego County, and no applications for a cannabis facility have been submitted. The Cannabis Program would allow for new cannabis facilities. The project evaluated in the Draft PEIR is the proposed implementation of the proposed Cannabis Program, specifically the Regulatory Code and Zoning Ordinance amendments that would allow for adult-use commercial cannabis uses within the unincorporated area. Adoption of the proposed Cannabis Program would require amendments to the Regulatory Code and Zoning Ordinance to establish licensing and operational regulations for a range of cannabis cultivation and noncultivation uses authorized under state law. These actions do not include approval of any proposed individual cannabis cultivation applications.

Comment I67-2
If my interpretation of this matter is correct, I want it on record - for a multitude of reasons (crime, fire risk, noise, and environmental issues) - that I strongly oppose (vote against) this hillside as a location for such a cannabis farm.

Response I67-2
The reader is referred to response to Comment I67-1.

Comment I67-3
Other locations like Colorado and Santa Barbara have faced multiple lawsuits due to the dramatic and adverse impacts to the neighborhoods surrounding these type of farms, not to mention the incredibly damaging environmental effects (something California supposedly states to care so much about). Perhaps talk is cheap when tax dollars are in the government's mind.

Response I67-3
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

The comment does not address the content, analysis, or conclusions in the Draft PEIR that evaluates the potential environmental impacts of the proposed Cannabis Program. Therefore, no further response is provided.

Comment I67-4
It's an absolute travesty that the self-proclaimed "environmentally concerned capital of the world" (California), is immediately willing to propose such a plan - one that flies in the face of all the altruistic verbal nonsense the government claims to care about (environment). And worse yet, attempting to "disguise" and "promote" it as a program directed at diversity.

As usual, arrogant and condescending California government officials think they can insult the intelligence of their constituents. This is exactly why this state has evolved into the cesspool that it is. As soon as massive tax dollars come into the picture, the true colors are revealed - not that anyone ever believed their genuine intentions anyway.

I moved to Bonsall 24 years ago for many reasons: the scenery, the peace and tranquility, and all the safety and comfort that a quiet bedroom community offers.

After 18 years, a community was built right below us, and next to your proposed farm - and I highly doubt they will be any happier than I am to learn of this proposal.

Some neighbors of mine will hopefully be attending the meeting, and it is my hope that this proposal to put a cannabis farm there will be rejected.

Please deem this note as my definitive objection to such a plan, under any circumstances whatsoever.

A very upset and concerned longtime Bonsall resident.

Response I67-4
There is currently a ban on any new cannabis facilities in the unincorporated areas of San Diego County, and no applications for a cannabis facility have been submitted. The Cannabis Program would allow for new cannabis facilities. The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

The comment does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, no further response is provided.

Letter I68 Jill DePalma

March 27, 2025

Comment I68-1
I am writing to express my strong objection to the Socially Equitable Cannabis Program. While I have no problem with cannabis operations, I have personally seen the cannabis industry moving into a city lead to negative impacts, such as increased crime and foul odors over entire neighborhoods. In my last town of Buellton, they allowed a number of cannabis operations to come in, and it was not a good thing. And this Socially Equitable program is even worse. We're INTENTIONALLY inviting criminals and formerly incarcerated people to live and work in our town??? I find this proposal to be insane, and expect that it will negatively impact Fallbrook in several ways. Also, I see that you've already chosen ten recipients to each receive $28,000 grants? So we're giving $280,000 to people that have already demonstrated that they do not have respect for the laws of our country? That seems like a very poor use of taxpayer funds. This is a bad idea for Fallbrook and I hope you all will vote against it.

Response I68-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The comment expresses concern about increased crime rates as a result to the program. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

The comment expresses concern about foul odors related to cannabis affecting their neighborhood as a result of implementation of the project. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors."

Letter I69 Kathy Lemos

March 27, 2025

Comment I69-1
We oppose this program & support alternative 1-no project. For bonsall & fallbrook

Response I69-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I70 Tony Lemos

March 27, 2025

Comment I70-1
We oppose this program and support alternative 1 - no project .

Response I70-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Letter I71 Bob Littlejohn

March 27, 2025

Comment I71-1
Attached are my comments regarding the Socially Equitable Cannabis Project draft Environmental Impact Report. This is actually the version of the comments I thought our chair would send to you today, but I see that she sent you something else instead. The version included here was posted for our entire group to edit using a process defined by the chair. But she ignored the product of that effort and wrote what she sent you instead, without consulting anyone else on the team as far as I know.

I saw that she included a long list of references with her letter. She had sent the entire group something the same or very similar via email several days ago, and I replied to her with my mark up of that list. I have also attached that FYI.

As far as I know, no one in our group saw the version she sent you today or anything like it before it was sent to you, even though we were told that we could all have a chance to weigh in through collaboration using a Google Doc on Google Drive.

I have cc'd several members of our group who may have concerns about how this was handled, as well. Each of them may have already submitted their own comments to you

separately; I am not trying to say that they all agree 100% with the comments document I have attached to this email.

The group did in fact vote 11 yes, 1 no in favor of Alternative 1, with 3 absent. I am not disputing that. But just know that the discussion we had was much more nuanced than what that vote indicates. The attached document attempted to capture that nuance.

If you have any questions, please let me know.

Purpose

In 2016, Valley Center narrowly voted against the legalization of marijuana, Prop 64, 48.8% yes to 51.2% no. That was over eight years ago but remains the only solid data point on Valley Center's attitude toward legal cannabis. That said, a close vote in 2016 does not mean that if a vote were taken today on the draft EIR that the split would remain narrow. It's a different question. These comments are intended to reflect the sentiment of our community on the important question of the potential extent of damaging environmental impacts on Valley Center if the ultimate decision is to implement any alternative other than "No Project."

Public and Planning Group Input

Public feedback during recent Valley Center Community Planning Group (VCCPG) meetings where the Socially Equitable Cannabis program was on the agenda has been almost uniformly opposed to implementation of any form of the project. Members of the public cited a long list of both environmental and broader concerns with the program, especially with outdoor cultivation. The VCCPG member discussion at the meeting on March 26th to vote on the VCCPG position for our comments on this program was also strongly against the program and for similar reasons. However, during our debate some members argued, similar to the comments from the Fallbrook CPG, that the VCCPG should vote in support of Alternative 1 but list Alternative 4 as a secondary choice because it has the least impact on our environment among Alternatives 2 through 5. The thinking, similar to Fallbrook's, is that if we don't say what we can live with, we'll get Alternative 2, the alternative that would have the worst impact on our environment. In other words, the group's discussion was decidedly opposed to any alternative which includes any level of outdoor cultivation, and a significant majority voted to support only Alternative 1.

Response I71-1
The comment provides a general introduction to the comment letter. The commenter's preferences for the program alternatives have been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR regarding the range of alternatives evaluated in the Draft PEIR and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I71-2
Primary Concerns

The draft EIR lists six environmental impacts that would remain both significant and unavoidable even after mitigation (see Summary Table S.2 below excerpted from the draft EIR). Five of the six include Alternatives 2 through 5, and one includes Alternatives 2, 3 and 5. This is deeply troubling and ultimately why we voted in favor of only Alternative 1. Valley Center is an agricultural gem in the unincorporated area. The group and members of the Valley Center public are rightly concerned about the potential environmental impacts of large-scale cannabis cultivation operations in our community, even if contained indoors or inside of greenhouses. There is well-placed concern that these operations would bring substantial harm to our prized and uniquely beautiful environment, and we hope that county decision makers will agree.

Though out of scope for comments on the draft EIR, it's fair to say that our opposition to the program also includes significant concerns with other potential impacts on our community including increased DUI incidents, crime, and an inability to adequately regulate operations due to the strain on enforcement and compliance resources which could in turn result in more environmental harm and other problems than anticipated.

Other Considerations

While cannabis supply in the state might be high relative to demand right now there is no guarantee that that imbalance will continue. It is very difficult to project the scale of business activity in Valley Center over time if one of Alternatives 2 through 5 is eventually implemented. Our duty is to assume that business conditions may change, and the community could experience very significant business activity. Given our concerns about the environmental impacts, this is important. A related and also difficult-to answer question is whether a legal program implementation here would displace even more illegal activity resulting in a net benefit to the community. There is no guarantee of that, so again we err on the side of caution – no project.

Response I71-2
The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," regarding various state regulations and proposed regulations in the Cannabis Program regarding code enforcement and crime and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the County.

Comment I71-3
Acknowledgements

The Valley Center Community Planning Group would like to thank Jessica Norton and the entire San Diego County team who worked on this draft EIR. It represents a substantial body of work and has been considerably helpful to us in understanding the possible environmental

impacts on our community and how the plan might or might not address them. We believe the work was completed making every effort to consider all of the relevant information available as the draft was formulated. We encourage the program team to continue to seek out new information about the environmental impacts of a program like this because the pace of relevant research and learning has been and remains quite rapid. We will submit information we think is new and relevant to the team as the project progresses through the process.

We hope our input in the form of this comment document is helpful, as well. We welcome any questions anyone on the county team might have regarding these comments.

And finally, we would like to thank the community members who spent time to learn about this program and to tell us what they think about it, and why. This has helped our group to formulate and vote on an input that we believe has taken their concerns and interests to heart.

Table 5.2 Summary of the Environmental Effects of the Alternatives Relative to Those of the Proposed Project

Environmental Topic	"Alternative 2: Proposed Project- Cannabis Program Consistent with State Requirements"	Alternative 1: No Project- Retention of Current Cannabis Regulations	Alternative 3: Cannabis Program with Expanded County Regulations	Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition	Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy
Aesthetics	Significant and unavoidable	Less (LTS, eliminates SU impact)	Similar	Less	Similar
Agriculture and Forest Resources	No impact	Similar (NI)	Similar (NI)	Similar (NI)	Similar (NI)
Air Quality	Significant and unavoidable (odor impacts only)	Less (LTS, eliminates SU impact)	Less	Less (LTS, eliminates SU impact)	Less
Biological Resources	Less than significant (with mitigation)	Less	Similar	Less	Similar
Cultural and Paleontological Resources	Less than significant	Less	Similar	Less	Similar
Energy	Less than significant (with mitigation)	Less	Similar	Less	Similar
Geology, Soils, and Mineral Resources	Less than significant	Less	Similar	Less	Similar

Environmental Topic	"Alternative 2: Proposed Project- Cannabis Program Consistent with State Requirements"	Alternative 1: No Project- Retention of Current Cannabis Regulations	Alternative 3: Cannabis Program with Expanded County Regulations	Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition	Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy
Greenhouse Gas Emissions and Climate Change	Less than significant (with mitigation)	Less	Similar	Less	Similar
Hazards and Hazardous Materials	Less than significant	Less	Similar	Less	Similar
Hydrology and Water Quality	Significant and unavoidable (groundwater supply impacts only)	Less (LTS, eliminates SU impact)	Similar	Less	Similar
Land Use and Planning	Less than significant	Less (NI)	Similar	Similar	Similar
Noise	Significant and unavoidable (construction noise impacts only)	Less (LTS, eliminates SU impact)	Similar	Similar	Similar
Population, and Housing	Less than significant	Less	Similar	Similar	Similar
Public Services	Less than significant	Less (NI)	Similar	Similar	Similar
Transportation	Significant and unavoidable (vehicle miles travelled impacts only)	Less (LTS, eliminates SU impact)	Similar	Similar	Similar
Tribal Cultural Resources	Less than significant	Less	Similar	Less	Similar
Utilities and Service Systems	Significant and unavoidable (vehicle miles travelled impacts only)	Less (LTS, eliminates SU impact)	Similar	Less	Similar
Wildfire	Less than significant	Less	Similar	Less	Similar

Cannabis Articles:

Bob's note – none of these appear to be in the county's Chapter 6 list of references for the draft EIR

15 total articles on original list

7 are out of scope for the EIR

3 refer to illegal cannabis activity. Apples and oranges.

3 cite issues that the draft EIR says will not result in significant and unavoidable impacts after mitigation

1 is a duplicate

1 refers to an in-process legal case that could result in an outcome that would be an important factor for how this program might be implemented in Valley Center

file:///Volumes/Lexar/Cannabis/smoking-cannabis-associated-increased-risk-heart-attack-stroke.htm

This link didn't work for me. This could be the correct link: https://www.nih.gov/news-events/newsreleases/smoking-cannabis-associated-increased-risk-heart-attack-stroke
Out of scope for EIR

https://www.cdc.gov/mmwr/volumes/72/wr/mm7228a1.htm

Social - Out of scope for EIR

https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2808961

Social - Out of scope for EIR

https://www.bumc.bu.edu/emergencymedicine/files/2016/08/MJ-legalization-and-impact-on-EM-care.pdf

Social - Out of scope for EIR

https://www.sfgate.com/cannabis/article/banned-pesticides-testing-california-cannabis-18678450.php

Testing - Out of scope for EIR
https://www.sfgate.com/cannabis/article/california-pot-recalls-19539889.php
Above article was not on Dori's list but is an update after the previous article on her list was published

https://calmatters.org/environment/water/2024/02/california-cannabis-fine/

This article is about an illegal grow

https://nature.berkeley.edu/news/2021/07/cannabis-farms-irrigating-groundwater-may-affect-stream-flows

M-HYD.2-1 mitigation requirement fully addresses this concern

https://www.parks.ca.gov/NewsRelease/1289
This article is about illegal grows

https://thehill.com/policy/equilibrium-sustainability/4426143-majority-of-americas-underground-water-storesare-drying-up-study-finds/
M-HYD.2-1 mitigation requirement fully addresses this concern

https://www.sfgate.com/cannabis/article/banned-pesticides-testing-california-cannabis-18678450.php
Duplicate of earlier entry

https://globalbio.me/cannabis-grow-operation-electricity-consumption-estimates/
Energy use increase - Not on the list of significant and unavoidable impacts after mitigation

https://timesofsandiego.com/politics/2023/03/15/bipartisan-toxic-act-targets-pesticides-smuggled-by-cartels-forillegal-marijuana-grows/
This article is about illegal grows

https://www.forbes.com/sites/dariosabaghi/2025/03/19/nearly-85-of-cannabis-users-drive-the-same-day-theyconsume-survey-finds/
Social - Out of scope for EIR

https://www.coastalview.com/news/landmark-ruling-certifies-a-class-action-against-valley-crest-for-nuisanceodor/article_a1ef52f2-ffa1-11ef-b986-0706e6f439c7.html
A judge has allowed a class-action lawsuit to move forward. Trial is scheduled for March, 2026.

https://www.youtube.com/watch?v=MHTJbOTi5FI
Social – Out of scope for EIR

Response I71-3
The comment provides general remarks regarding the content of the Draft PEIR. The comments will be reviewed by decision makers prior to consideration of approval of a program alternative. No specific comments on the PEIR are provided for which further response can be provided.

Letter I72 Deanna Grant

March 28, 2025

Comment I72-1
I am concerned about the environmentally unfriendly odor that a cannabis farm emits and do not want this project in Fallbrook. Also, water use is always a concern for our town and we are constantly being asked to conserve.

Response I72-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The comment expresses concern about foul odors and water use as a result of implementation of the project. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," and Draft PEIR Section 2.11, "Hydrology and Water Quality," and Section 2.18, "Utilities and Service Systems," regarding the impact analysis groundwater and municipal water usage by cannabis uses.

Comment I72-2
Many avocado ranches have had to cut down their trees due to high water prices and they are not being supported by our state to continue to grow. Marijuana plants take a large amount of water which is adverse to what our county needs. What is the research on water usage for this crop?

Response I72-2
The comment expresses concern about the program's environmental impacts, including increased water consumption. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," and Draft PEIR Section 2.11, "Hydrology and Water Quality," and Section 2.18, "Utilities and Service Systems," regarding the impact analysis groundwater and municipal water usage by cannabis uses. Draft PEIR Table 2.11.7 provides water demand estimates for cannabis uses that are based on water demand factors were derived from information provided by existing cannabis cultivation operations in other counties in northern and central California (Yolo, Humboldt, Trinity, and Santa Cruz counties) and commercial and industrial water demand factors for noncultivation uses.

Letter I73 Dorothea and Gerald Flanigan

March 28, 2025

Comment I73-1
We do not want the above mentioned in the Bonsall region, especially not near schools. This is just opportunities for cartels to recruit and use children to be the mules selling marijuana to younger age groups. There will be run by persons with prior felonies. This is very dangerous and we need to protect the children out here in the country from this.

After finding out what happened after an event that they had at Bringle Terrace, Park by cannabis users, in Vista, California, we find out that they left a big mess and even throughout marijuana cigarette butts in the parking lot because they were doing that in their vehicles, also Beside the main building of the event. They played loud music and disturbed the whole neighborhood. These get high celebrations bother other people in the community they are known for running their loud music, and San Diego County is remiss in getting them to turn down their noise. After hours is another bad time. Bonsall doesn't need this! That's the bottom line. Please disapprove a permit for these people to operate, cannabis growing, and associated activities out here in North San Diego County. Thank you.!

Response I73-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The comment expresses concern about crime and noise associated with the project. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," and Draft PEIR Section 2.13, "Noise," that address crime and noise from cannabis events.

Letter I74 Cathy Handzel

March 30, 2025

Comment I74-1
Our public comment is below and also attached in MS Word format. Thank you!

Public Comment on Cannabis Program Draft Environmental Impact Report (EIR) from DarkSky San Diego County

Response I74-1
The County appreciates comments from Cathy Handzel. This comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Comment I74-2
While the Cannabis Environmental Impact Report (EIR) appears to address many of the concerns related to light pollution including the section 2.2 Aesthetics including 2.2.1.4 Dark Skies and Section 2.2.2 Regulatory Framework, there seems to be room for misinterpretation of requirements and non-compliance. Too often, inappropriate lighting is installed and passes inspection, or a lighting retrofit is performed in clear violation of County of San Diego's existing Light Pollution Chapter. The installation of 'security lighting' in the form of an unshielded wall pack or unshielded and improperly aimed LED panel or motion light is common and these violations may take months to address once a citizen has raised a complaint.

Response I74-2
The comment expresses concern that unlawful types of security lighting that violate the County of San Diego's existing Light Pollution Chapter will be installed as a result of the program. The potential for new sources of light, and required lighting specifications, to affect nighttime views and dark skies is addressed in Section 2.2.3.6, "Issue 3: Adversely Affect View due to New Light and Glare." The fourth paragraph on page 2.2-32 of the Draft PEIR states:

> the Cannabis Program proposes amendments to the Zoning Ordinance that would further reduce light and glare from new cannabis uses. Section 6995(f)(1) specifies exterior lighting requirements to reduce light pollution and prevent spillover light, such as the use of motion sensors, LED bulbs, and luminaries that are cut-off, shielded, and downward facing. Section 6995(g)(2) would prohibit lighting in agricultural shade and crop structures and require the use of blackout curtains to prevent light escape from mixed-light cannabis cultivation. In addition, Section 6995(g)(2) specifies setback

> requirements for cultivation uses, which would prevent the spillover of light onto adjacent properties. Compliance with these regulations would ensure consistency with the General Plan policies that restrict outdoor light and glare in semirural and rural areas (Policy COS-13.1) and maintain dark skies, particularly surrounding the Palomar and Mount Laguna Observatories (Policy COS-13.2 and Policy COS-13.3). Proposed commercial cannabis facilities would be subject to site-specific review during the application process to ensure compliance with the County's development standards.

These requirements (in addition to state lighting requirements under CCR Title 4, Division 19, Section 16304) would ensure that the Cannabis Program under Alternative 2 would not create a new source of substantial light or glare that would adversely affect day- or nighttime views in the area. These requirements would also apply to Alternatives 3, 4, and 5, as discussed on pages 2.2-32 through 2.2-35. The comment does not offer any evidence to suggest that implementation of Alternatives 2, 3, 4, or 5 would increase light such that dark skies could be adversely affected.

Comment I74-3
DarkSky San Diego County supports the concerns raised by the Fallbrook Land Conservancy (FLC) Dark Sky Committee related to increasing skyglow, impacts to astronomical observations at Palomar Observatory, and the community's aspiration to certified as an International Dark Sky Committee.

Response I74-3
The reader is referred to response to Comment I74-2.

Comment I74-4
The negative impacts of light pollution extend far beyond the loss of a starry night sky. It is well-established that artificial light in the nighttime environment serves as a magnet for moths and other insects, significantly decreasing levels of plant pollination. The navigational abilities of migrating monarchs can be impacted by artificial light. Hundreds of millions of birds die in building and window collisions in North America each year due to artificial light at night.

Now in its third year, the "Lights Out, San Diego!" campaign to protect migrating birds on the Pacific Flyway, is a partnership between the San Diego Bird Alliance and DarkSky San Diego County. This new threat to natural darkness in agricultural areas across San Diego County is concerning.

Failure to implement this program in accordance with the intended preventative and mitigation measures may result in significant environmental harm and loss of life for birds migrating on the Pacific Flyway, bats, frogs and toads, monarchs and other butterfly species, moths, and additional insects that are attracted to artificial light in the nighttime environment. It is worth noting that this list includes protected or endangered species present in San Diego County.

Response I74-4
The reader is referred to the response to Comment I74-2.

Comment I74-5
We recommend specific measures for the opacity of the blackout curtains as well as coverage requirements to avoid partial compliance with the new regulations to limit the escape of artificial light from greenhouses. For example, opacity of blackout curtains shall block 95% of interior light from escaping including from ceilings and all side walls. There shall be no gaps between blackout curtain panels that result in light escaping.

Building inspections will need to be conducted by personnel with sufficient documentation, training, and tools that allow them to observe proper installation and operation of blackout curtains, measure blackout curtain opacity, and confirm there are no open gaps between blackout curtain panels.

The proper use of motion sensor lighting should be clearly documented in the San Diego County Zoning Ordinance to specify that sensitivity be set to medium or low. At a high setting, the light may repeatedly trigger/activate, defeating the intent of limiting activation to the presence of a human intruder or a human who needs that light to navigate safely.

Inspection and enforcement of motion sensor lighting should include verification that the motion light is set to brief 5 or 10 minute “on” activation rather than the dusk to dawn setting. Additionally, inspection should verify that all light fixtures, including motion activated lights are installed at full cut-off position (90 degree), aimed downward, not outward or at a 45-degree angle spilling light into the sky, onto adjacent properties, or into surrounding natural habitat.

We strongly recommend that greenhouse blackout blinds and greenhouse lighting be included in quarterly inspections and that these inspections be conducted during nighttime hours, as appropriate.

We recommend that penalties for non-compliance be incorporated into the new regulations and that these regulations be effectively enforced for any greenhouse found to be in non-compliance including not closing all blackout curtains during the required nighttime hours, or not performing prompt repairs for non-operational, torn, or otherwise damaged curtains that allow light to escape into the nighttime environment.

Response I74-5
The reader is referred to the response to Comment I74-2.

Comment I74-6
It would be most helpful if updates to the County’s Zoning Ordinance included visual illustrations of light fixtures that are allowed and disallowed. Other municipalities have done this to enable clearer understanding of requirements and ease of code enforcement.

We appreciate your consideration and thank you for this opportunity to comment.

Response I74-6
The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Letter I75 Chris Grant

March 30, 2025

Comment I75-1
As a longtime Fallbrook resident I am opposed to this program which will bring unwanted Cannabis farms to our town. The environmental impact of the odor and the runoff will be detrimental to our community. Avocado growers struggle to keep their crops due to high water prices in our area and their crops use high levels of water which is also needed for marijuana growing. We already are asked to conserve water and bringing in additional Cannabis crops which does not benefit our community puts a strain on the water grid. Please do not go forward with this proposal.

Response I75-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The reader is referred to Draft PEIR Section 2.11, "Hydrology and Water Quality," and Section 2.18, "Utilities and Service Systems," regarding the impact analysis of water quality associated with runoff and groundwater and municipal water usage by cannabis uses. The reader is also referred to Section 9.1.1.1, "Master Response: Cannabis Odors," that describes odor impact analysis provided in the Draft PEIR.

Letter I76 Deborah Howard

March 30, 2025

Comment I76-1
We are completely against any and all Cannabis farms in Bonsall.

Our Bonsall Community Sponsor Group has also voted NO to all Cannabis farms in Bonsall.

Response I76-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Comment I76-2
Nathan Fletcher and Nora Vargas are no longer involved in San Diego politics and their destructive, community wrecking policies should no longer be involved in San Diego either.

Response I76-2
The commenter does not raise environmental concerns. The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I77 Denise and Ian Doyle

March 30, 2025

Comment I77-1
We are writing to express our concerns regarding the proposed socially equitable cannabis program in San Diego County. While we understand the intention to promote social equity, we strongly oppose this program. We urge you to consider the potential negative impacts on our community, particularly in the rural areas such as Bonsall.

Response I77-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Comment I77-2
1. Impact on Rural Roads and Infrastructure:

The increased traffic resulting from cannabis cultivation sites, lounges, and temporary events will place an undue burden on our rural roads and infrastructure. Many of our roads are not designed to accommodate heavy traffic or large commercial vehicles, which may lead to deterioration, increased maintenance costs, and compromised road safety.

Response I77-2
The comment expresses concern regarding increased traffic and what those impacts would be on rural roads and existing infrastructure that are not equipped to handle heavy traffic or large commercial vehicles. The reader is referred to Section 2.16, "Transportation," of the Draft PEIR that addresses transportation safety.

Comment I77-3
2. Impaired Driving from Cannabis Lounges and Events:

Allowing cannabis lounges and temporary events may result in an increase in impaired driving incidents. This poses a serious safety risk to residents, particularly on narrow, winding rural roads in Bonsall. Ensuring public safety should be a top priority when considering the approval of such establishments.

Response I77-3
The comment expresses concern about public safety as it relates to potential increased impaired driving from cannabis lounges and events as a result of the program. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.

Comment I77-4
3. Environmental Impacts of Cannabis Cultivation:

Cannabis cultivation can have significant negative effects on our environment, including the strain on local utilities, changes to the rural landscape, and disruption to nearby residents and

businesses. Moreover, the increased demand for water and power can stress our existing infrastructure, potentially leading to shortages and increased costs.

Response I77-4
The comment expresses concern regarding increased significant negative effects to the environment, including strain on local utilities, changes to the local landscape, and increased demand for water and electricity. The reader is referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis," Draft EIR Section 2.11, "Hydrology and Water Quality," and 2.18, "Utilities and Service Systems," regarding the impact analysis of groundwater and municipal water usage by cannabis uses, and 2.2, "Aesthetics," for a discussion of visual character impacts.

Comment I77-5
4. Negative Impact of Temporary Outdoor Events:

Temporary cannabis events, particularly those held outdoors, can disrupt the peaceful rural character of our community. Noise, increased foot and vehicle traffic, and waste management challenges could significantly impact the quality of life for local residents and businesses.

Response I77-5
The reader is referred to Draft EIR Sections 2.16, "Transportation," and 2.13, "Noise," for a discussion of cannabis event impacts, and 2.18, "Utilities and Service Systems," regarding solid waste impacts and specific requirements for cannabis waste.

Comment I77-6
5. Odor and Air Quality Issues:

The strong and pervasive odor from cannabis cultivation can negatively affect surrounding communities. Persistent odors not only reduce the quality of life but can also impact outdoor recreational activities and local businesses that rely on a clean, rural atmosphere.

Other municipalities that allow outdoor grows have suffered significant environmental impacts due to odors. For example, children in Santa Barbara County at times have been unable to play outdoors at recess due to odors.

https://enewspaper.latimes.com/infinity/article_share.aspx?guid=5de42829-8623-4ff9-88af35f90aa5bb97

Additionally, in other municipalities with Cannabis Programs, odors and odor complaints have been shown to be nearly impossible to control.

http://www.coastalview.com/news/county-planners-support-tough-odor-controls-for-all-cannabis-greenhouses/article

https://www.independent.com/2025/01/15/the-coming-crackdown-on-greenhouse-cannabis/

https://www.independent.com/2025/03/12/public-invited-to-community-forum-on-cannabis-odor-in-carpinteria/

Response I77-6
The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors,” that provides a summary of the Draft PEIR analysis of cannabis odor impacts which were identified as significant and unavoidable for outdoor cannabis cultivation activities.

Comment I77-7
6. Impact on Other Crops and Equine Training:

Cannabis cultivation can potentially affect other agricultural operations in Bonsall.

Response I77-7
This comment expresses concern about impacts to agricultural operation in Bonsall as a result of the program, but provides no data or technical analysis that supports this concern. As described in Draft PEIR Section 2.3, “Agricultural and Forest Resources,” the proposed Cannabis Program would not result in the loss of agricultural lands or result in conflicts with agricultural uses under any of the alternatives evaluated.

Comment I77-8
The proximity of cannabis cultivation to forage crops increases the risk of cross-contamination, which could inadvertently introduce cannabinoids into feed such as hay or other agricultural products. This not only poses potential health risks but could also harm the quality and marketability of traditional agricultural products in our area, leading to economic and reputational damage for established farms. Additionally, we have a thriving equine training industry, and exposure to cannabis plants or derivatives could put performance horses at risk. Given the stringent regulations on performance horses and the potential for positive drug tests, even the perception of risk can be a significant concern for trainers and owners. A positive test result, even if unintentional, can severely impact a horse’s career and the reputation of training facilities.

Response I77-8
The comment expresses concern about the program’s potential health risks, specifically as it affects agricultural products, including crops for livestock, and overall health impacts to horses, but provides no data or technical analysis that supports this concern. As described in Draft PEIR Section 2.3, “Agricultural and Forest Resources,” the proposed Cannabis Program would not result in the loss of agricultural lands or result in conflicts with agricultural uses under any of the alternatives evaluated. It is not clear how cannabis cultivation could contaminate horse feed.

Comment I77-9
7. Strain on Law Enforcement and Public Services:

Increasing the presence of cannabis-related businesses will inevitably require more resources from law enforcement and first responders. Addressing issues such as impaired driving, security for cultivation sites, and maintaining public order during temporary events will burden already stretched public services.

Response I77-9
This comment expresses concern about the extra strain put on current law enforcement personnel and first responders as a result of the program. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” and Section 2.15, “Public Services,” in the Draft PEIR that address impacts to these services.

Comment I77-10
In conclusion, we note that other municipalities that, for years, have allowed Cannabis cultivation have found it to be extremely problematic with devastating impacts on their communities. As a result, they are now revising their programs. Because of this, cultivation should be removed from any of the Alternatives until further up-to-date analyses, reliable studies, and information can be obtained.

*** Special attention should be given to a recent “Landmark” Ruling in a Class Action Suit in Carpinteria where the Class prevailed for nuisance odor of “pervasive smell of pot” invading their properties.

https://www.independent.com/2025/03/06/landmark-ruling-certifies-a-class-action-againstvalley-crest-for-nuisance-odor-in-carpinteria-valley/

Additionally, this Project and the environmental impacts will affect all property owners, residents and businesses in the unincorporated San Diego County. Public notices should have been sent to all of them, informing them about this Project and the DEIR. Public Notice of this Project and the DEIR was deficient.

We do not believe the proposal adequately demonstrates how this program will benefit the greater community and strongly oppose the socially equitable cannabis program. We urge the county to respectfully reconsider the negative impacts and scope of the proposal to ensure it does not proceed and protect our community's safety, environment, and well-being.

Thank you for your consideration.

Response I77-10
The reader is referred to the response to Comment I57-10. The Draft PEIR programmatically addresses environmental effects of the proposed Cannabis Program evaluated under Alternatives 1 through 5 based on substantial evidence consistent with the requirements of CEQA and the State CEQA Guidelines. Throughout the document, citations have been added within the discussions, and full reference information is presented in Chapter 6, “References.” This reference information includes recent natural habitat data, computer modeling, and other current resources. The County considers the Draft PEIR impact analysis to be supported by accurate substantial evidence. No further response can be provided.

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Letter I78 Eddie Lain
March 30, 2025

Comment I78-1
Here are some of my comments and concerns regarding the Socially Equitable Cannabis Program:

First off, I am SOOOOOOOO happy to have the proposed regulations implemented to control the rapid propagation of cannabis business development, retail distribution, and irresponsible use!! In Valley Center, we currently have a dangerous growing problem with drunk driving due to the growing popularity of local casinos. By adding to this the irresponsible use of drugs, including cannabis, it would only be adding fuel to a fire that we should be trying to snuff, rather than to fan and stoke!

I also feel that it is a travesty that our local government is providing business start-up funding to previous law-breakers who used marijuana. Even if the current law makes its use now legal, the law was the law. Anyone who was willing to break the law before will certainly not have much of a moral compass to prevent them from breaking laws moving forward. So, even if there are regulations in place, you can bet your bottom dollar that plenty of County resources are going to be required to assure those regulations are abided by.

By the way, I am fully against any implementation of cannabis businesses in my community!

Response I78-1
The comment expresses concern regarding impacts to the community's safety as a result of the program. The program's potential safety impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," and Section 2.15, "Public Services," in the Draft PEIR.

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Comment I78-2
AESTHETIC ISSUES

Security Lighting - Valley Center is known as the "Highway To The Stars" due to its proximity and path to Palomar Observatory. As such, it is in Zone A of the San Diego County Light Pollution Ordinance.

Response I78-2
The comment expresses concern regarding impacts to aesthetics as a result of increased security lighting. The reader is referred to Section 2.2, "Aesthetics," in the Draft PEIR that addresses lighting impacts from cannabis uses.

Comment I78-3
Therefore, any light bleed from any growing facility, retail outlet or other related business must be compliant to the ordinance. Since cultivation and sale of Cannabis is a high risk proposition, it will likely require enhanced security to keep both the product and the employees safe from robbery, vandalism and all other hostile actions. So, it stands to reason that any of these cannabis facilities will likely desire bright security lights. This is unacceptable within the Valley Center Community.

Undesirable Element - Cannabis stores, head shops, liquor stores and the like have a propensity to attract people who live on the fringes of society, engage in unlawful activities, and pose a danger to the community. If implemented in our community, these cannabis businesses will likely require additional attention from law-enforcement to keep the peace and keep the community safe.

Response I78-3
This comment expresses concern about increased crime as a result of the program. The program's potential safety impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 2.2, "Aesthetics," in the Draft PEIR that addresses lighting impacts from cannabis uses, Section 9.1.1.4, "Master Response: Code Enforcement and Crime," and Draft PEIR Section 2.15, "Public Services," that address law enforcement.

Comment I78-4
AIR QUALITY ISSUES

The pungent smell of marijuana smoke is not desirable to many people.

Promoting the smoking of ANYTHING increases the risk of wildfires due to careless tossing of burning butts.

Pollen and seeds from the cannabis plants will spread with the high winds in Valley Center possibly causing an uncontrollable spread of the invasive weed.

Response I78-4
The comment expresses concern regarding odor, increased fire hazards, and accidental pollination of cannabis plants. The program's potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Sections 9.1.1.1, "Master Response: Cannabis Odors;" 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis;" and 2.19, "Wildfire," in the Draft PEIR.

Comment I78-5
HAZARDS & HAZARDOUS MATERIALS

Crime!!!! The cannabis growing fields and the retail businesses will attract crime and present dangers to our community.

Response I78-5
This comment expresses concern about increased crime as a result of the program. The program's potential safety impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," and Section 2.15, "Public Services," in the Draft PEIR that address law enforcement.

Comment I78-6
Keep poisons out of our backyards!!!! The use of fertilizers, pesticides, and even the THC in the plants themselves can cause irreparable harm to the environment, the soils, the water table, the residents, and the wildlife.

Response I78-6
The comment expresses concern regarding the use of fertilizers and pesticides and their impact on water quality. The program's potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. Pesticide application is addressed in Section 2.10, "Hazards and Hazardous Materials," under Issue 1. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited. The reader is Draft PEIR Section 2.11, "Hydrology and Water Quality," for the evaluation of water quality impacts from cannabis operations and identification of water quality standards that cannabis construction and operations would be subject to.

Comment I78-7
HYDROLOGY & WATER QUALITY

The use of fertilizers, pesticides, and even the THC in the plants themselves can cause irreparable harm to the water table, the residents.

Response I78-7
The reader is referred to the response to Comment I78-6.

Comment I78-8
WILDFIRE

Promoting the smoking of ANYTHING increases the risk of wildfires due to careless tossing of burning butts.

Response I78-8
The comment expresses concern regarding increased fire hazards. The program's potential environmental impacts, including those noted by the commenter, are addressed in the Draft

PEIR and the master responses in this Final PEIR. The reader is referred to Section 2.19, “Wildfire,” in the Draft PEIR.

Comment I78-9
If there is any further clarification I may provide or questions I may answer, please feel free to contact me.

Thank you for listening!!

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Life's short, so LIVE IT! ENJOY IT!

Response I78-9
No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter I79 Luisa Veltmann

March 30, 2025

Comment I79-1
re: Socially Equitable Cannabis Program (SCH # 2023090330) – EIR draft feedback.

The draft EIR identifies significant and unavoidable environmental impacts, including effects on aesthetics, biological resources, air quality, and water supply.

Response I79-1
The commenter lists the significant and unavoidable impacts provided in the Draft PEIR. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I79-2
Key Concerns with the Proposed Cannabis Program-

Impact on Rural Character and Tourism

Response I79-2
The comment expresses concern regarding impacts to the rural character of the proposed program area. The reader is referred to Section 2.2, “Aesthetics,” in the Draft PEIR for the impact analysis of cannabis uses on rural character. Tourism is a social and economic issue that is not subject to environmental review as provided under State CEQA Guidelines Section 15131.

Comment I79-3
Unavoidable Odor Issues and Air Quality Concerns

Response I79-3
The comment expresses concern about odors and air quality impacts related to cannabis. The reader is referred to Sections 9.1.1.1, “Master Response: Cannabis Odors,” and Draft PEIR Section 2.4, “Air Quality.”

Comment I79-4
Threats to Biological Resources

Response I79-4
The comment expresses concern regarding impacts to biological resources as a result of the proposed program. However, no specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. The reader is referred to Section 2.5, “Biological Resources,” in the Draft PEIR for impacts to biological resources from cannabis operations.

Comment I79-5
Water Resource Depletion

Response I79-5
The comment expresses concern regarding environmental impacts including water resource depletion as a result of the proposed program. The reader is referred to Draft PEIR Section 2.11, “Hydrology and Water Quality,” and Section 2.18, “Utilities and Service Systems,” regarding the impact analysis groundwater and municipal water usage by cannabis uses.

Comment I79-6
Light Pollution and Dark Sky Protection:

The Draft EIR states that exterior lighting must comply with San Diego County’s light pollution regulations and must not spill onto other properties, structures, or the night sky. On page 27 it states - "Nighttime light escape from mixed-light cannabis cultivation shall be controlled using internal black-out curtains or other equally or more effective methods to prevent the facility from emitting nighttime light escape.” this statement seems broad.

To address this, update with the following phrasing:

"All mixed-light cannabis cultivation facilities must fully eliminate nighttime light escape using internal black- out curtains, retractable shields, or other proven methods that prevent any visible light from being emitted outside the facility whenever artificial lighting is in use during nighttime hours. Compliance will be subject to enforcement measures to ensure adherence."

This ensures that no light escapes whenever grow lights are on at night.

Response I79-6
The Program proposes amendments to the Zoning Ordinance that would include development standards for cannabis activities including this lighting standard under Section 6995:

- Section 6995(g)(2)(v): Nighttime light escape from mixed-light cannabis cultivation shall be controlled using internal black-out curtains or other equally or more effective methods to prevent the facility from emitting nighttime light escape.

No additional edits are recommended.

Comment I79-7
The best option for Fallbrook and all unincorporated communities in San Diego County, is option #4.

Response I79-7
The comment provides an opinion regarding the merits or qualities of the proposed program. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I80 mCraggs

March 30, 2025

Comment I80-1
This proposed "Socially Equitable Cannabis Program" likely was born of good intentions, but -- as proposed – this program will have numerous significantly negative impacts on the health and safety, quality of life, and economic prosperity of thousands of San Diegans. Since the goals of this program can be fully achieved with virtually no negative impacts to San Diegans and within existing programs, there is no reasonable argument for proceeding with this proposal. And, in fact, doing so results in serious dereliction of public officials' duty to protect public health and safety, the quality of life, and economic prosperity of the majority of its citizens (i.e., greatest good for the greatest number). If a person was unfairly penalized, then let's help them…but, remember that two wrongs don't make a right.

Response I80-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Comment I80-2
Growing Cannabis: While growing, cannabis produces an extremely strong odor that closely resembles that produced by skunks (see Carpinteria, CA for one instance of these impacts). This odor will travel great distances on the wind. While living in the vicinity of the Gilroy Garlic Fields, the odor from those Fields would often blow in my direction, resulting in a choking-level smell of garlic at my house, which was ~35 miles from the odor source. That is a minimum distance; given the strength of the odor I experienced, it likely was still significant at far greater distances. With the highly variable wind speeds and directions in San Diego County every resident – as well as those in portions of Riverside County -- will be downwind at some point.

Response I80-2
The comment expresses concern regarding cannabis odors traveling long distances and negatively affecting county residents. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," regarding the consideration of cannabis odor impacts in the PEIR.

Comment I80-3
Processing Cannabis: The EIR notes that processing functions require the use of hazardous and highly flammable chemicals. Under no circumstances should such chemicals be allowed in high fire danger areas. In addition to that increased fire danger, the presence of hazardous materials will slow firefighters' response, resulting in increased damage from any fire that starts. Clearly, such materials should never be encouraged (especially since other options without such risks are available) by County government action, because that is a flagrant violation of all government officials' first and foremost duty: to protect the health and safety of their citizens.

Response I80-3
The comment expresses concern regarding increased fire hazards due to the use of hazardous and highly flammable chemicals. The program's potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis," and Sections 2.10, "Hazards and Hazardous Materials," and 2.19, "Wildfire," in the Draft PEIR where these impacts are addressed.

Comment I80-4
Retail and Special Events: Unless properly limited, these uses will cause great inconvenience (at the least) and (likely) great damage to those nearby, with issues such as odor (see above), parking, traffic, crime, litter, property damage, vandalism, etc.

Response I80-4
The comment expresses concern related to health and safety and increased crime-related impacts. The reader is referred to Sections 9.1.1.4, "Master Response: Code Enforcement and Crime," regarding law enforcement, illegal activity, and community safety, and 9.1.1.1, "Master Response: Cannabis Odors." For traffic related impacts, the reader is referred to Section 2.16, "Transportation," of the Draft PEIR.

Comment I80-5
Mitigation: The Draft EIR has multiple, serious shortcomings in terms of mitigation of the above negative impacts. First, there is no recognition of the impacts on residents and their homes. Residents and property owners must be considered "sensitive" areas, just like parks, schools, and the dozens of other locations given some protection in the EIR. Residential property must be given protection from degradation of residents' quality of life and from economic harm. This means that:

Response I80-5
The comment states the Draft PEIR fails to address impacts on residents and homes, but does not identify specific impacts that are not addressed. Draft PEIR sections 2.2 through 2.19 address a range of environmental impacts to county residents (e.g., aesthetics, lighting, odors, noise, and transportation safety). The reader is referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis," regarding the county-wide and programmatic nature of the PEIR impact analysis.

Comment I80-6
-No growing activities should be allowed closer than 40 miles from a residence in any direction. The cannabis odor will permeate all soft goods (clothing, furniture, rugs, drapes) and all semi-porous materials (wood, stucco, plasterboard, plaster and some plastics) and is impossible to remove. Thus, the affected homeowner's entire property becomes worthless, uninhabitable and impossible to sell. It may even lose insurance coverage if flammable and/or hazardous materials are nearby or if odor-based claims skyrocket throughout the County.

Response I80-6
The comment expresses concern about cannabis odors permeating soft goods. The program's potential impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors."

An evaluation of property values is not required by CEQA because property values do not have an impact on the natural or physical environment. As stated in Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment.

Comment I80-7
-Some residents of Riverside County are also within the impact zone of this proposal and thus they, and their governing bodies, need to buy into this proposal before enactment.

Response I80-7
Comment noted. This comment does not address the adequacy of the Draft PEIR. Thus, no further response is provided.

Comment I80-8
-The County must fully compensate all affected property owners for any damage suffered from these activities.

Response I80-8
Comment noted. This comment does not address the adequacy of the Draft PEIR. Thus, no further response is provided.

Comment I80-9
-If any permits for any of the cannabis-based activities are requested, the County must send Notices to all affected property owners by US Mail, at least 90 days before any permitting decisions are made, so that affected property owners have time to comment/object. When weighing public input, the County must give much stronger weight to the comments of the

owners closest to the proposed activity. Affected parties could be up to 40 or more miles away in any direction for growing activities. For flammable/hazardous materials, it might be much further, given how fast wildfires spread.

Response I80-9
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program."

Comment I80-10
-The EIR suggests Indoor growing will mitigate negative effects. While that may reduce the degree of odor impacts, it will not eliminate them, unless such facilities are constructed and operated to the specifications of a top-level BioHazard laboratory and always (not likely in the real world) operate within such strict standards. Strict adherence to such operating specifications is necessary to reduce the chances of catastrophic damage to structures and to the health and quality of life of citizens.

Response I80-10
The comment expresses concern about the inability to eliminate cannabis odors. The program's potential impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors." The comment provides no data or technical analysis countering the Draft PEIR analysis regarding the effectiveness of odor control for buildings.

Comment I80-11
-The EIR also states that growers may not install protective fencing (razor wire, barbed wire, electric fence). While that seems aesthetically pleasing, it also encourages theft – and thus invites criminals into neighboring communities. Also, the illegal cannabis trade has never stopped after legalization, and is in fact in resurgence. Thus, this proposal will actually help those in the cannabis black market.

Response I80-11
This comment expresses concern about increased crime due to the inability for growers to install protective fencing. The program's potential safety impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

Letter I81 SanDee and Ray DeLautre

March 30, 2025

Comment I81-1
We are writing you as concerned residents of the areas of Fallbrook, Bonsall and Valley Center areas, growing Cannabis.

Response I81-1
The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Comment I81-2
Because this will impact the environment, the usage of water, the usage of pesticides and chemicals, it would be very detrimental to the growers of produce, which would impact their crops.

Response I81-2
The reader is referred to Draft PEIR Section 2.11, "Hydrology and Water Quality," and Section 2.18, "Utilities and Service Systems," regarding the impact analysis groundwater and municipal water usage by cannabis uses. Pesticide application is addressed in Section 2.10, "Hazards and Hazardous Materials," under Issue 1. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

Comment I81-3
Not only that, bringing in more traffic and not enough law enforcement to protect the well being of residents who live in these proposed areas.

Response I81-3
The comment expresses concern regarding increased traffic impacts and a lack of law enforcement. The reader is referred to Section 2.16, "Transportation," of the Draft PEIR and Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

Comment I81-4
Therefore, WE OPPOSE THIS PROGRAM AND SUPPORT ALT 1 - NO PEOJECT.

Thank you for your consideration and truly hope you will hear our concerns.

Response I81-4
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of

Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I82 Barbara Aldrich

March 31, 2025

Comment I82-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I82-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I83 Carol DeMonde

March 31, 2025

Comment I83-1
My Name is Carol deMonde and I am a resident of Rancho Monserate in Fallbrook.

My understanding is there will come a time to submit specific comments regarding the pros and cons of the Cannabis Program. I do want to express that I oppose the program as a whole. I look forward to the opportunity to voice my opposition at the Planning Commission and the San Diego Board of Supervisors.

Response I83-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Comment I83-2
Regarding the draft EIR as presented the only Alternative that is even remotely acceptable is Alternative number 4 due to the fact it has the least environmental impact of all the Alternatives. That being said it is only acceptable with the comments and the restrictions proposed by the Fallbrook Planning Group.

Response I83-2
Although the commenter opposes the program, the commenter's preference of possible program alternatives for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I83-3
The area I reside in is right against large Agricultural areas and my way of life would be severely impacted in a negative way if there were any Cannabis Cultivations within a large area of my community. The Cultivation portion of the draft should be eliminated completely. Please look at other communities such as Santa Barbara County and take into consideration the negative impacts a similar program has had on its residents.

Response I83-3
The comment does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, no further response is provided. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program."

LetterI84 Cathy Plocki
March 31, 2025

Comment I84-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4

Response I84-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

LetterI85 Chris Waterhouse

March 31, 2025

Comment I85-1
Subject: Cannabis DEIR. I reside in Fallbrook and agree with Fallbrook CPG's official comments for NO PROGRAM with their comments/ questions on alternative 4, which still has significant and unavoidable impacts, but less than the other alternatives. Cultivation has ruined other unincorporated Counties. We do NOT want to see this happen in our back Country. The mitigation for the negative effects is severely lacking. The oversight and enforcement plans are gravely flawed. I oppose this program and will participate in the Planning Commision and Board of Supervisors meetings when the decision time comes.

Response I85-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process. The comment states that mitigation for the proposed Cannabis Program is lacking, but provides no specific

examples and technical analysis supporting this statement. The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA.

LetterI86 Crystal Grobner

March 31, 2025

Comment I86-1

Here is my input for the ordinance:

When requiring applicants to submit a Neighborhood Compatibility Plan, please require that they do the following:

1. Focus on the immediate community(ies) where they will do business.

2. Show in their budget allocation to support their Neighborhood Compatibility Plan, specifying the amount of funds dedicated. (They may not be advertising or marketing funds.)

3. Identify public organizations with which they will form and maintain positive, supportive relationships, such as school districts, schools, PTA, recreation centers, and libraries.

4. Provide examples of community programs, including youth programs (and optional adult programs), in case their identified community partners are not in need of support.

5. Submit an annual Neighborhood Compatibility Accountability Report to the appropriate county department(s), which:

    1. Will be made public, and

    2. Will be considered during the license renewal process.

Additionally, if the ordinance includes advertising provisions, please ensure that:

1. No billboard advertising is permitted.

2. Youth-focused organizations are not required to use the applicant's logos, branding, or name when receiving sponsorships or cosponsorships. This policy must be clearly communicated to the organizations involved.

Response I86-1

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided. The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

LetterI87 Dave Gausepohl

March 31, 2025

Comment I87-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I87-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

LetterI88 David Massa

March 31, 2025

Comment I88-1
I reside in Fallbrook and agree with Fallbrook CPG’s official comments for NO PROGRAM with their comments/questions on Alternative 4, which still has significant and unavoidable impacts, but less than the other Alternatives.

Cultivation has ruined other Unincorporated Counties. We do NOT want to see this happen in our Back Country.

The mitigation for the negative effects is severely lacking. The oversight and enforcement plans are gravely flawed.

I oppose this program as a whole and will participate in the Planning Commission and Board of Supervisors meetings when the decision time comes.

Response I88-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process. The comment states that mitigation for the proposed Cannabis Program is lacking, but provides no specific examples and technical analysis supporting this statement. The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA.

Letter I89 Derek Van Gompel

March 31, 2025

Comment I89-1
I reside in Fallbrook/Rainbow and agree with Fallbrook CPG's official comments for NO PROGRAM with their comments/questions on Alternative 4, which still has significant and unavoidable impacts, but less than the other Alternatives.

Cultivation has ruined other Unincorporated Counties. We do NOT want to see this happen in our rural community.

Response I89-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I89-2
The mitigation for the negative effects is severely lacking. The oversight and enforcement plans are gravely flawed.

Response I89-2
The comment states that mitigation for the proposed Cannabis Program is lacking, but provides no specific examples and technical analysis supporting this statement. The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA.

Letter I90 Diane Strain

March 31, 2025

Comment I90-1
I am a resident of Bonsall and agree with Fallbrook's CPG's official comments of no program. Program 4, while still having impact, seems to be the least egregious, But our household is still a no.

Response I90-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I91 Diane and Mike Hayden

March 31, 2025

Comment I91-1
I would like to share a comment to the planning board. I am not in favor of making cannabis more accessible. Our late son started experimenting with marijuana at 16 years old which was a gateway for him to try other drugs, which in the end took his life at age 27. He spent time in rehab programs off and on over the course of 10 years, but these didn't serve to help him. My concern is for the lives of other young people that they not end up like our son Ryan, gone too soon and wasted years with nothing to show for in life.

Response I91-1
The comment states opposition to the proposed Cannabis Program and identifies concerns regarding the use of cannabis products. This comment is noted. The reader is also referred to Section 9.1.1.7, “Master Response: Public Health Effects of Cannabis Use.”

Letter I92 Donna and Robert Hein

March 31, 2025

Comment I92-1
I live in Valley Center, an unincorporated area in San Diego County. The Cultivation & Distribution of Cannabis requires an expansion of the infrastructure in the unincorporated areas, as it requires resources we do not currently have in place. The infrastructure should be in place before any operation of this magnitude is considered, as the impact to our way of life will be immediate.

Response I92-1
The comment states concerns regarding the adequacy of infrastructure to support cannabis uses. The reader is referred to Draft PEIR Section 2.18, “Utilities and Service Systems,” regarding potential impacts to infrastructure facilities.

Comment I92-2
I am opposed to the plan for the following reasons:

1. Roads

2. Water Supply

3. Fire Risk

4. Crime

5. Electricity

Response I92-2
This comment is noted. These issues are addressed in Draft EIR Sections 2.7, “Energy,” 2.15, “Public Services,” 2.16, “Transportation,” 2.18, “Utilities and Service Systems,” and 2.19. “Wildfire.” The reader is also referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

Comment I92-3
In Valley Center we are under Dark Skies due to our proximity to the Palomar Observatory. The requirement is darkness from 11PM to Dawn. Cultivation of Cannabis will increase the need for more Electricity & Water in this area. Much of Valley Center is zoned A70 & A72 this land is preserved for growing crops for food.

Response I92-3
The reader is referred to the response to Comment I74-2.

Comment I92-4
The topography of Valley Center is Rock hills and Valleys, we are lacking in flat land without the burden of growing Cannabis on our flat land. Our lack of connecting roads in Valley Center is an ongoing issue and a real concern for evacuation and traffic flow. We have traffic that the 5 local Casinos bring to the area, the growing and selling of Cannabis will increase traffic and the accidents on our few existing exit routes.

Response I92-4
Transportation safety is addressed in Draft PEIR Section 2.16, “Transportation,” while evacuation is addressed in 2.10, “Hazards and Hazardous Materials.”

Comment I92-5
Cannabis cultivation and distribution also brings with it criminal activity. Cannabis is known to be a gateway drug leading to use & selling of other drugs. Our roads are patrolled by CHP from the Oceanside Office. They have limited resources to patrol our area. We would need a larger presence of the Sheriff's Dept and CHP.

Response I92-5
The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” and Section 2.15, “Public Services,” in the Draft PEIR that address impacts to law enforcement.

Comment I92-6
I oppose this program as a whole; it is not a good fit for Unincorporated San Diego County.

Response I92-6
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Letter I93 Eddie Lugan

March 31, 2025

Comment I93-1
I'd like to add my comments in regards to the Cannabis Environmental Impact Report as a taxpaying constituent of district 5. Personally, I feel there needs to be safe and reasonable access for veterans to access their medical cannabis. After serving this country and going through the ongoing trauma of PTSD, they shouldn't have to travel any further than their local pharmacy to obtain safe access to their medical cannabis. Why should they be ostracized by society for something that provides them relief? Shouldn't they be entitled to the same freedom as someone that can gain access to state provided pharmaceuticals? Whats the difference? Why all these extra regulations? Would you make CVS or Walgreens adhere to such zoning regulations? I don't think so. Lets be reasonable here, medical cannabis establishments should be treated fairly, just the same as any other taxpaying company that provides medicinal aid to our veterans. Show some respect. This is not the illicit market, this is highly regulated and scrutinized, no one under 21 allowed without medical and parental consent. Enforcing strict

regulations places an unnecessary burden on those in need of safe and local access, indirectly encouraging them to look for illicit sources instead of local establishments.

Thank you for your time and consideration.

Response I93-1
The comment states general support for the proposed Cannabis Program. The Board will take the commenter's input into consideration when making decisions regarding the program.

Letter I94 Eileen Delaney

March 31, 2025

Comment I94-1
My name is Eileen Delaney and I reside in Fallbrook.

When comparing the environmental impacts in the DEIR to Alternative 1 - No Project, the only other alternative that should even be considered is Alternative 4, but with the comments of the Fallbrook Planning Group.

Response I94-1
The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I94-2
However, overall the DEIR is flawed. It is outdated and fails to examine the major environmental impacts that other areas with Cannabis Programs have faced and continue to face.

Flaws in the DEIR and Regulatory /Zoning Amendment:

Response I94-2
The commenter states that the Draft PEIR is outdated and flawed. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided. The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA.

Comment I94-3

1. A70 & 72 zones are adjacent and interspersed with residential areas. How will environmental impacts from Cannabis Cultivation be realistically mitigated?

Response I94-3

The comment expresses concern on whether or not environmental impacts would be realistically mitigated near residential areas, but does not identify specific environmental impacts of concern. The program's potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis."

Comment I94-4

2. Odors- Even with modern equipment that is supposed to mitigate the Cannabis odors, residents in other areas (which allow Cannabis grows) suffer environmental health impacts. How will this be mitigated?

Response I94-4

The comment expresses concern about odors related to cannabis. The program's potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," regarding the analysis of odor impacts. As identified in Draft PEIR Section 2.4, "Air Quality," the proposed Cannabis Program includes requirements that odor control devices and techniques shall be incorporated in all cannabis businesses and associated buildings in accordance with the business's approved Odor Mitigation Plan to ensure that odors from cannabis are not detectable outside the licensed premises. As identified in Draft PEIR Section 2.4, "Air Quality," there are no known public health hazards from exposure to cannabis odor. However, exposure to unpleasant odors may affect an individual's quality of life and sense of well-being.

Comment I94-5

3. Temp Events- How will the environmental impacts for second hand smoke, impaired drivers, lack of sufficient law enforcement, etc. be realistically be mitigated?

Response I94-5

The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," and Section 2.15, "Public Services," in the Draft PEIR that address impacts to law enforcement, and Section 9.1.1.6, "Master Response: Public Health Effects of Cannabis Use," regarding public health impacts of cannabis consumption and County proposed requirements. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.

Comment I94-6

4. Cultivation Lounges- Many unincorporated areas do not have ride share services. How will impaired driving be realistically mitigated?

Response I94-6
This comment is noted. This comment does not address the adequacy of the Draft PEIR. Therefore, no further response is provided. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding potential changes to the Cannabis Program is address this comment. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.

Comment I94-7
5. Limits on Cultivation need to be addressed with weighted input by residents who live in the unincorporated areas.

Response I94-7
This comment is noted. This comment does not address the adequacy of the Draft PEIR. Therefore, no further response is provided. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding potential changes to the Cannabis Program is address this comment.

Comment I94-8
6. All of the comments & questions submitted by the Fallbrook Planning Group.

Response I94-8
The comment does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, no further response is provided.

Letter I95 Jane Felton

March 31, 2025

Comment I95-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I95-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response:

Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I96 Jeniene Domercq

March 31, 2025

Comment I96-1

My name is Jeniene Domercq and I am a 30 year resident of Fallbrook. I live in the Morro Hills area. My home is within Agricultural areas. I am submitting comments to the draft EIR for the Cannabis Program.

Response I96-1

The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Comment I96-2

The only Alternative that should be considered is Alternative 4. That Alternative should only be considered with the comments and restrictions the Fallbrook Planning Group submitted. There should be no Cultivation of Cannabis.

Response I96-2

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I96-3

The Cultivation piece of the DEIR will no doubt negatively impact the entire community. Please look at Santa Barbara county as an example of how Cannabis Cultivation destroys the way of

life for its residents. Please safeguard the community of Fallbrook and the entire unincorporated area of San D I96iego County.

Response I96-3
The comment does not raise an environmental issue. The comment does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, no further response is provided.

Comment I96-4
The DEIR is outdated and flawed. It needs to examine the major environmental impacts that communities continue to face.

Response I96-4
The commenter states that the Draft PEIR is outdated and flawed. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA.

Comment I96-5
I look forward to the opportunity to voice my comments opposing the program overall at the Planning Commission and the San Diego Board of Supervisors.

Response I96-5
The commenter's statements have been noted and will be reviewed by the Planning Commission and Board during future decision-making activities.

Letter I97 Jenna Acevedo

March 31, 2025

Comment I97-1
My comments on the Cannabis DEIR:

As a lifetime Fallbrook and Bonsall native, I wholeheartedly support the CPG's official comment for NO PROGRAM, including the mandatory comments/questions on Alternative 4. Alternative 4 still has significant and unavoidable impacts, however this alternative is less than the other alternatives that are completely unacceptable for our community.

Response I97-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's statements regarding Draft PEIR Alternative 1 and 4 have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future

Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I97-2
Cultivation has ruined other Unincorporated Counties, and carries with it a significant risk to the beauty and safety of our natural resources, as outlined in the DEIR.

Response I97-2
The commenter has concerns about beauty and safety of natural resources. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I97-3
In review of the significant mitigation that would be required, it is outrageous that any Alternative besides NO PROGRAM is under consideration. The plans for oversight and enforcement are lacking and gravely flawed. This measure should be stopped solely on the Summary data provided on the Results in Emissions of Odors Adversely Affecting a Substantial Number of People, especially when considering these facilities may be located close (and 1000 feet away is STILL CLOSE) to schools, parks, daycares, libraries and other similar facilities.

Response I97-3
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The comment expresses concern about cannabis odors adversely affecting a substantial number of people. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors." Additionally, the comment expresses concern regarding a lack of setbacks from schools, parks, daycares, libraries, and other similar facilities. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," regarding proposed ordinances oversight and enforcement provisions, and Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," which discusses a range of proposed alternative setbacks.

Comment I97-4
I strongly oppose this program, and stand with the CPG. I will continue to advocate for our community's natural beauty, scarce water sources and clean air quality. I will support any lawsuit brought about to stop any Alternatives with the exception of Alt 1 - NO PROGRAM, should it come to that, as there is a proven success story for Santa Barbara residents negatively impacted by this program. I will continue to participate alongside members of my community in the Planning Commission and Board of Supervisors meetings when the decision time comes.

Response I97-4
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I98 Jennifer Craw

March 31, 2025

Comment I98-1
Regarding the Socially Equitable Cannabis program, the DEIR the study is outdated. I am requesting an updated impact study.

Response I98-1
The Draft PEIR programmatically addresses environmental effects of the proposed Cannabis Program evaluated under Alternatives 1 through 5 based on substantial evidence consistent with the requirements of CEQA and the State CEQA Guidelines. Throughout the document, citations have been added within the discussions, and full reference information is presented in Chapter 6, "References." This reference information includes recent natural habitat data, computer modeling, and other current resources. The County considers the Draft PEIR impact analysis to be supported by accurate substantial evidence. No further response can be provided.

Letter I99 Jill Patchen

March 31, 2025

Comment I99-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I99-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially

significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I100 Jim Waterhouse

March 31, 2025

Comment I100-1
I reside in Fallbrook and agree with Fallbrook CPG’s official comments/questions on alternatives 4, which still has significant impacts but less than the alternatives.

Cultivation has ruined other unincorporated Counties.

We do not want to see this happen in our back country.

I oppose this program as a whole.

Response I100-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I101 Jon Frandell

March 31, 2025

Comment I101-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I101-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I102 Joshua Caruso

March 31, 2025

Comment I102-1
My name is Joshua Caruso, I am the founder and CEO of the Farmers Cup. We are a local San Diego business that does licensed cannabis events and cultivation.

Response I102-1
The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Comment I102-2
We have been actively doing educational and informational cannabis events since 2014 and most recently we have hit our milestone of having organized the first licensed and permitting cannabis event in the San Diego County region.

Although this was in Vista California, our main goal as a company would be to have mainstream events in the county and city of San Diego on a regular basis.

We know that not only these events would bring tax dollars to the municipalities but will add to the already vibrant tourism of our beautiful city and county. We have a huge cannabis culture here in San Diego and we are very excited to bring this to the light with these events and more.

If you look at other municipalities up north they are know for having these events for many years now and I feel like it's time our County catch up and start looking into the positive things this will bring our beloved County.

Response I102-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Comment I102-3
The County has a unique chance to be a trailblazer. This could be a big win for the local economy and the community, creating new opportunities for responsible cannabis use, entertainment, and education.

Response I102-3
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Comment I102-4
I urge the County to keep things simple and align with the State's existing rules under the Department of Cannabis Control (DCC) for Temporary Cannabis Events (Sections 15600 – 15604, Title 4 of the California Code of Regulations). I've personally gone through the process of planning and permitting these events, so I'd love to share insights that could help shape this Ordinance in a way that makes sense for everyone involved.

Response I102-4
The comment does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, no further response is provided. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," regarding the range of alternatives evaluated in the Draft PEIR and Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I102-5
Insurance Challenges One major issue that needs reconsideration is the requirement for insurance. While I understand the County's intent, securing insurance for a cannabis event is nearly impossible. Most insurance companies won't even touch cannabis-related events because of lingering stigma. If you do find coverage, it'll run anywhere from $10,000 to

$15,000 for a single day—and even then, the policy won't actually cover anything cannabis-related. That's why the DCC doesn't require insurance for cannabis events, and I strongly recommend that the County follow suit. Let's wait until the industry has better insurance options before making this a requirement.

Response I102-5
The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program."

Comment I102-6
Event Hours & Frequency The hours for Temporary Cannabis Events should align with the State's retail cannabis sales rules, since sales will be happening on-site. It's also important to

account for time needed for inspections, setup, and breakdown. If these aren't factored in, it could create unnecessary complications for organizers, vendors, and entertainers. The County should consider extending the permitted hours and event days to make everything run smoothly.

Limiting cannabis events to just six per year doesn't make sense either. The State doesn't have this restriction, and cannabis event organizers actually pay licensing fees based on the number of events they plan to host. Here's the breakdown:

0-5 events per year: $3,000

6-10 events per year: $5,000

11-20 events per year: $9,000

More than 20 events per year: $20,000

Given these fees, an arbitrary six-event cap would be unfair to those investing in multiple events. I encourage the County to take another look at this and align with the State's approach.

Response I102-6
The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program."

Comment I102-7
Zoning Rules The proposed zoning restrictions are a bit unclear. Why ban events at licensed retail cannabis shops? These businesses are already heavily regulated, so allowing them to host events in compliance with County rules seems like a no-brainer. Also, opening up public spaces for cannabis events would create more venue options, benefiting both the County and event organizers. Lastly, allowing events in Agricultural Zones fits perfectly with the County's push for Agri-Tourism—cannabis farms could host events that drive tourism while staying within zoning laws.

Another important consideration is how these events get approved. Instead of requiring a Discretionary Permit, the County should treat them as a Ministerial Zoning Verification Permit. Ministerial Permits are for uses that meet all County requirements and don't need extra layers of approval. The current proposal for discretionary review would seriously limit how many events can happen, simply because event planning takes time. The DCC already requires applications to be submitted at least 60 days before the event, so adding another layer of review would only make things harder. Keeping it simple with a Ministerial Permit would help organizers meet deadlines and comply with State rules more efficiently.

Response I102-7
The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program."

Comment I102-8
Why This Matters Cannabis is now a well-regulated industry in California, and we should continue creating responsible ways for people to engage with it. Legal cannabis events provide a safe and controlled environment for education and enjoyment while keeping things compliant and secure. By allowing these events, San Diego has a chance to build a vibrant and responsible cannabis culture that benefits both locals and visitors.

Beyond creating safe spaces for cannabis consumption, these events can boost tourism, create jobs, and generate revenue for local businesses. They're also a great way to showcase San Diego's hospitality and agriculture industries while giving cannabis entrepreneurs and small businesses a chance to thrive.

Of course, good regulations and oversight are key to making this successful. I trust that the Planning Department will put reasonable safeguards in place to ensure events follow the law and maintain public safety. Clear guidelines and fair enforcement will go a long way in making this a well-run program.

Response I102-8
The commenter discusses the importance of providing safe ways to use cannabis. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I102-9
We fully support this Ordinance and urge the Planning Department to move forward with thoughtful revisions and approval. Licensed cannabis events can be a major win for our community, creating exciting opportunities while keeping things safe and regulated.

Please keep us in mind for anything around this topic and cultivation. We are a open book and willing to meet further.

Response I102-9
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's support for the proposed Cannabis Program has been noted and will be reviewed by the Board during future decision-making activities.

Letter I103 Judith and Patrick Bresnahan

March 31, 2025

Comment I103-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I103-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I104 Kim and Dave Olsen

March 31, 2025

Comment I104-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I104-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA

requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I105 Kim Massa

March 31, 2025

Comment I105-1
I reside in Fallbrook and agree with Fallbrook CPG’s official comments for NO PROGRAM with their comments/questions on Alternative 4, which still has significant and unavoidable impacts, but less than the other Alternatives.

Response I105-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and input on Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I106 Lana Roberson

March 31, 2025

Comment I106-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I106-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I107 Laura Gausepohl

March 31, 2025

Comment I107-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I107-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I108 Lila Hargrove

March 31, 2025

Comment I108-1
My name is Lila Hargrove and I am a 50 year resident of San Diego county, specifically the unincorporated Fallbrook.

Response I108-1
The comment is an introductory statement and does not address the content, analysis, or conclusions in the Draft PEIR. Therefore, a response is not provided here. Responses to specific comments concerning environmental issues are provided below.

Comment I108-2
After reading the DEIR in its entirety , the county should be choosing no program. It is outdated and does not align with the counties current climate action plan.

Response I108-2
The Draft PEIR programmatically addresses environmental effects of the proposed Cannabis Program evaluated under Alternatives 1 through 5 based on substantial evidence consistent with the requirements of CEQA and the State CEQA Guidelines. Throughout the document, citations have been added within the discussions, and full reference information is presented in Chapter 6, “References.” This reference information includes recent natural habitat data, computer modeling, and other current resources. The County considers the Draft PEIR impact analysis to be supported by accurate substantial evidence. The reader is referred to Draft PEIR Section 2.9, “Greenhouse Gas Emissions and Climate Change,” which references the current San Diego County Climate Action Plan (CAP) and future cannabis uses required compliance with applicable CAP measures to reduce greenhouse gas emissions consistent with the CAP.

Comment I108-3
Upon further review, should the county pick a program , Alternative 4 is superior in regard to our environment, as stated in the DEIR. Any other choice is not a responsible one and will have increased negative effects on our environment , our resources and our communities.

Response I108-3
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master

Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I108-4
Has the county looked into other communities and the negative effects that having outdoor grows has caused, the law suites that have been filed and how this (program) is currently being changed in other areas since implemented ?

Response I108-4
The commenter expresses concerns about lawsuits associated with other cannabis programs. The reader is referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis."

Comment I108-5
I agree with the Fallbrook Community Planning groups' comments and restrictions in regard to Alternative 4. Furthermore, it is my request that the county gather current information before making an enormous decision.

Response I108-5
The commenter requests consideration related to the comments from the Fallbrook Planning Group. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

The commenter's input on Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Comment I108-6
It is my hope that you consider making a choice that is rooted in fact, not emotion and is driven by preservation not money.

Response I108-6
The commenter expresses the desire for a decision rooted in fact. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter I109 Linda and Jerry Gordon

March 31, 2025

Comment I109-1
As a Broker Associate and long term residents of Fallbrook we are submitting the following:

Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I109-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference is for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I110 Mark Aldrich

March 31, 2025

Comment I110-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I110-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives,

and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I111 Martin Quiroz

March 31, 2025

Comment I111-1

San Diego County Board of Supervisors, I am a Fallbrook Real Estate Broker who is concerned about the impact that this will have to our rural community and real estate market.

Based on community input, we oppose this project and support Alternative 1- No

Project. Alternative 4 is the most Environmentally Superior alternative to the “No

Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I111-1

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I112 Michelle Smith

March 31, 2025

Comment I112-1

Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I112-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I113 Nancy Layne

March 31, 2025

Comment I113-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I113-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives,

and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I114 Pierre Domercq

March 31, 2025

Comment I114-1

FALLBROOK COMMUNITY PLANNING GROUP
[redacted address], CA 92088
March 27, 2025

Comments on the County of San Diego Socially Equitable Cannabis Program Draft EIR, Regulatory Amendments and Zoning Amendments.

Based on community input, we oppose this project and support Alternative 1 – No Project.

Alternative 4 is the Environmentally Superior Alternative to the “No Project” as cited in the DEIR-Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I114-1

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I114-2

My name is Pierre Domercq and I am a lifelong resident of Fallbrook. Please consider the above which the Fallbrook Planning Group has put forth. The DEIR is flawed and outdated. Having any Cannabis Cultivation will destroy our way of life in the community and in the entire unincorporated area of San Diego County.

Response I114-2

The Draft PEIR programmatically addresses environmental effects of the proposed Cannabis Program evaluated under Alternatives 1 through 5 based on substantial evidence consistent

with the requirements of CEQA and the State CEQA Guidelines. Throughout the document, citations have been added within the discussions, and full reference information is presented in Chapter 6, “References.” This reference information includes recent natural habitat data, computer modeling, and other current resources. The County considers the Draft PEIR impact analysis to be supported by accurate substantial evidence. No further response can be provided.

Letter I115 Randi Devine and Brian Lynch

March 31, 2025

Comment I115-1
Most important, My husband and I are in strong opposition to this program.

Response I115-1
The comment provides an opinion regarding the merits or qualities of the proposed Cannabis Program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Comment I115-2
The EIR has flaws:

- it has not been updated since it's inception 5 years ago

Response I115-2
The Draft PEIR programmatically addresses environmental effects of the proposed Cannabis Program evaluated under Alternatives 1 through 5 based on substantial evidence consistent with the requirements of CEQA and the State CEQA Guidelines. Throughout the document, citations have been added within the discussions, and full reference information is presented in Chapter 6, “References.” This reference information includes recent natural habitat data, computer modeling, and other current resources. The County considers the Draft PEIR impact analysis to be supported by accurate substantial evidence. No further response can be provided.

Comment I115-3

- it does not address issues centered on "odor" - it is documented that the odor produced from cannabis travels. I am appalled that the county is not paying attention or does not have concerns regarding this and unwanted exposure to humans and animals.

Response I115-3
The comment expresses concern about cannabis odors adversely affecting people and animals and states that the Draft PEIR does not address this issue. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors,” regarding the impact analysis of cannabis odor.

Comment I115-4

- the report does not address well known crime increases associated

Response I115-4
The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” and Section 2.15, “Public Services,” in the Draft PEIR that address impacts to law enforcement and in regard to whether new law enforcement facilities would need to be constructed at could create physical impacts on the environment.

Comment I115-5
- the "hit" on my property value is something the Board of Supervisors and the Planning commission folks are not impacted by - the homeowners in this community ARE!!

Response I115-5
The commenter expresses concern associated with property values. Economic issues are not considered consider significant effects on the environment as provided in State CEQA Guidelines Section 15131.

Comment I115-6
- the notification of this proposal/program was insufficient not allowing a proper amount of time for the community to ensure distribution of information

Response I115-6
The comment expresses concern associated with the amount of time provided for review of the document. State CEQA Guidelines Section 15105, “Public Review Period for a Draft EIR or a Proposed Negative Declaration or Mitigated Negative Declaration” states the following:

> (a) The public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days except under unusual circumstances.

The Draft PEIR provided a 60-day review period, which is the maximum number of days.

Comment I115-7
- the excessive water use - we are not prepared, nor do we want a rate increase to already challenging fees

Response I115-7
The reader is referred to Draft PEIR Section 2.11, “Hydrology and Water Quality,” and Section 2.18, “Utilities and Service Systems,” regarding the impact analysis groundwater and municipal water usage by cannabis uses.

Comment I115-8
- there is no discussion on hazardous waste; now or when the cannabis field reaches it's expiration.

Response I115-8
The reader is referred to Section 2.10, “Hazards and Hazardous Materials,” in the Draft PEIR for a discussion of impacts and related regulation of pesticides and hazards materials that may be used at a cannabis operation.

Comment I115-9

- there is no valid explanation for the use of "unincorporated areas" to be the target of this program

- there is no respect for the lifestyle of folks who INTENTIONALLY selected these rural areas for their desired lifestyle.

Response I115-9
San Diego County land use jurisdiction and the ability to implement the proposed Cannabis Program is limited to the unincorporated area of the County. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I115-10

- there is no criteria that the individual granted money under the terms of this proposal, even reside in or near the community.

Response I115-10
No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I115-11

- WHILE NOT SPECIFIC TO THE EIR, WE ARE, AS FOLKS WHO SELECTED THIS COMMUNITY FOR WHAT IT IS/OFFERS, OFFENDED THAT THE BOARD, WHO DO NOT RESIDE AMONGST US, AND WHO FAVOR THIS PROGRAM, WILL IGNORE OUR WISHES AS A COMMUNITY - IF A YES VOTE IS TO BE TAKEN, PLEASE OPEN THESE DISPENSARIES IN YOUR COMMUNITIES

Response I115-11
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Comment I115-12
One of the worst and most disrespectful programs I have ever heard of.

Response I115-12
No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter I116 Rick Hasvold

March 31, 2025

Comment I116-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I116-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I117 Samantha Barrymore

March 31, 2025

Comment I117-1
My comment on the Cannabis DEIR:

I reside in Fallbrook and agree with Fallbrook CPG’s official comments for NO PROGRAM with their comments/questions on Alternative 4, which still has significant and unavoidable impacts, but less than the other Alternatives.

Response I117-1
The commenter’s primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and input on Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I117-2
Cultivation has ruined other Unincorporated Counties. We do NOT want to see this happen in our Back Country.

Response I117-2
This comment expresses concern about impacts to unincorporated communities associated with cannabis. No comments regarding the adequacy of the Draft PEIR are included in this comment. Thus, no further response is provided.

Comment I117-3
The mitigation for the negative effects is severely lacking. The oversight and enforcement plans are gravely flawed.

Response I117-3
The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

Comment I117-4
I oppose this program as a whole and will participate in the Planning Commission and Board of Supervisors meetings when the decision time comes.

Response I117-4
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

Letter I118 Sarah Ankerman

March 31, 2025

Comment I118-1
I have been a Bonsall resident since 2012, while my husband grew up in Fallbrook. We love our community for its quiet, peaceful, country feel. We love spending time in nature and I have to say I have MAJOR concerns about the “socially equitable” cannabis program and its impact on the environment and our community as a whole.

Response I118-1
The comment is introductory in nature and does not address the adequacy of the Draft PEIR. Therefore, no further response is provided.

Comment I118-2
My comment on the Cannabis DEIR:

I agree with Bonsall/Fallbrook CPG’s official comments for NO PROGRAM with their comments/questions on Alternative 4, which still has significant and unavoidable impacts, but less than the other Alternatives.

Response I118-2
The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and input on Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I118-3
Cultivation has ruined other Unincorporated Counties. We do NOT want to see this happen in our Back Country. I would like to point out the class action law suit that Santa Barbara residents brought about and WON because of the incredibly harmful impact on their communities and environment as a result of this program.

Response I118-3
This comment expresses concern about impacts on unincorporated communities associated with cannabis. The reader is referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis."

Comment I118-4
My concern is that the environmental effects and consequences far out-way the financial gain What specific financial and political incentives do the board members who approve this program, receive from this program being adopted?

To date, how much money has been spent on this program? How much federal money has been spent on this program? With what funds will this program funded if adopted?

Response I118-4
The reader is referred to Section 9.1.1.5, "Master Response: Legal Status of Cannabis." The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding potential future refinements of the program. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I118-5
The mitigation for the negative effects is severely lacking. The oversight and enforcement plans are gravely flawed. How are you going to go about making sure people that have been convicted previously for breaking the law, follow all of the codes and laws??

If a grow is abandoned, how will the county ensure that these grows/tents won't just be abandoned and left to rot? Will these people face fees or even jail time if they don't abide by the rules?

Response I118-5
The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA. The comment provides no data or technical analysis that counters the impact and mitigation measure conclusions of the Draft PEIR. This comment expresses concern about enforcement plans related impacts associated with cannabis. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," regarding law enforcement.

Comment I118-6
The EIS was done several years ago and is already outdated, especially knowing the impact it's had on places it's been rolled out. I would ask for a pause to happen to this program and another EIS be done so you have CURRENT information.

Response I118-6
The Draft PEIR programmatically addresses environmental effects of the proposed Cannabis Program evaluated under Alternatives 1 through 5 based on substantial evidence consistent with the requirements of CEQA and the State CEQA Guidelines. Throughout the document, citations have been added within the discussions, and full reference information is presented in Chapter 6, "References." This reference information includes recent natural habitat data, computer modeling, and other current resources. The County considers the Draft PEIR impact analysis to be supported by accurate substantial evidence. No further response can be provided.

Comment I118-7
I oppose this program as a whole and not only will I participate in the Planning Commission and Board of Supervisors meetings when the decision time comes, but my community plans to as well.

I hope that you will review the concerns and opinions of those that will be forced to live with the impact of this program in the environment, as well as their communities.

Response I118-7
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I119 Scott Lewis

March 31, 2025

Comment I119-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I119-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I120 Shanelle Jones

March 31, 2025

Comment I120-1
Based on community input, we oppose this project and support Alternative 1- No Project. Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I120-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of

Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I121 Stephani Baxter

March 31, 2025

Comment I121-1
My name is Stephani Baxter and I reside in Fallbrook, CA in an A70/A72 neighborhood within the Santa Margarita River and Rainbow Creek watersheds. I am submitting comments on the draft EIR for Cannabis.

Response I121-1
The comment is introductory in nature and does not address the adequacy of the Draft PEIR. Therefore, no further response is required.

Comment I121-2
Besides alternative 1, No Program, the only alternative worth considering is Alternative 4, with several modifications, which the Fallbrook Planning Group addressed in their comments. I agree with their comments.

NO CULTIVATION. Period.

CAPS are a must.

Response I121-2
The commenter's primary preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and secondary preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I121-3
Considering the widely known negative environmental impacts cannabis programs have had on other jurisdictions such as Pueblo, CO, Santa Barbara, CA and many other Unincorporated Counties (cited in Fallbrook CPG's references), this DEIR is outdated and inadequate.

Response I121-3
The Draft PEIR programmatically addresses environmental effects of the proposed Cannabis Program evaluated under Alternatives 1 through 5 based on substantial evidence consistent with the requirements of CEQA and the State CEQA Guidelines. Throughout the document,

citations have been added within the discussions, and full reference information is presented in Chapter 6, “References.” This reference information includes recent natural habitat data, computer modeling, and other current resources. The County considers the Draft PEIR impact analysis to be supported by accurate substantial evidence. No further response can be provided.

Comment I121-4
The mitigation, oversight and enforcement plans are severely lacking and gravely flawed.

Response I121-4
This comment expresses concern about mitigation and oversight enforcement plans associated with cannabis. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.” The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA.

Comment I121-5
I am opposed to the project altogether. I realize the time to voice these greater concerns are with PC and BOS. I will attend those meetings and comment.

Response I121-5
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

Letter I122 Stephen Brown

March 31, 2025

Comment I122-1
Comments: My name is Stephen Brown and I reside in Fallbrook CA on Morro Hills Rd. I am submitting comments on the draft EIR as noted above. First, although I realize that this is not the time for specific comments regarding the pros or cons of the Cannabis program, I would be remiss if I did not preface my comments with the statement that I am totally opposed to the program, and I realize that the venue for those comments will be at the Planning commission and Board of Supervisors meetings. I plan to attend both and comment,

Response I122-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment I122-2
Regarding the draft EIR as presented in all 1300 pages, the only Alternative that is even remotely acceptable is Alternative 4 due to its reduced environmental impact. Furthermore, it is

only acceptable with the comments and restrictions proposed by the Fallbrook Community Planning Group.

Response I122-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's general preference for Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I122-3
I hope that the negative experiences in Santa Barbara, Pueblos Co. and many other misguided cities serves as a warning and example of the dangers of proceeding with this ordinance.

Response I122-3
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter I123 Steven Hutchison

March 31, 2025

Comment I123-1
The DEIR for cannabis presented by the County is problematic for Valley Center because it is intended to represent the potential impacts across the entire unincorporated area of San Diego County [which is necessarily exclusive of the incorporated cities]. For most projects that are presented, the project area is a clearly defined subset of the county, or, indeed, Valley Center. I have trouble assessing the scope of the impacts in the DEIR on behalf of Valley Center since I cannot easily determine where and how the various categories of impacts will apply. Because we have long been an agricultural community, many areas could be targeted for cannabis cultivation, not to mention lounge consumption. However, given the requirement to develop an EIR, I will list the specific concerns I have and suggest that they apply to Valley Center as well as more generally to the entire unincorporated area.

Response I123-1
The comment expresses confusion over the geographic scope of the Draft PEIR. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment.

Comment I123-2
Biological Concerns

The cultivation of cannabis in existing agricultural growing areas would be substantially different and more intense than the traditional food crops those areas historically supported. While food crops do use fertilizers, pesticides and herbicides in some amount, cannabis typically uses exaggerated levels of those chemicals to ensure peak production. All of those chemicals can have extreme impacts on the quality of surface and ground water that supply the wells for domestic human use. Many in Valley Center depend on such wells and will be subject to potentially harmful levels of various agricultural chemicals used in cannabis growing areas. In addition, the contamination of surface flowing water will have a deleterious effect on water sources for wildlife, not to mention impacts on riparian plants. These effects occur whether the growing area is in a field or in a growing house.

Response I123-2
The comment expresses biological resource concerns related to hydrology and water quality associated with cannabis chemicals. The reader is referred to Draft PEIR Section 2.11, "Hydrology and Water Quality," for the evaluation of water quality impacts from cannabis runoff. As described in Draft PEIR Section 2.11, a nitrogen management plan is required for commercial cannabis cultivation sites SWRCB Order WQ 2023-0102-DWQ. Pesticide application is addressed in Section 2.10, "Hazards and Hazardous Materials," under Issue 1. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

Comment I123-3
Beyond water contamination, continuous high levels of agricultural chemicals will have impacts on the soil, disrupting the multitude of microorganisms that contribute to the health of wildlife and native plants.

The psychoactive characteristics of cannabis will also have an impact on wildlife that consumes the plants. From invertebrates to larger forms of fauna, the disorientation that can result from consumption can lead to deadly consequences throughout the food chain as THC and other cannabis components pass from lower forms as food for higher forms.

Response I123-3
The reader is referred to response to Comment I123-2. The proposed Cannabis Program (Section 6995[f][2] and 6995[g][2][viii]) includes fencing and security standards that would minimize wildlife interaction with cannabis plants.

Comment I123-4
There is also no consideration of how to dispose of the discarded cannabis plant remains after the buds have been harvested for sale. Will these unwanted plant parts be composted? Will they be sent to the County landfills? And, how will those discarded parts be treated once disposed of? Fauna will likely still have access to the plants regardless, creating a further problem in the food chain. While leaves have lower concentrations of psychoactive constituents, they are at high enough levels to be a problem.

Response I123-4
Proposed commercial cannabis operations would generate solid waste from cannabis plant and product waste, as well as non-cannabis waste (e.g., vegetation clearing and other related solid waste). As described in Section 2.18, “Utilities and Service Systems,” Section 2.18.2, “Regulatory Framework,” CCR, Title 4, Section 17223 requires cultivation facilities to have a cannabis waste management plan that identifies methods for managing cannabis waste, including on-premises composting, collection and processing by an agency, or self-hauling to a permitted facility. Transportation of self-hauled cannabis waste shall be performed only by the licensee or employees of the licensee. A licensee must report all cannabis waste activities, up to and including disposal, into the state’s track-and-trace system. CCR, Title 4, Division 19, Section 15049 requires that all disposed cannabis is entered into the track-and-trace system for disposal purposes.

Comment I123-5
Air Quality

Air quality will also be impacted by cannabis cultivation, whether indoors or out. One of the chief complaints from areas within California that presently grow cannabis are the odors [skunk-like] emanating from the grow areas. Apart from being un-neighborly, they can and apparently do affect property values of neighboring properties, with little or no recourse for correction. This is a far cry from orange blossoms or lavender. While it may be possible to mitigate such contamination using activated charcoal filtration systems on indoor growing areas, the cost of such accommodations would likely make the operation unprofitable.

Response I123-5
The comment expresses concern about impacts to residents from air quality and odors as a result of implementation of the program. Draft PEIR Section 2.4, “Air Quality,” addresses impacts from both criteria air pollutant emissions and odors. No significant air pollution impacts were identified, but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors.”

Comment I123-6
Night Illumination

Another major concern is the use of “grow lights” to maximize productivity of cannabis plants. Clearly, use of such lighting in an outdoor grow area would be untenable during nighttime hours given the annoyance it would potentially cause to neighboring properties, but also in defeating the purpose of the north county dark skies ordinance. While Riverside County has flouted the need for darkness around the Palomar Observatory, we in Valley Center are trying to minimize night lighting to preserve the continued usefulness of the observatory in the advancement of astronomy and discovery within our universe. This also applies to the other observatories in the Laguna Mountains, as well as observatories in northern Baja California [light can travel great distances through the atmosphere and disrupt a clear view even hundreds of miles away].

Response I123-6
The potential for new sources of light to affect nighttime views and dark skies is addressed in Draft PEIR Section 2.2, “Aesthetics,” Section 2.2.3.6, “Issue 3: Adversely Affect View due to New Light and Glare.” As discussed in this section, cannabis cultivation facilities would be subject to the California Energy Commission’s Building Energy Efficiency Standards (CCR Title 24, Parts 1 and 2) and DCC regulations (CCR Title 4, Division 19, Section 16304) adopted for the purpose of reducing light and glare, as well as regulations in Section 51.201 et seq. of the Regulatory Code that were adopted for the purposes of minimizing light pollution in San Diego County and of protecting astronomical research at the Palomar and Mount Laguna Observatories from its detrimental effects. The Cannabis Program proposes amendments to the Zoning Ordinance that would further reduce light and glare from new cannabis uses. Section 6995(f)(1) specifies exterior lighting requirements to reduce light pollution and prevent spillover light, such as the use of motion sensors; LED bulbs; and luminaries that are cut-off, shielded, and downward facing. Section 6995(g)(2) would prohibit lighting in agricultural shade and crop structures and require the use of blackout curtains to prevent light escape from mixed-light cannabis cultivation. Section 6995(g)(2) specifies setback requirements for cultivation uses, which would prevent the spillover of light onto adjacent properties. Compliance with these regulations would ensure consistency with the General Plan policies that restrict outdoor light and glare in semirural and rural areas (Policy COS-13.1) and maintain dark skies, particularly surrounding the Palomar and Mount Laguna Observatories (Policy COS-13.2 and Policy COS-13.3). Proposed commercial cannabis facilities would be subject to site-specific review during the application process to ensure compliance with the County’s development standards.

Comment I123-7
Further, night lighting from green houses or outdoor growing areas can have biological impacts. Scientific studies have shown that migrating birds that cover great distances at night are confused by bright lighting and can become disoriented as a result. Beyond disorientation, the bright lights can interfere with the circadian rhythms inherent in birds and other vertebrate and invertebrate organisms causing disruption of normal life patterns. While night lighting has been used in other agricultural pursuits, e.g. egg production in chickens, such lighting is conducted in closed, non-translucent barns that eliminate or minimize light pollution.

Response I123-7
The reader is referred to response to Comment I123-6.

Comment I123-8
Crime

With the legalization of cannabis in California, there is still competition between legal growers and black market providers who have had a traditional grip on the growth and distribution of various cannabis products. The new competition between these legal and illegal elements is expected to create criminal friction that will have a significant impact on the local community as already stretched law enforcement resources are challenged even more. This does not bode well for the public. Apart from the added strain of the disruptive behavior of the public who legally use cannabis, there will undoubtedly be incidents of criminal attacks on legal growers to eliminate competition for illegal growers. All of this will be an added burden on law enforcement resources.

Response I123-8
The comment expresses concern associated with increased crime in the community. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

Comment I123-9
Recommendation

I recommend the County adopt alternative 1 offered in the EIR, which is no change to the current rules for cannabis. It is consistent with the voter approved need for availability without the pervasiveness of the other problems associated with cannabis production. There is currently no shortage of availability of cannabis and no additional need for increasing the supply to satisfy public consumption.

Having said that, alternative 4, indoor growing areas exclusively with non-translucent growing buildings equipped with both water and air filtration systems, would be the next least offensive possibility.

Response I123-9
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board

direction and future decision-making for a discussion on the next steps in the approval process.

Letter I124 Summer Tracy

March 31, 2025

Comment I124-1

I'm not pleased to have any local cannabis shops in my neighborhood of Lakeside. However, if I'm unable to prevent them from occurring, please at least take the following into consideration:

Response I124-1

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Comment I124-2

1. When requiring applicants to submit a Neighborhood Compatibility Plan, please require that they do the following:

    - Focus on the immediate community(ies) where they will do business.

    - Show in their budget allocation to support their Neighborhood Compatibility Plan, specifying the amount of funds dedicated. (They may not be advertising or marketing funds.)

    - Identify public organizations with which they will form and maintain positive, supportive relationships, such as school districts, schools, PTA, recreation centers, and libraries.

2. Provide examples of community programs, including youth programs (and optional adult programs), in case their identified community partners are not in need of support.

3. Submit an annual Neighborhood Compatibility Accountability Report to the appropriate county department(s), which:

    - Will be made public, and

    - Will be considered during the license renewal process.

4. Additionally, if the ordinance includes advertising provisions, please ensure that:

    - No billboard advertising is permitted.

    - Youth-focused organizations are not required to use the applicant's logos, branding, or name when receiving sponsorships or cosponsorships. This policy must be clearly communicated to the organizations involved.

Response I124-2
All cannabis facilities are subject to signage regulations as specified in the draft Zoning Ordinance amendments. As written in the draft Regulatory Ordinance amendments, the Neighborhood Compatibility Plan must be specific to the business' neighbors or surrounding community. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program."

Letter I125 Tami Oeschger

March 31, 2025

Comment I125-1
I reside in Bonsall and agree with Fallbrook CPG's official comments for NO PROGRAM with their comments/questions on Alternative 4, which still has significant and unavoidable impacts, but less than the other Alternatives.

Response I125-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I125-2
Cultivation has ruined other Unincorporated Counties. We do NOT want to see this happen in our Back Country.

Response I125-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Comment I125-3
The mitigation for the negative effects is severely lacking. The oversight and enforcement plans are gravely flawed.

Response I125-3
The comment identifies issues with mitigation measures proposed but provides no details or evidence addressing the adequacy of the mitigation measures. The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding enforcement.

Comment I125-4
I oppose this program as a whole and will participate in the Planning Commission and Board of Supervisors meetings when the decision time comes.

Response I125-4
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I126 Tami Warren

March 31, 2025

Comment I126-1
I reside in Fallbrook and agree with Fallbrook CPG's official comments for NO PROGRAM with their comments/questions on Alternative 4, which still has significant and unavoidable impacts, albeit less than the other Alternatives.

Response I126-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment I126-2
Cultivation has negatively impacted other Unincorporated Counties. We do NOT want to see this happen in our Back Country.

Response I126-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Comment I126-3
The mitigation for the negative effects is not sufficient and therefore severely lacking. The oversight and enforcement plans are gravely flawed.

Response I126-3
The comment identifies issues with mitigation measures proposed but provides no details or evidence addressing the adequacy of the mitigation measures. The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding enforcement.

Comment I126-4
My concerns center around issues related to -

* enforcement

Response I126-4
The reader is referred to response to Comment I126-3.

Comment I126-5
* wildfire prevention

Response I126-5
The comment expresses concern related to wildfire prevention but does not provide specific examples associated with this concern. The reader is referred to Draft PEIR Section 2.19, "Wildfire," for a detailed analysis of potential wildfire hazards associated with cannabis uses.

Comment I126-6
* fertilizer-pesticides

Response I126-6
As described in Draft PEIR Section 2.11, a nitrogen management plan is required for commercial cannabis cultivation sites SWRCB Order WQ 2023-0102-DWQ. Pesticide application is addressed in Section 2.10, "Hazards and Hazardous Materials," under Issue 1. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

Comment I126-7
* odor / air quality

Response I126-7
The comment expresses concern related to odor and air quality but does not provide specific examples associated with this concern. Draft PEIR Section 2.4, “Air Quality,” addresses impacts from both criteria air pollutant emissions and odors. No significant air pollution impacts were identified, but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors.”

Comment I126-8
* transportation

Response I126-8
The comment expresses concern related to transportation but does not provide specific examples associated with this concern. The reader is referred to Draft PEIR Section 2.16, “Transportation,” for an evaluation of transportation impacts from implementation of the program.

Comment I126-9
* environmental sensitivity

Response I126-9
The comment expresses concern related environmental sensitivity but does not provide specific examples associated with this concern or a specific environmental issue area. The reader is referred to Section 9.1.1.6, “Master Response: Consideration of Environmental Impacts of Cannabis.”

Comment I126-10
* land use

Response I126-10
The comment expresses concern related to land use but does not provide specific examples associated with this concern. The reader is referred to Draft PEIR Section 2.12, “Land Use and Planning,” for an evaluation of land use impacts from implementation of the program.

Comment I126-11
* light and noise impacts

Response I126-11
The potential for new sources of light to affect nighttime views and dark skies is addressed in Draft PEIR Section 2.2, “Aesthetics,” Section 2.2.3.6, “Issue 3: Adversely Affect View due to New Light and Glare.” As discussed in this section, cannabis cultivation facilities would be subject to the California Energy Commission’s Building Energy Efficiency Standards (CCR Title 24, Parts 1 and 2) and DCC regulations (CCR Title 4, Division 19, Section 16304) adopted for the purpose of reducing light and glare, as well as regulations in Section 51.201 et seq. of the Regulatory Code that were adopted for the purposes of minimizing light pollution in San Diego County and of protecting astronomical research at the Palomar and Mount Laguna

Observatories from its detrimental effects. The Cannabis Program proposes amendments to the Zoning Ordinance that would further reduce light and glare from new cannabis uses. Section 6995(f)(1) specifies exterior lighting requirements to reduce light pollution and prevent spillover light, such as the use of motion sensors; LED bulbs; and luminaries that are cut-off, shielded, and downward facing. Section 6995(g)(2) would prohibit lighting in agricultural shade and crop structures and require the use of blackout curtains to prevent light escape from mixed-light cannabis cultivation. Section 6995(g)(2) specifies setback requirements for cultivation uses, which would prevent the spillover of light onto adjacent properties. Compliance with these regulations would ensure consistency with the General Plan policies that restrict outdoor light and glare in semirural and rural areas (Policy COS-13.1) and maintain dark skies, particularly surrounding the Palomar and Mount Laguna.

Comment I126-12
I oppose this program as a whole and will participate in the Planning Commission and Board of Supervisors meetings when the decision time comes.

Response I126-12
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I127 Taylor Larson

March 31, 2025

Comment I127-1
NOOOOOO!!!! I'm in Bonsall and want this nowhere near me!!! ABSOLUTELY NOT!!!

Response I127-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

Letter I128 Terry Aaron

March 31, 2025

Comment I128-1
My comment on the Cannabis DEIR:

I reside in Fallbrook and agree with Fallbrook CPG's official comments for NO PROGRAM with their comments/questions on Alternative 4, which still has significant and unavoidable impacts, but less than the other Alternatives.

Cultivation has ruined other Unincorporated Counties. We do NOT want to see this happen in our Back Country.

The mitigation for the negative effects is severely lacking. The oversight and enforcement plans are gravely flawed.

I oppose this program as a whole and will participate in the Planning Commission and Board of Supervisors meetings when the decision time.

Response I128-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The comment identifies issues with mitigation measures proposed, but provides no details or evidence addressing the adequacy of the mitigation measures. The County considers the Draft PEIR and its mitigation measures adequate and in compliance with CEQA. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program," regarding enforcement.

Letter I129 Tiffany Saxon

March 31, 2025

Comment I129-1
Based on community input, we oppose this project and support Alternative 1- No

Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I129-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis

Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I130 Tom Van Wie

March 31, 2025

Comment I130-1
Based on community input, we oppose this project and support Alternative 1- No Project.

Alternative 4 is the most Environmentally Superior

Alternative to the "No Project" as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I130-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I131 Wade Olsen

March 31, 2025

Comment I131-1

My name is Wade Olsen I was born and raised in Vista and live in district 5 and I am in the cannabis equity program as an approved equity applicant for San Diego county, I support alternative 2.

I plan to get a type 12 microbusiness as a shared space, and hope to open it in San Diego county. With many other types of agricultural struggling such as the cut flower industry many farmers could benefit from being allowed to grow cannabis. Costing much less water than crops like tomatoes that also grow well in San Diego but the farmers are struggling. I vision a co-operative much like cuties tangerines or Pom wonderful pomegranates where San Diego farmers can participate in the cannabis industry and benefit our community. I also look forward to cannabis lounges and events and more safe access to cannabis. I think there is much to considered such as the detriment to the industry of mega cannabis farms not being great for the environment or our community.

I am greatful for the opportunity to participate in the cannabis equity program, the seed program and the instructors. I am hopeful for an equitable cannabis industry in San Diego and California and a bright future as cannabis becomes federally legal and imported into other states and countries legally California needs to have the infrastructure to supply the demand . San Diego has a rich cannabis culture and community that needs to be represented in California.

Response I131-1

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I132 Noah Friend

March 31, 2025

Comment I132-1
Given cannabis's federal status, this entire proposal is a waste of time, money, and resources. Northern California tried it, and it's already a disaster—facing an open class action lawsuit from everyone negatively affected by it.

Response I132-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. The reader is referred to Section 9.1.1.5, "Master Response: Legal Status of Cannabis."

Comment I132-2
Open 'use' lounges? Straight out of the opium den playbook, except now we'll have 'high' drivers swerving alongside drunk drivers. Despicable, embarrassing, and a slap in the face to San Diego. Families won't want to live near any of these areas.

Response I132-2
This comment expresses concerns about drivers driving high as a result of the proposed program. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime." Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.

Comment I132-3
Property values will tank while tourists ditch us for somewhere that doesn't reek of bad decisions. The county'll drown in red tape and shady licensing deals just to prop up a market the feds could squash any day. Meanwhile, homelessness festers and roads crumble. Great to see our priorities straight. Repeal this disaster of a plan before it drags us all down.

Response I132-3
The comment expresses concerns associated with the property losing value. An evaluation of property values is not required because property values do not have an impact on the natural or physical environment. As stated in Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment.

Letter I133 Kelly Hayes

March 31, 2025

Comment I33-1

The purpose of this correspondence is to provide comments to the County of San Diego's Cannabis Program Draft Environmental Impact Report (EIR) and draft ordinances. This Law Office represents licensed cannabis businesses throughout California and specifically within the San Diego region. Since 2014, I have had the pleasure of working with various types of cannabis businesses. However, most recently I had the pleasure of representing the business that hosted the first licensed Temporary Cannabis Event with onsite cannabis sales and consumption in Vista, California on March 15, 2025.

Temporary Cannabis Events:

The County has an extraordinary opportunity here – to be the first County to allow for licensed cannabis events in Southern California. This Ordinance will benefit both the local economy and the broader community by offering new opportunities for responsible cannabis consumption, entertainment, and education.

I encourage the County to align their Ordinance to the State requirements provided under the Department of Cannabis Control's ("DCC") regulations for Temporary Cannabis Events found in Sections 15600 – 15604 under Title 4 of the California Code of Regulations. Having first-hand knowledge as to what is required in the planning and permitting of a Temporary Cannabis Event, I would also like to provide the County with additional information to consider in the drafting of this Ordinance as it relates to Temporary Cannabis Events.

Insurance

For instance, Insurance has been discussed as a requirement to host these events. While I understand and appreciate the County's reasoning behind this, what the County does not realize is that Insurance for a Temporary Cannabis Event is *extremely difficult to obtain*. First, most Insurance providers refuse to provide policies due to the stigma surrounded around cannabis. Second, if an Insurer does provide a policy to cover a cannabis event, it will cost anywhere from $10,000 to $15,000 for a single day. Lastly, that policy will always *exclude from coverage* anything related to cannabis or cannabis products. Meaning, even if a licensee can obtain insurance coverage at a rate of $10,000 for one single day, the insurance will not actually cover anything because cannabis and cannabis products are excluded under the policies.

I propose that this not be a requirement until the cannabis industry is better positioned and there is adequate insurance coverage available to Cannabis Event Organizers. For these reasons, the DCC does not require a Cannabis Event Organizer to obtain insurance coverage, and I strongly advise that the County also not require a Cannabis Event Organizer to obtain insurance at this time either.

Hours of Operation & Number of Events Per Year

The operating hours for a Temporary Cannabis Event should align with the State's regulations governing the retail sale of cannabis1, given that cannabis retail sales will occur on-site during the event. Additionally, the total duration time for the event should account for the necessary time required for onsite DCC inspections, which must occur prior to the event, as well as adequate time for setup and breakdown. These preparations, including those for event organizers, vendors, exhibitors, and entertainers, may necessitate additional time beyond the event's scheduled hours. Therefore, the County should consider extending the allotted days and hours for Cannabis Events to accommodate these essential activities.

Furthermore, the proposal to limit cannabis events to six (6) per year is unreasonable and does not coincide with the State's requirements. I encourage the County to review the DCC's Licensing Fees for Cannabis Event Organizers under 4 CCR § 15014. Cannabis Event Organizers pay their annual license fees based on the number of events they plan to host in a single calendar year. These planned operations and fee amounts are detailed below:

Annual License Fee Schedule for Cannabis Event Organizers[2]

Planned Operations (Number of Operations)	Fee per License
0-5 events annually	$3,000
6-10 events annually	$5,000
11-20 events annually	$9,000
Greater than 20 events annually	$20,000

[1] *See* 4 CCR § 15403

[2] *See* 4 CCR § 15014

Zoning Requirements

It's unclear why the County is proposing to prohibit temporary cannabis events at licensed retail facilities. Given that these locations are already subject to stringent regulatory oversight, permitting events at such sites, provided they comply with all applicable requirements under the County's Ordinance, would seem to offer a viable and secure option for hosting cannabis-related events. Additionally, authorizing cannabis events on public property would expand the pool of available venues, benefiting both the County and event organizers by providing greater flexibility in location selection. Moreover, allowing Temporary Cannabis Events within Agricultural Zones would support the County's broader objectives for Agri-Tourism, offering a strategic means to enhance community engagement while maintaining compliance with zoning and land-use policies.[3]

Lastly, I strongly recommend that the County designate Temporary Cannabis Events as a Ministerial Zoning Verification Permit – and not as a Discretionary Permit. Ministerial Permits apply to uses that automatically comply with County requirements and do not necessitate discretionary review. Requiring discretionary review for cannabis events could significantly limit

the number of events held in the County, primarily due to the time constraints associated with event planning in general.

Under subsection (d) of Section 15601 of the DCC Regulations, a temporary cannabis event license must be submitted "no less than 60 calendar days before the first day of the temporary cannabis event."[4] Thus, event organizers are provided with limited time to secure a suitable location, entertainment or vendors, and requiring any additional discretionary review would further constrain their ability to meet the State's timeline. Therefore, to facilitate efficient event planning and to ensure timely compliance with State requirements, the County should consider adopting a Ministerial Zoning Verification Permit for Temporary Cannabis Events.

[3] County of San Diego's Temporary Agritourism Community Events, accessed March 31, 2025, https://www.sandiegocounty.gov/content/sdc/pds/advance/agriculturepromotion/communityevents.html; Farm Bureau of San Diego County, accessed March 31, 2025, https://www.sdfarmbureau.org/san-diego-agriculture/

[4] 4 CCR 15601(d)

As cannabis has become a widely accepted and regulated industry in California, it is essential that we continue to foster responsible engagement with it. Legalized cannabis events can provide a safe and controlled environment for individuals to learn about and enjoy cannabis, while also ensuring public safety and compliance with the law. By allowing these temporary events, San Diego can create a vibrant and responsible cannabis culture that both residents and visitors can appreciate and enjoy.

In addition to supporting the safe and regulated consumption of cannabis, licensed Temporary Cannabis Events would have a positive economic impact by encouraging tourism, creating jobs, and generating revenue for local businesses. These events can showcase San Diego's dynamic hospitality and agriculture industry and provide an avenue for entrepreneurs and small businesses in the cannabis sector to thrive.

I also recognize that proper regulation and oversight are crucial to the success of such events. I trust that the Planning Department will take only the necessary precautions to ensure that these events are conducted in compliance with applicable laws and safety standards. Clear guidelines and effective enforcement mechanisms will go a long way in maintaining the integrity of this program and protecting the well-being of the community.

In closing, I fully support the passage of this Ordinance and encourage the Planning Department to move forward with revisions and approval. Licensed Temporary Cannabis Events will not only contribute to a responsible and well-regulated cannabis industry but also provide exciting opportunities for our community.

Response I133-1
The comment includes input on the proposed Cannabis Program and does not address the content, analysis, or conclusions in the Draft PEIR. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," regarding potential refinement of the proposed Cannabis Program.

Letter I134 Kori Jensen

April 1, 2025

Comment I134-1
Based on community input, we oppose this project and support Alternative 1- No

Project.

Alternative 4 is the most Environmentally Superior

Alternative to the “No Project” as cited in the DEIR- Chapter 4.

Therefore, our DEIR comments are on Alternative 4.

Response I134-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and reference to Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition have been noted and will be reviewed by the Board during future decision-making activities. No comments are provided regarding Alternative 4.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter I135 Russell Palmer

April 1, 2025

Comment I135-1
I believe we need to open up and supoort state laws as quickly as possible. Option 2 please!

Response I135-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the program.

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of

alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

9.1.5 Public Meeting Comments and Responses

PM1 Armand King

February 5, 2025

Comment PM 1

I appreciate option number 2 being the proposed project. I just wanted to speak on the 3 other options as number 1 doesn't need to be spoke on. This Draft EIR and zoning recommendations does impose overly broad and vague sensitive use restrictions that create unintended consequences, particularly for vulnerable populations. Categorizing residential care homes as a sensitive use fails to recognize that many seniors, hospice patients, and individuals battling chronic illness rely on cannabis as essential medicine and restricting businesses near these residential treatment facilities could make access unnecessarily difficult. Another thing to consider is excessive zoning limitations encouraging the growth of the illicit market by making it nearly impossible for legal cannabis businesses is to establish, undermining public safety and regulatory goals. The inclusion of the visiting centers and parks as sensitive uses also fails to account for real world usage as many of these spaces serve only as occasional information and recreation hubs, making their designation unnecessary and impractical. And without clearly identifying what a park is, we could be talking about a steep hill which would be classified as a park. Additionally, listing religious gatherings as a sensitive use without clear definition opens the door for manipulation as history has shown here in San Diego County that opposing businesses have created sham churches in targeted areas to block competition. If the County generally seeks to regulate responsibly while fostering economic opportunity and public safety, it must revise these excessive restrictions and create a zoning framework rooted in practicality, fairness, and real-world impact. Fully adopting California state requirements will be best. Option 2. Thank you.

Response PM 1

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM2 Shelby Huffaker

February 5, 2025

Comment PM 2

My name is Shelby Huffaker. As a lifelong San Diegan, a public health researcher who specializes in substance use, and chair of the San Diego chapter of Americans for Safe Access, I support Alternative 2 of the County's Draft Cannabis EIR because it expands safe access, promotes equity, aligns with public health goals, and expands opportunities for more sustainable cannabis cultivation. Current zoning restrictions severely limit access, forcing patients and consumers to travel long distances, or turn to the illicit market which dominates cannabis sales in California. Expanding licensed access by adopting State regulations for buffer standards would reduce these barriers, ensure consumer safety, and result in savings to the public service sector while generating local tax revenue. Cannabis equity is also at stake. Communities disproportionately targeted by cannabis criminalization must have fair opportunities to participate in the legal market. Increasing licenses and reducing zoning barriers will help repair past harms from prohibition while driving economic investment. While concerns about youth are understandable, a large body of research shows no association between the liberalization of cannabis laws and underage consumption. Licensed retailers maintain high compliance rates with age checking requirements, while states with stricter bans see higher use of unregulated cannabinoid products among youth. Additionally, allowing outdoor cannabis cultivation would provide opportunities for the adoption of regenerative agricultural practices in the industry while enhancing cannabis' [*inaudible*] properties. Legally permitted outdoor cannabis cultivation also requires significantly less energy and produces lower carbon emissions than indoor cultivation. Please adopt Alternative 2 to improve access, advance equity, support public health, and achieve sustainability goals. Thank you for your time.

Response PM 2

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM3 Donavyn Dove

February 5, 2025

Comment PM 3

I'm calling in accordance with Alternative 2. My name is Donavyn Dove, and I'm a lifelong resident of San Diego, Spring Valley to be exact, unincorporated area of Spring Valley, and an applicant in the County Social Equity Program. I'm here to make it clear the Alternative 2 is the proper choice. It's the only choice. The war on drugs robbed our community of so many things. And now, through excessive zoning restrictions, you're creating a new version of that same

thing. It's like the same thing with a whole other face on it, and it's veiled with 3 or 4 more terms. So, equity applicants should not be pushed into an impossible position just to participate in an industry where we're systematically locked out of. Social equity is meant to repair damage, not recreate it under a different name. If this County truly values equity, then anything other than Alternative 2 is unacceptable. Thank you for your time.

Response PM 3
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM4 Raphyal

February 5, 2025

Comment PM 4
I wanted to first start out though option 2 is the only option. It's basically righting a historical wrong. Parks and recreational centers is over excessive zoning. And parks, recreational centers, residential centers, religious venues, to me it's excessive zoning built on a social status. And to me that is very unequitable. Equality is built on equality. You don't get to sit there and change it. It's status. To me, I would like to sit there and understand the zoning of a liquor store in relation to social cannabis, and the fact that one has always been helpful, has never been a pariah throughout the history of its invention when the other practically has. If you want to truly promote equity - option 2. Is it excessive zoning only sits there and speaks on the narrative of social status, and that's unequitable and unfair. I thank you for your time and I appreciate what you've done, but excessive zoning is not the answer. Thank you.

Response PM 4
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM5 Thomas Lauerman

February 5, 2025

Comment PM 5

My name is Thomas Lauerman. I was born in San Diego, and I support Alternative 3. This just gives us more area in which to operate our businesses, as in grows, especially in the unincorporated areas. It also some of these things that are affected us by are the regional parks. There's regional parks all over San Diego County. If those are restricted areas, it really prohibits us from being able to have businesses. Public trails are another issue because there's walking trails all throughout San Diego County that would also inhibit us from running our businesses. Let's see recreational facilities to senior centers. A lot of seniors participating in medical cannabis and take it for their health and well-being. And I support Alternative number 3. My name is Tom Lauerman, born in San Diego. Thank you.

Response PM 5

The commenter's preference for Alternative 3: Cannabis Program with Expanded County Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM6 Robert Wood

February 5, 2025

Comment PM 6

My name is Robert Wood. I'm a long time San Diego resident born and raised in southeast San Diego. I'm also a Social Equity cannabis person, because I did time for cannabis. I did state time, but I've also watched a lot of people who did fed time for cannabis, and I think that the Social Equity Program is brilliant in decriminalizing this and giving people opportunities that previously haven't had them. However, when it comes to the zoning, any option outside of option 2 would eliminate opportunity for a lot of people. I think that cannabis criminalization is supposed to be over. We voted to decriminalize it in California and outside of option number 2, it would be really recriminalizing it through the zoning. In other words, if you zone it where you can barely have cannabis sold in San Diego in the unincorporated areas, then what's the purpose in even giving out the license? And what's the purpose in the whole program? Parks, recreation centers, religious venues and other things like that, including those are only ways to shut off something that's already been legalized. And so, I do disagree with that. My one thought that I want to leave people with is let's not attempt to relitigate the law that's already been passed legalizing cannabis through bad zoning or through zoning that makes that law irrelevant and takes the teeth out of it. With that I will state again, my name is Robert Wood, I support option number 2. Thank you.

Response PM 6
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM7 Albert Pepi

February 5, 2025

Comment PM 7
My name is Albert Pepi. I'm a qualified social equity applicant. I'm a native San Diegan. I live in Clairemont, District 4. I would like to say, please adopt the cannabis program. I want to see the Alternative 2 that's implemented in the EIR be adopted. By placing extreme sensitive use restrictions, the County is unintentionally creating an environment where only well-funded established businesses can navigate the complex zoning landscape, leaving social equity applicants at a disadvantage. I want to see that the State mandated buffers stay at 600 feet and not use the proposed additional sensitive use buffers. State regulations/requirements, plus the buffer zones, are only going to make it more challenging for the Socially Equitable Cannabis Program. With this EIR report there is environmental challenges, but we can find solutions for everyone. Other California counties have implemented more practical and reasonable sensitive use guidelines that allow for businesses growth while maintaining community standards. San Diego should follow suit. And I want to you to please give social equity a real chance on having the support to succeed. That's fair, good for the environment, and benefits everyone. Cannabis is here to stay. Thank you for your time.

Response PM 7
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM8 William Mitchell

February 5, 2025

Comment PM 8

My name is William Mitchell. I'm here in support of Alternative 2. That's the only alternative that sounds right to me. I represent Spring Valley, which is District 1. The County claims to support social equity but these zoning restrictions are effectively shutting us out, and kind of limiting everything. The War on Drugs was used to criminalize us. I was arrested. I went to the Feds. I went to the County. I got locked up for this stuff, for weed, for marijuana. And now it's free and everything, and I see it's now a chance for them to give back to us. And now it's like they're saying they want to give back, but they don't. It's like we're supposed to be coming together on this and overcoming obstacles and everything and then the zoning restrictions is definitely limiting us from doing that. And if San Diego County truly believes in righting the wrongs of the past, it must remove barriers for social equity applicants, not create new ones. Alternative 2 is the only choice that upholds real equity. Thank you. William Mitchell.

Response PM 8

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM9 Michelle Kevorkian

February 5, 2025

Comment PM 9

My name is Michelle Kevorkian, and I'm in District 3, and I am a very lucky participant to be in the Social Equity Program, which I believe has taught me a lot. The one thing on reading the EIR I support is option number 2 for many reasons, Armand said it so eloquently and hit on every aspect that I would have and is spot on. In addition, I understand the sensitive use that's already implemented, and as a parent myself I get those, and I understand them, and I think that's how they should be. But putting the additional buffers is going to make it very challenging, and I can't see how there would be enough to make it for anyone to be able to flourish in that industry. So, I completely support option number 2. Thank you.

Response PM 9

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future

decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM10 William Hinks

February 5, 2025

Comment PM 10

My name is William Hinks. I am a native of San Diego. I am a 4th degree surviving burn patient. Spent about 2 years in UCSD medical clinic. So that being said, anyone that knows or could even understand being a burn patient, I have undergone a lot of surgeries, dealt with a lot of having to be prescribed narcotics, and a lot of different medications. I have been approved to be an equity participant in the Socially Equitable Cannabis Program of San Diego County. I'm here today to present my feedback on the proposed cannabis business amendments to the San Diego Code Regulatory ordinance presented in the Socially Equitable Cannabis Program Draft EIR. I believe the County should adopt the proposed Social Equity Cannabis Program. I support the program Alternative 2 and would like to see this alternative proposal adopted. I believe that the State mandated, well majority of the State mandated sensitive use buffers should be included in the County proposal. However, there are some that I believe should not be in there. I am thankful for the opportunity of this Social Equity Program, and again, I believe that Alternative 2 should be adopted. It's given us the opportunity to become licensed medical cannabis providers outside of looked at as criminals, which got us in the program. Thank you for your time.

Response PM 10

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM11 Judi Strang
February 5, 2025

Comment PM 11
I came to express my support for Alternative 1, because I already feel we have 5 marijuana storefronts out here in the unincorporated area, and they are robust deliverers so there is plenty of access available to the unincorporated people. I'm concerned that our planning groups in the unincorporated area need to have a way to supply input in towards any application that's going to affect how they live their lives. I'm also concerned that I've seen the lack of code enforcement and law enforcement regarding the black market, and I wonder what their capacity will be to eliminate the black market or to help those out in the unincorporated area who are already suffering the ill effects of the hemp grows that the County has permitted, the smell there. I also wonder why the County would use so much precious resource to set up a business that's already doomed for failure. Not a day goes by that a news release doesn't come out about how marijuana businesses are losing money. They don't pay their taxes. There's persistent rivalry with the black market. And now, with the threat from the intoxicating hemp derived compounds being sold on nearly every corner, and there doesn't seem to be regulations in place or any enforcement to protect our children. I'm concerned what I see, as a community member, regarding high potency THC products that seem to be the most popular of all the products sold at marijuana storefronts. We know now that 40% of marijuana smokers use daily, and the impact that means for the quality of life, for the mental health of our citizens and to the people who care about them is serious, and as a person whose loved one was incarcerated related to his drug use and drug sales, we don't want him to have a marijuana storefront or a marijuana business. It would be the worst thing for our family. Thank you.

Response PM 11
The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process, and Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use," regarding County standards to protect the public who are not consuming cannabis products. The use of cannabis products and an acceptance of potential health effects of using cannabis is a personal decision that is not subject to environmental review under CEQA.

PM12 Rashida Hameed
February 5, 2025

Comment PM 12
My name is Rashida Hameed. I'm a native to San Diego. I strongly support the decriminalization of cannabis and only option 2, Alternative 2, can make sure that it's done in

an equitable manner that will respect the public and the social equity aspect of legalizing cannabis. Again, I'm Rashida Hameed, a native to San Diego and I am in high support of Alternative 2. Thank you.

Response PM 12
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM13 Rudy Reyes

February 5, 2025

Comment PM 13
Thank you for having me again, Rudy Reyes. I ran for Second District County Supervisor. I run for Santee Mayoral seat. And I'm pretty well known in San Diego for being the worst injured of the San Diego 2003 fires. Long story short, as you've heard, I've ran for County Supervisor and unfortunately the County has a history of being very aggressive, regressive, and attacking medical marijuana patients rather than helping us. Okay, as I see it right now, your zoning has pretty much set it up to where you guys haven't looked at religious use, such as the Rastafarian churches who would be needing it for religious use. The fact that the majority of elderly people also have a large need for medical marijuana rather than being on various other medications that would harm their body. And the fact that our County needs to provide locations for people to be able to use if they cannot do so at home. And these are things that are being considered in other counties up north but for some reason, again, because San Diego is so against and has had so many years, I had to fight, I literally had to sue the County along with ASA to get a medical marijuana ID card. Okay, this is the most regressive community I've ever seen. So, under that ideology, I would actually ask you guys to go back to the drawing board and redo option 2 and make it so that you're reconsidering these park use, the religions, the use of the elderly because right now you guys haven't really made those people into your considerations or helped us in that regard. The other problem is, I know at the end of this you're basically going to do a quick lottery system and only a few people are going to get help from this situation. As a matter of fact, you guys are probably going make it so that the taxes are going to be so much that they won't be helped at all by the monies that you will be helping them win. That's the problem. The County is not here to help you folks. The County is here to just to make it regressive and harder. Learn from them. I've run for political seats because of that.

Response PM 13
The comment provides an opinion regarding the merits or qualities of the proposed program. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft

PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM14 Becky Rapp

February 5, 2025

Comment PM 14

My name is Becky Rapp and I'm here tonight to voice my support for Alternative 1. There was a recent article that was published in the LA Times describing California's cannabis supply chain as having hidden pesticides and no public monitoring. This seems to be a reoccurring concern as the State has yet figured out how to manage, monitor, and properly enforce safeguards implemented to protect the public. The public trusts that if a product is permitted to sell, then it's safe to consume. But this fallacy was told to voters when the permitted market marijuana industry was created. The Times analyzed hundreds of marijuana products and found that half of these products in California's permitted market contained chemicals or hidden pesticides. Chemicals that have no approved public safety monitoring procedure. A systematic monitoring procedure is crucial when testing products before being sold to the public, and marijuana should be required to be under the same scrutiny as other products are that are on the market as well. Our County has chosen to permit 5 businesses under the guise that the products being sold have been tested and are safe to consume. Perhaps the County should exercise its own product testing experiment as the LA Times has done. The public deserves the honest truth about the products currently being sold and distributed online to those living in our county. And the public believes these products are being monitored. If they're not being properly tested, the County should be responsible for pulling them from the shelves. This information should be included in the EIR, and I would just really emphasize adopting Alternative 1. Thank you.

Response PM 14

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations and concerns regarding cannabis product safety has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process. The reader is also referred to Section 9.1.1.9, "Master Response: Cannabis Product Safety and Testing."

PM15 Eddie

February 5, 2025

Comment PM 15

I appreciate your time this evening, and I'd like to address the current situation in San Diego County. I am a candidate for the Social Equity Program. I was a caregiver provider to patients that had no access in North San Diego County in 2006, and I was prosecuted by the district attorney at the time, Bonnie Dumanis, for providing medical cannabis to patients that did not have access in North County. I am in Oceanside. I am in District 5, and I am fighting for safe access for specifically veterans out of Camp Pendleton. However, there's more than just Camp Pendleton veterans. There's also seniors, other people in the community that need safe access to medical cannabis. And it is unfair to push us into areas of unincorporated San Diego County where people that are already suffering have to fight just to get their medicine. Can you imagine that there is no Kaiser, no CVS, no Walgreens in your local neighborhood, and you had to go out to the desert to get your medicine. That is unreasonable, and no patient should be put in that situation, especially if they're fighting for their life. And this is a failed War on Drugs that was started by Harry Anslinger to deport Mexicans back in the 1920s. The failed War on Drugs needs to be stopped. We need to stop wasting resources just like President Trump is trying to do right now and stop wasting our money on useless things. We need to help our community, not hinder our community. Please help patients get safe access to their medicine. Thank you very much for your time. And by the way, smell is not a reason to limit access for safe patients. Your air freshener is more toxic than the smell of cannabis coming from the farms. Thank you.

Response PM 15

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

PM 16 John Broaddus

February 5, 2025

Comment PM 16

My name is John Broaddus from Advanced Development. I'd just like to start with some stats: 19,335 people died from excessive alcohol use in 2021; 1,370 were killed in alcohol involved crashes in 2021; cannabis related deaths - none. Cannabis sensitive uses should be no more constrictive than alcohol-dispensing facilities' sensitive uses, or at the very least complying with California's cannabis controlled sensitive uses standards. All outlets and dispensaries serve 21 years or older only. Outlets and dispensaries are required to have level 3 armor installed in the facility walls. Nobody is getting in without proper ID. The requirement by itself negates all the concerns with sensitive uses. Why would a product that causes no deaths be more constrictive than one that causes hundreds of thousands of deaths a year. We would propose the same conditions that retail alcohol facilities have. We're in support of Alternative 2. Have a great evening. Thank you for all your input.

Response PM 16
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM17 Andrew Banez

February 5, 2025

Comment PM 17
My name is Andrew Banez from District 4, and I've lived in San Diego for 38 years. I'm a social equity participant and County grant awardee. I support Alternative 2 that is consistent with State regulations. Thank you.

Response PM 17
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM18 Kelly McCormick

February 5, 2025

Comment PM 18
This is Kelly McCormick, and I'd just like to share a couple of things in regard to the gentleman who said there had been no deaths. There have been deaths from cannabis and in fact many deaths related to driving under the influence of marijuana. And in fact, according to a AAA survey that was recently done in the United States, nearly 15 million drivers said that they have operated a vehicle within an hour of using marijuana and a survey conducted last year by Virginia's Cannabis Control Agency, showed that 22% of drivers in that state admitted to having driven stoned quote "a few times a year or more." There have also been recorded deaths from cannabis hyperemesis syndrome, which is a cyclical vomiting syndrome with pain associated with it. Also, many people end up in the emergency room for cannabis hyperemesis syndrome, and cannabis induced psychosis and the suicide rate among cannabis users, especially for those under age 25 is much, much higher than it is for non-users, and in fact,

doctors have declared a causal relationship between marijuana use and suicide. Also, someone else mentioned the LA Times series on pesticides in marijuana. I mean, these pesticides are being used in cultivation and then also ending up in the products that are sold in stores. And this is despite quote-unquote lab testing. The articles detail that the lab testing system is corrupt basically and cannot be relied upon. And also, for neighbors of cultivation sites, the noxious odors are a real problem not to be joked about. If you live near one, it can be miserable. Thank you.

Response PM 18
The comment expresses concerns about safety, odors, and pesticides related to cannabis. The reader is referred to Sections 9.1.1.1, “Master Response: Cannabis Odors”; 9.1.1.6, 9.1.1.7, “Master Response: Public Health Effects of Cannabis Use,” and Section 9.1.1.9, “Master Response: Cannabis Product Safety and Testing,” that address these concerns. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.

PM19 Jacob Moore

February 5, 2025

Comment PM 19
I'm Jacob Moore. I'm a resident of District 4, and I support Alternative 2, and I'll yield the rest of my time. Thank you.

Response PM 19
The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM20 Brian Goodin

February 5, 2025

Comment PM 20
My name is Brian Goodin and thank you for having me. Thank you so much for you guys even having this discussion. The San Diego Association of Government reports in 2017 blacks make up 5.5% of the population but accounted for 29% of all marijuana arrests; whites 44% and accounted for 34% of those arrests. On the black side, I was one of those arrested, and I did 18 months for selling a little bit of marijuana. And as it stands, this industry is not going anywhere. Prohibition proved that. And here we go again with this. It is not going anywhere, and I think the best we can do is figure it out and make the best of it. And on the other side of this, in southeast San Diego, it's probably a liquor store on every corner, and I would much

rather somebody get in a car after smoking a joint rather than drinking a pint of Jack Daniels. And as a US Navy combat veteran, I'm awarded a privilege of a preference for government jobs. And I think, as a resident of southeast San Diego, before this industry opened up just about everybody in San Diego came to southeast to purchase cannabis. Now that it's legal, we don't even get a shot at the title. I think that should change and you guys have a lot to do with that. And it would make a big difference to many of us if we had an opportunity at making 18 to 25 million dollars a year. Just think what that would do to our house, our community, and the city at large. Thank you for allowing me to share this information.

Response PM 20
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

PM21 Markus Haynes

February 5, 2025

Comment PM 21
I'm Markus Haynes and I'm in support of option 2. It's really the only option. Excessive zoning should be avoided. As a San Diego native and a member of the Social Equity Program, as someone who grew up in a household full of herbalists and the people that believe in herbal healings, cannabis has always been looked at as a medicine to me, but others have always down looked upon it. Now it's been scientifically proven to help others focus who suffer from ADHD, and also help from cancer, epilepsy and those that suffer from sleeping and eating disorders. Some don't agree with it because they are naive to the facts only due to not knowing the pros and cons. What works for you might not work for others. Imagine fighting for what you believe in and then being criminalized, while others capitalize off your blood, sweat, and tears. You have liquor stores and smoke shops in all areas. You have other areas where you can consume alcohol and tobacco freely. But do you criminalize coffee? Do you criminalize donut shops? They cause hypertension, they cause high blood pressure, they cause diabetes. They have no health factors, but you do not criminalize them. You only criminalize what you feel doesn't make you guys money. And that's just wrong. This program could bring money back to the community and help rebuild and spread out generational wealth for others. So many people are so blind to the fact of what the health purposes are that they're just in denial, and they just don't want to see it prosper.

Response PM 21
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM22 Kathleen Lippitt
February 5, 2025

Comment PM 22
My name is Kathleen Lippitt. On behalf of unincorporated community residents, I support Alternative 1. The 25 storefronts that are already permitted there to expand their existing premises an additional 10,000 square feet means that unincorporated communities could result in 250,000 square feet of storefront operations. There are 500,000 residents in the unincorporated communities and contrary to the assertion that CEQA allows the public to have a say, they did not have a say. The County did this top down. Even though they did go out and they told them what they were going to do, they did not ask them what they wanted. The illicit marijuana industry has continued to thrive under a regulatory process and expanding the number of marijuana businesses allows them to hide in plain sight among permitted businesses. The two most critical problems that face unincorporated communities are driving and water. The County allows marijuana cultivators and businesses to use groundwater, which is that groundwater is a limited and scarce resource in unincorporated communities, and in most of those communities it is their only source of water. The second is driving under the influence. The EIR that has been previously done by Ascent acknowledges that some of the impacts related to air quality and noise from increased traffic during harvest times continue to be significant and unavoidable due to the nature of cannabis cultivation and regarding the darn. Oh, the DUI, 56% of drivers with serious.

Response PM 22
The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Impacts associated with decreased groundwater supplies or interference with groundwater recharge are discussed in Section 2.11, "Hydrology and Water Quality," under "Issue 2: Substantial Decrease of Groundwater Supplies or Interfere Substantially with Groundwater Recharge." As discussed there, impacts on groundwater supplies or recharge would be less than significant under Alternative 1 and significant and unavoidable under Alternatives 2, 3, 4, and 5.

Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county.
The comment states that the Draft PEIR identifies significant and unavoidable impacts to air quality, odors, and noise as a result of implementation of the program. Draft PEIR Section 2.4, "Air Quality," addresses impacts from both criteria air pollutant emissions and odors. No significant air pollution impacts were identified, but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, "Master

Response: Cannabis Odors." Significant and unavoidable noise impacts are limited to construction noise for Alternatives 2 through 5.

PM23 Steven Stuchell

February 5, 2025

Comment PM 23

My name is Steven Stuchell. I'm a native California, 35-year East County, 10-year Ramona resident father of two. I'm an applicant with the Social Equitable Cannabis Program. I'm asking for Alternative 2 to be adopted in. Thank you for your time and an opportunity for the Social Equitable Cannabis Program. They're doing great things, and that's it. Thank you for your time.

Response PM 23

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM24 Vincent Stalcup

February 5, 2025

Comment PM 24

My name is Vincent Stalcup. I am a lifelong resident of District 1, Spring Valley La Presa area to be exact. I graduated high school, graduated college. I'm now a mentor and a small business owner in the community. My father is a youth football coach. My mother is a teacher. All in District 1 and I am of the community, so I speak for my community unlike some other people who might be on here. I just want to speak on what was just said. Cannabis is here. It's not going anywhere. On top of that, there's already state regulation and restrictions that are already enough. All these excessive barriers, with additional alternatives after the proposed one, would just be another way of systematic barriers used against people, the marginalized groups of people that already been targeted with the over policing and over prosecuting of this failed War on Drugs. We need to take accountability for this. So, anybody speaking against the proposed, the proposal of Alternative 2 needs to go to sleep tonight and understand that you don't like marginalized communities and sleep with that and wake up and realize that's who you are. And also, there's no known record of any type of overdose of cannabis whatsoever so let's stop with that. Like I said, it's here. Pretty soon it'll be federally legal so that argument will be out the window. And I hope you speak the same way about prescription drugs, coffee, energy drinks, and all this other stuff. Please just leave it alone. Go find a new hobby. Once again, District 1 speaking. Spring Valley residents stand up. Much love and respect. I appreciate you guys, for putting in this work for this equity program and let's get it. Thank you.

Response PM 24
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM25 Malik King

February 5, 2025

Comment PM 25
My name is Malik King, and I'm a District 4 resident and I'm in support of Alternative 2. And ultimately, you know, out of all the alternatives that is the best alternative. Things that I wouldn't be in support of would be like the residential facilities because of their use of cannabis in those facilities. It kind of wouldn't make sense for them to have access further away from them considering some of them are non-ambulatory and may even be in a wheelchair. I can go on and on, but I'm not going to waste too much of your time. Once again, thank you all for coming out in support of Alternative 2. And you guys have a good night. Thank you again.

Response PM 25
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM26 Devin Rapp

February 5, 2025

Comment PM 26
So, I just want to express my support for Alternative 1. Community complaints about marijuana use are legitimate, and as a mother of 3 young children I have a strong interest in keeping our community kid-friendly and safe for young people. And also, just for the record, I also don't support liquor stores. I feel like people keep bringing that up as if it's somehow a counter

argument to opening cannabis shops. But I don't want those either near schools or near my home, as alcohol consumption leads to so many obvious health and community problems, but so does cannabis. So, I can see how much time and thought has gone into this plan, and it's helpful to hear the PowerPoint, hear everybody go through. But I was wondering what the plan is for checking in on these businesses. You mentioned, they would be looked at quarterly to make sure they're following all the regulations you're coming up with, so I was just wondering where those resources are coming from. And I also disagree with previous speakers who want the lowest possible minimum restrictions on zoning. In my area there's a pot shop that opened up near the high school, and even with almost a thousand feet between the shop and the school, the students and the parents were in an uproar about the easy access teens had to this area with high potency products. 600 feet is way too close. So, adding another 400 feet of buffer around the schools and daycare centers and places of sensitive use like that should be a minimum obvious restriction. I don't understand why anyone would want to open up an outlet or dispensary right next to a school. There have been child poisonings seen at Rady Children's with edibles that have high potency THC. And we don't need 25 more cannabis businesses in the unincorporated area of San Diego. Rural areas often have fewer healthcare resources which can exacerbate issues related to substance abuse. The increased frequency of use in these areas could strain local health care systems and the need for more robust support and intervention strategies tailored to rural communities. Also, residents might face different social pressure pressures and economic.

Response PM 26

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process. The reader is also referred to Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use," regarding County standards to protect the public who are not consuming cannabis products.

PM27 Eduardo Batista

February 5, 2025

Comment PM 27

My name is Eduardo Batista. I am a father of 4 and resident of San Diego District 2. I've been in San Diego since 1991. I've also been unfairly treated by the war on drugs. And as I mentioned, I do have a family of 4 children that are growing up in the area. I am here today in support of Alternative 2. That being said, that was basically what I just came to say. But in hearing some of the other testimonials of people that seem to be against Alternative 2, it

seems that a lot of the arguments that they're posing are arguments that were put forward when it just came to the general legalization of cannabis and adult use in California. So, most of those arguments have already been disproven or proven to not be valid, and enough to even stop cannabis from being legal for a regular sale period. The argument over older, I mean, where does it start and where does it stop? I live in unincorporated District 2. I live less than half a mile away from a cow farm. Should they not be able to have cows and raise cows because the smell is offensive to me? If you drive past an onion farm, if you drive past In-n-Out you smell onions, like that's offensive to people. There's people that are dieting and trying not to eat fast food, but they smell that, and then it's a tempt to them. Again, where does it start? Where does it stop? I believe that cannabis should be made available to people, and there should be more resources and availability to it. The further you put it away, the more time people spend on the road having to drive from location to location, which again seems to be a concern for some people with people driving. Again, I came to show my support for Alternative 2. I think that's the only alternative, and I thank you for having me.

Response PM 27
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM28 Peggy Walker
February 5, 2025

Comment PM 28
I am Peggy Walker. I'm a longtime resident of San Diego County, a youth advocate supervising a variety of youth programs, many of them underserved youth. While I see that a lot of work went into this EIR, I strongly support Alternative 1 because there's absolutely no evidence presented for need for 25 additional businesses. Nor has there been a vote or call for these by the people of rural areas. Nor is there evidence of economic viability not in a market that even industry insiders say is on the brink of failure. Why add more businesses when 80% of marijuana businesses in the State are barely surviving in the face of oversupply, and the black market accommodates for 75% of all cannabis sales that's been reported in numerous major news outlets, and not when the delivery business is extremely robust but unmonitored. I'm also concerned about reports of the widespread use of illegal and dangerous pesticides and insecticides. As previously mentioned, the EIR does not promise safety from these. These are carcinogens, and they're illegal, but being used with full knowledge of State regulators without oversight or consequences. That's unacceptable. And it's unacceptable that these toxic chemicals are passed on to consumers without their knowledge and that lab tests are passing them on without reporting it. Finally, I'm acutely aware of the rise in youth ER admissions and

young child poisonings that happens with the increased availability of marijuana in our neighborhoods, and I don't want to see that data keep going up.

Response PM 28
The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. The commenter expresses concerns regarding safety, pesticides, and insecticides, as well as public health effects. The reader is referred to Sections 9.1.1.9, "Master Response: Cannabis Product Safety and Testing," and 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use."

PM29 Cynara Velazquez

February 5, 2025

Comment PM 29
I would like to make some comments regarding the buffers specifically preserves with visitor-serving amenities. I think that is too broad. The Batiquitos Lagoon, for example, is 600 acres. It would make no sense to consider the southeast corner of the 600-acre lagoon a sensitive use when the visitor center is in the northwest corner. Additionally, residential care facilities. This includes nursing homes, dementia patient facilities, and hospice facilities. In all of these types of facilities patients commonly use marijuana. The State passed Senate Bill 305 in 2019, specifically to allow marijuana uses in this facility. It would not make sense to therefore consider it a sensitive use. Religious assemblies, not all religions are opposed to cannabis. Universal Unitarians often support their medical use. Rastafarians consider it to be a sacred plant. Religious assemblies as well are very transient. They can be easily established and easily disestablished. They rent event halls, commercial buildings, residences. So, by including this, it is such a common and transient use. We've had incidences in the past where competitors or cannabis opponents will even give free space to a religious congregation in order to foil a competitor's cannabis application. So, I'd really urge against including religious assemblies as a sensitive use. Lastly, regional and local parks. If you choose to include this, know that the City of San Diego originally had their definition including all local parks as well. However, it was pointed out to the City of San Diego local parks also include open space in its definition because they're managed by the Parks Department. The City of San Diego then had to carve out an exception to exclude open space because they did not want an overly steep hill or a floodplain to be a sensitive use for marijuana. The way the ordinance is written today, it would be a sensitive use to the County social equity cannabis business if there's a steep floodplain in the City of San Diego. Thank you.

Response PM 29
The comment expresses concern related to the setbacks established under the proposed program and characterization of sensitive uses. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet

(consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM30 Joe Ryan

February 5, 2025

Comment PM 30

My name is Joseph Ryan. I'm a lifelong resident of District 2. I want to thank Joel Anderson for everything he's done for our district. I am in support of Alternative 2. I would like to underline that 600 feet is more than sufficient. 1,000 feet is an unnecessary overreach. The expansion of sensitive use is inconsistent and harmful. Restricting access in this way only benefits current active license holders. I really want to emphasize that Alternative 1 will only increase illicit market sales. The California voters passed proposition 64 for legal access for all. I want to thank you all for your time, and I just want to let you know that Alternative 2 is the only way forward. Thank you.

Response PM 30

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM31 Joshua Valdez

February 5, 2025

Comment PM 31

My name is Joshua Valdez. I'm a native from San Diego County. I'm from District 4. I’m for Alternative 2. I'm also for the equity program. I was truly impacted by the war on drugs. I was incarcerated. And I also have 2 children. And I know from the part of the use all this, but you need an ID to access the marijuana or the cannabis. Also, it's overkill for the buffers. I think we should go with the state mandate. As for the pesticides, whoever said it comes on the weed, you can also grow organically, which has no pesticides. And for the water that we’d be pumping out, we could also integrate rainwater system. We have new technology we could integrate to our business, which the community will profit from it and the county. Thank you for your time, and that's all.

Response PM 31
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The reader is referred to Draft PEIR Section 2.11, "Hydrology and Water Quality," and Section 2.18, "Utilities and Service Systems," regarding the impact analysis groundwater and municipal water usage by cannabis uses, and Section 9.1.1.9, "Master Response: Cannabis Product Safety and Testing."

PM32 Adriana Yanez

February 5, 2025

Comment PM 32
My name is Adriana. I'm a resident of Alpine. I'm in one of those rural areas where we don't have access to medicinal marijuana, and that is something that I would like to have for our community. But I would like it to be safe. I believe that program option number 2 will give us that ability by allowing more legal dispensaries to operate and provide us with safe choices. We do have a lot of seniors in our community that do rely on medicinal marijuana for pain relief. My grandmother is one of them. She was on hospice care, and we have to drive back and forth up and down the hill in order to get her medicine. So, by allowing option number 2 this will give us the access that we need. I also agree with everybody about the pesticides. So, I think this will allow us to operate safer because they do have quality control testing that they do in order to make sure there's no pesticides used in the medical marijuana. I also believe that this option will help us to combat the illegal black-market shops that are popping up all over the community as well. Thank you, that's all I have to say.

Response PM 32
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM33 Dory Laramore

February 5, 2025

Comment PM 33

My name is Dory Larmore, and I'm a San Diego native and a social equity advocate. I'm here to advocate for Alternative 2. Everything else is excessive zoning. The elderly and patients that need to get cannabis as medicine will have a hard time getting their medicine under the excessive zoning. Anything other than option 2 will do more harm than good. It's the only option that will make this program work, and that's the only option that we will accept. Thank you.

Response PM 33

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM34 Chris Adams

February 5, 2025

Comment PM 34

My name is Chris Adams. Live in the Escondido area. I'm part of the San Diego Social Equity Program, and I'm also in support for Alternative 2. Maybe I just like to talk a little bit about the past decade. The technologies have become so far advanced with the new low power consumption LED lighting and low heat, so it's really energy efficient now. And the organic gardening techniques that has progressed within the last decade is just unbelievable for those worried about the pesticides or fertilizer runoff into the groundwater. So, I believe it can all be done in a safe manner under this Alternative 2 and thank you for your time.

Response PM 34

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board

direction and future decision-making for a discussion on the next steps in the approval process. The reader is referred to Draft PEIR Section 2.7, “Energy,” and Section 2.11, “Hydrology and Water Quality,” for the evaluation of energy and water quality impacts from cannabis operations.

PM35 Jerome Edwards

February 5, 2025

Comment PM 35

My name is Jerome Edwards. I'd just like to say I'm advocating for option 2. I'm a member of the Social Equity Program and option 2 moving forward is the only one that that can make it work that that will benefit everyone, especially the people adversely affected. I don't want to take too much time. I just wanted to chime in with that. Thank you everyone.

Response PM 35

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM36 Larry Molina

February 5, 2025

Comment PM 36

My name is Larry Molina. I definitely want to advocate for option number 2. I am also an equity partnership program candidate. I also am a victim from the War on Drugs and I'm also a Marine veteran. So, I just wanted to put that out there that that is definitely the best way forward for this equity partnership program. And it's high time. It's been way too long, and there's plenty of people that need safe access out there. Thank you very much for your time.

Response PM 36

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM37 Charles Alexander

February 5, 2025

Comment PM 37

If we could just take a moment and just take about 2 seconds of silence. Robert West, you know a native of San Diego, an artist, died on this day last year coming from the Grammys in Los Angeles coming back to San Diego. He was a longtime advocate for number 2. We come from Mount Hope, District 9. The only community in San Diego with 2 parks: Dennis V. Allen and Gompers Park. We got the only cemeteries in the Black community which is Mount Hope Cemetery and Holy Cross. We had the only shooting range in the Black community. We have been up against injustice since day one. Option number 2 gives the families in that community a start at a new life. We have 121 lives lost in Mount Hope, the largest population of African American men that has been lost in San Diego. We are fighting for option number 2 because of the lives lost on the War on Drugs, and just the hardships that we have been suffering in the 9th district in San Diego because of this. So once again, my name is Charles Alexander, and I approve option number 2. Thank you.

Response PM 37

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM38 Levon

February 5, 2025

Comment PM 38

My name is Levon, and I advocate for Alternative 2, and I also advocate to have more licenses. Actually, 25 licenses is not enough for the unincorporated area. We should have 50 or more. And for those people that are arguing or debating about alcohol versus cannabis, I just suggest them to get a little bit more education on the cannabis side, and also alcohol side. It's not even close. Again, advocate for number 2. Thank you so much for all the support.

Response PM 38

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance

with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM39 Terrie Best

February 5, 2025

Comment PM 39

Terrie Best, native San Diegan of District 1. Thank you so much for your hard work. I prefer option 2. I don't believe cannabis zoning should be any more restrictive than what the State requires. After all, we are here to revise our zoning as regards safe access, and not to continue the de facto ban that sensitive use add-ons present. De facto bans are unnecessary, and they're inequitable so option 2 is the only option. Thank you for hearing me out.

Response PM 39

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM40 Evelyn Irving

February 5, 2025

Comment PM 40

I just wanted to invite those that are against cannabis use if they would alter their opinion if maybe their loved one was in extreme pain or dying, and cannabis was a solution for them to feel better and get more healthy. So, I would just invite you to consider that a loved one may be in need of something like this. I strongly support number 2 and also, I would just like to say that it seems very inequitable that the billions of dollars from cannabis use is further restricted from our communities, and that's all I have to say right now. Thank you.

Response PM 40

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or

reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM41 Steve Mora

February 5, 2025

Comment PM 41

My name is Steve Mora. I'm also a social equity participant. I'm calling in to show support for option 2. I was a victim of the War on Drugs. I opened my dispensary in 2009 and came to the city, and they didn't want to zone me properly so they kind of left me in limbo. I was able to pull my California permit to go ahead and operate, so I operated for about 5 years, and in 2014 I was raided by the DEA, and I lost everything. I went to Federal prison for 3 years and when I got out in 2018, I had to move out of San Diego, and I moved to Orange County. Shortly after that few years passed, and in 2021 my brother got sick from cancer, so I had to drop everything and take care of him. If I didn't have options, like safe access here for cannabis to help him with his pain because his cancer was terminal, we'd only have pills and stuff that was just bad for him. The next year my mom got sick from cancer. So now I had both of them sick with terminal cancer and cannabis really helped them with their pain. It helped them ease so much. It helped them eat. They both passed away in 2022. I lost my brother and my mom, and I vow to fight for other people that have this issue that can't get cannabis, that are battling with cancer. This is not right, and option 2 heals us. So please keep that in mind. Thank you.

Response PM 41

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM42 Darfetta Muhammad

February 5, 2025

Comment PM 42

I am coming as a participant from the Social Equity Cannabis Program. I am also a director and administrator for a medical facility dealing with mental health and substance abuse. So, a lot of our clients do use cannabis, medical cannabis with a prescription, to help them deal with their anxiety and their other issues that they have, with marijuana. Also, my mother is also recently

started using it as she's a dialysis patient, lost a lot of weight, appetite, and medical cannabis is helping her as well. She's 81 years old, and so this has been a blessing for her. I am also here in support of option 2. In regard to that, I think that everything that the state requires should be required of us to get these licenses, and not just restrict us into areas where there is minimum access. That's all I have to say today. Thank you so much for listening.

Response PM 42
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM43 Damien Johnson

February 6, 2025

Comment PM 43
My name is Damien Johnson, and I'm a lifetime resident of San Diego. I'm also an administrator at a nursing home in the unincorporated area of the county. I've been in the industry for over 15 years and have run facilities ranging from skilled nursing to memory care and assisted living. Often there are misconceptions as to whether or not pot shops and other marijuana businesses should be located near these facilities. I'm here to strongly advise you to not consider placing these facilities near [inaudible] to sell more drugs to vulnerable residents. Most residents will buy into any product when they're promised the Fountain of Youth. If you take a deep dive into public health policy and research, you'll find that marijuana only complicates physical and mental health problems for the majority of residents. Drug interactions are a major concern. There's an alarming study published in JAMA Internal Medicine as it describes how marijuana poisoning are on the rise among people 65 years of age and older. In the study, 2,322 ED Visits were examined over 8 years. Poisonings doubled after permitting the sale of marijuana, and then tripled after permitting the sale of marijuana edibles. The article states that this data should be a wake-up call to all healthcare practitioners, policymakers, and government officials. Marijuana is not orange juice. It is a drug and has harmful effects on the body. Specifically profound effects on mental health. According to the National Academies of Sciences, Engineering and Medicine, substantial evidence links marijuana to schizophrenia and the development of psychotic disorders.

Response PM 43
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions

regarding the program. The reader is referred to Section 9.1.1.7, “Master Response: Public Health Effects of Cannabis Use,” regarding County standards to protect the public who are not consuming cannabis products. The use of cannabis products and an acceptance of potential health effects of using cannabis is a personal decision that is not subject to environmental review under CEQA.

PM44 Vincent Stalcup

February 6, 2025

Comment PM 44

My name is Vincent Stalcup. I'm a lifelong resident of San Diego County District 1, the most populated city in the unincorporated area of San Diego County, which is Spring Valley. I just wanted to follow up what this guy was saying. He's using words like marijuana and pot shops, which is furthering the stigma tied to cannabis and these vulnerable populations he's talking to. So, I just wanted to go ahead and educate him because obviously he's miseducated like a lot of these people that are going to be on here with their proposals that they're going for. Anyways, I'm here as a social equity applicant, and I am all in support of Alternative 2. Because let's be real, it's time to give back and give equity to everybody who was affected by the War on Drugs, the failed War on Drugs. Let's be real. Look in the mirror and look at yourself. How do you feel if you are against this? How do you feel about human beings like yourself. If your father went to prison for selling drugs and you went to prison for selling drugs, you do not want to change things. You do not want to help fix the cycle. Let's give everybody equity, okay. Once again, in support of Alternative 2. Thank you.

Response PM 44

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM45 Peggy Walker

February 6, 2025

Comment PM 45

I spoke last night in support of Alternative 1, and as a public health advocate I just want to add that references to safe access just don't justify 25 new businesses. In fact, a think tank of expert scientists report to the contrary. They told the California Department of Public Health that California's cannabis market has migrated almost exclusively to high potency marijuana with little consumer access to safer lower dose products. And it's no secret that the health risks of high potency cannabis, weed, or concentrates is associated with heightened risks of cannabis use disorder, cannabis hyperemesis syndrome, mental health issues including

psychosis and schizophrenia, and other adverse health outcomes. So, I just want to say that 25 new businesses selling high potency products contribute neither to the safety of the consumer or to anybody else. So, thank you for letting me share those comments.

Response PM 45
The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR." The reader is also referred to Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use," regarding County standards to protect the public who are not consuming cannabis products. The use of cannabis products and an acceptance of potential health effects of using cannabis is a personal decision that is not subject to environmental review under CEQA.

PM46 Raphyal Crawford

February 6, 2025

Comment PM 46
My name is Raphyal Crawford. I'm in support of the second thing. I'm a site safety manager, I'm an OSHA-trained instructor. Marijuana is prevalent. Under OSHA standards, there's no standards or regulations that apply to smoking marijuana. I want to put that out there first. Number 2, I want to just let you understand that when you make your decision in reference to your zoning, when dealing with the zoning issue, I just want you to keep in mind to make a diagnostic with a focus on not being discriminative. I want you to sit there and just be open and just understand that we're just trying to own a business that we could pass on to our children, participate in events, and sponsor neighborhood events. So that's what we plan. So, when you draw your districts and everything, I think the State's guidelines is more than fair and that's all I'd like to add, thank you.

Response PM 46
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process. The reader is also referred to Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use," regarding County standards to protect the public who are not consuming cannabis products. The use of cannabis products and an acceptance of potential health effects of using cannabis is a personal decision that is not subject to environmental review under CEQA.

PM47 Cynara Velazquez
February 6, 2025

Comment PM 47
I would like to comment on the zones for which marijuana is being proposed. It's being proposed for commercial and industrial zones, but my understanding, and please correct me if I'm wrong, is that the village plans, and the special designated zones are not included. That means there will be no zoning in the areas of Fallbrook, Ramona, Alpine, or Bonita. Now, these are some of the most important commercial centers in the unincorporated County. So, if we're talking about a retail use it would be very useful for retail traffic in order to be in one of these commercial centers. So, my understanding is that these special zones and village plans are not included in the zoning for marijuana retail, and I'd just like to confirm if that is the case. And if they're not, I would like to highly recommend that they be included. Thank you.

Response PM 47
The comment requests clarification on the allowable zones for commercial cannabis uses. The commenter is referred to Table 1.1, “Proposed Permit Type Required by Zone for Commercial Cannabis Uses,” in Chapter 1, “Project Description, Location, and Environmental Setting,” of the Draft PEIR for further information related to allowable zones. The comment also includes a recommendation for allowable zones within the proposed program. The reader is referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program,” for potential additional changes to the program.

PM48 Robert Wood
February 6, 2025

Comment PM 48
Hi, my name is Robert Wood, and I'm a social equity cannabis applicant. I also believe strongly in the things that marijuana can do for people healthwise. Some of the potential benefits are managing chronic pain. Cannabis helps with anxiety. People who have sleep problems can be helped by cannabis. It helps with nausea and vomiting. Epilepsy is an important one that it helps with. It's great for reducing neuropathic inflammation, diabetes, blood pressure, and neurodegenerative diseases. So, with all those benefits we want to think about is it causing death? From the research I did looking at the NIH and this is something kind of recent, it said that there have only been two deaths have been reported from hyperemesis syndrome, which I overheard somebody discussing yesterday. I was interested to see how many deaths did this cause and so, two deaths. I mean you have more than that from choking on a plum seed or something. So, I just want to say that I believe cannabis is a safe and effective alternative. The law has already passed. I think the only way that we can do this fairly for the social equity people is to go with Alternative 2. Let's not increase the span from 600 to 1,000, if 600 is what it is already. Let's go with the 600 where it's already at. Let's hit Alternative 2. And let's let some people get these benefits of pain release, epilepsy help, you know, people dealing with cancer, AIDS patients, all these different people that are getting these benefits from cannabis. And it's not only medical, so you don't have to go to the doctor's office to get the benefit. It's something that you can do yourself, and in these times of high healthcare costs that is urgent and important.

Response PM 48
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM49 Judi Strang

February 6, 2025

Comment PM 49
Good evening. I spoke yesterday, and I've come back to share my environmental concerns, and I would like to recognize that the report mentions significant impacts to the visual character and quality of the unincorporated area and it also mentions in the report, which I concur with seriously support and recognize. Did I say, I'm in favor of Alternative 1? And these are the reasons is because of these impacts. Also, it endangers the special status of plant and wildlife species. It also disturbs riparian habitat and other sensitive natural communities. Now, I'm reading from your report, so these are the things that have already been mentioned as significant environmental impacts. It affects the State and federally protected wetlands. And we know that because we recently had the State Park come and do removals out on Descanso, the watershed out there, of 1,800 pounds of marijuana waste. It also affects wildlife movement corridors. It also has significant effect with the pesticides that we have in the agricultural community, and it does conflict with local policies and ordinances. These are only just a small amount of the environmental impacts that your report calls out, but they're significant to the quality of life to us who live here in the unincorporated area. And I want to say, on behalf of my county planning group, we feel like we have been disregarded in this process and that decisions are going to be made by people outside our area where we live, and that we need to have an opportunity to have input. And any of these forms that applicants are filling out. Where are they going to be posted? These inspections this year, the 5 already existing pot shops, where are these inspections posted? The information we have from the County doesn't tell us the information.

Response PM 49
The comment summarizes impacts disclosed in the Draft PEIR and expresses support for Alternative 1. The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Draft PEIR Section 2.5, "Biological Resources," for a further discussion of wildlife species, wetland, and habitat impacts.

Pesticide application is addressed in Section 2.10, “Hazards and Hazardous Materials,” under Issue 1. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The reader is also referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” regarding enforcement measures.

PM50 Thomas Lauerman

February 6, 2025

Comment PM 50

Thank you for giving us the opportunity to share our thoughts on the San Diego County Social Equity Program. My name is Thomas Lauerman. I'm a San Diego native. I support Amendment 2, which I believe is the only truly fair amendment. As a victim of the war on cannabis, I faced 2 arrests, the first when I was entrapped into selling cannabis during a sting operation at 16. In 1999, our legal medical cannabis collective, which served 20 patients with debilitating health issues were raided. Our collective, including the diverse group, people of different races, religions, genders. Among them were quadriplegics, several AIDS patients, cancer patients, elderly individuals with severe pain, glaucoma, and arthritis. The raid forced us to shut down permanently, leaving these patients without their much-needed therapeutic support. This high-profile arrest brought economic hardship and forced me to leave my hometown of San Diego, start anew in another state. I felt relieved when my sister, Betty Ann Lauerman Bernhardt, informed me that San Diego County was accepting applications for the Cannabis Social Equity Program. I was approved and qualified to attend this amazing program, which educates victims of the war on cannabis to become proper business owners and giving us the opportunity to live our dreams. I am Thomas Edward Lauerman, a proud member of the San Diego County Social Equity Program. I support Amendment 2. In 2024, the Center for Disease Control (CDC) has officially stated that cannabis has medicinal benefits. Thank you. Let me state that again. In 2024, the Center for Disease Control has officially stated that cannabis has medicinal benefits.

Response PM 50
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM51 Albert Pepi

February 6, 2025

Comment PM 51
I am Albert Pepi. I'm a qualified social equity advocate. I'm a native of San Diego. I live in Clairemont, District 4. I want to see Alternative 2 be adopted. I've been working for a nonprofit company for 10 years in San Diego as a supervisor in environmental services. The lack of industry specific consideration: the sensitive use destinations fail to differentiate between cannabis businesses and other industries, applying broad restrictions that do not align with the actual impacts of cannabis operations. Overly restricted boundaries: the current zoning recommendations impose excessive use buffers that severely limit the areas where businesses can operate effectively shutting out equity applicants from viable locations. The unrealistic buffer zones: the proposed buffer distance from schools, parks, and other designated sensitive sites are so expansive that they eliminate nearly all potential operating locations making legal market entry impractical. Missed opportunity for community benefits by imposing overly strict zoning: the County is missing an opportunity to generate tax revenue and community benefits from legal cannabis businesses that could contribute positively to the local economy. Thank you for your time.

Response PM 51
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM52 Joe Ryan
February 6, 2025

Comment PM 52
My name is Joseph Ryan. I'm a lifelong resident of District 2. Once again, I would like to thank Joel Anderson for everything he's done for our district. I'm in support of Alternative 2. I think we can all agree that new businesses should be treated the same as existing businesses. The State law is 600-feet, any more is local government overreach. Overly restrictive zoning and licensing rules make it harder for legal businesses to exist. If access is too difficult, consumers will turn to illegal sources. A fair, well-regulated market increases tax revenue, job creation, and public safety. Once again, I am in support of Alternative 2. Alternative 2 follows the State law. It maintains the 600-feet buffer which has already been deemed sufficient. It does not unfairly expand sensitive uses to restrict business locations. It treats new businesses fairly, just like the ones that already exist. It does not ban or arbitrarily limit outdoor cultivation. It ensures cannabis businesses can operate legally and successfully, preventing black market growth. Thank you all for your time.

Response PM 52
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM53 Armand King
February 6, 2025

Comment PM 53
I know I made a comment yesterday. I just want to add on to that. And hopefully, I can ask a question, I hope you can answer. Thank you for doing this. I just wanted to point out about the draft of the EIR and zoning recommendations. They do include an excessive and vague list of sensitive uses that create unnecessary barriers to equitable cannabis business opportunities. The undefined termed resident treatment facility lacks clarity and could be overly restrictive, unfairly limiting business locations. Additionally designating visiting centers and parks and religious gatherings as sensitive uses is unjustified and disproportionately impacts communities' access to economic opportunities. These restrictions go far beyond what is reasonable, making it nearly impossible to establish a fair and functional program. I urge PDS to delete these sensitive use designations entirely and allow any necessary additions to be determined by the Board of Supervisors at a later time, rather than preemptively imposing an

excessive framework. State law option 2 should be our only starting point to ensure an equitable and inclusive program. And my question, not sure if you can, but it seems like we threw everything in the kitchen sink into the sensitive usage, and from my past experience and professional experience, municipalities, they add on, they don't delete. So, if we are to come with every single sensitive use possible known to man, even detracting from there, we're making it a difficult job, so I don't know if it's possible, and I don't know if you can answer. But can we please not put every single sensitive use possible on display and let them start from where the State's guidelines are, and we can build from there if there are additional requirements than what our State asked for. Thank you very much.

Response PM 53
The comment provides an opinion regarding the merits or qualities of the proposed Cannabis Program. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted. The Board will take the commenter's opinions into consideration when making decisions regarding the program. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM54 Malik King

February 6, 2025

Comment PM 54
This is Malik King speaking. I'm in support of the second objective for more reasons than one. One being that's the best from the ones to choose from. I understand that there's opposition to the second option and yes, there will be some environmental impacts just like with any new development. But in this scenario, we have the opportunity to yes, cause environmental impact, but we'll have the means to do more good than bad, and we can also do good for those who are in opposition. Two, the second option, because we'll have the monies to help those, so even though they're in opposition, they'll still be able to use resources like the police, and 911 and the Fire Department, which our tax dollars are going to be supporting. So, thank you all for coming out in support of us, supporting the greatest good for the most amount of people.

Response PM 54
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or

reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM55 Alex Grebel

February 6, 2025

Comment PM 55

My name is Alex Grebel, and I'm in favor for Alternative 2 for the equity program. As a 3rd generation cannabis farmer, I want people to know that with this EIR we are able to do organics, we are able to have none run-off, and to minimally impact the environment. And also, with that we are able to cater to those who need a lower dosage and a higher dosage, whatever their medicine may be. Now we all know the black market will continue to strive if we don't allow these legal businesses to come forth and operate. So, to keep it sweet and simple, I'm in favor for Alternative 2 and I thank you guys for coming out and showing support.

Response PM 55

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM56 Lanell Brown

February 6, 2025

Comment PM 56

Hi, my name is Lanell Brown and I'm in support of the Social Equity Program. I reside at District 4. I believe that Alternative 2 is the best way to go and my opinion for that is that has the least restrictions. I don't like that one also, I think it should be less than that. But if you start with the least amount, and you could build on what you think is wrong as opposed to just starting off with one of those bills that restricts everything, and you have nothing. That there is ways to get through this. The provisions to dispose of all cannabis is minimal. It goes into the environment at a minimal rate. I have elderlies in my neighborhood, and they’re going to get the cannabis anyway, from wherever they get it from. I think that having a social equity and having a club or a storefront somewhere where the elderly can go and get it without having to go into the black market to get it is very, very well. And the tax dollars that this equity program would generate for the City of San Diego, that could bring in millions. Without Alternative 2, it's going to limit the space of our operation almost to nowhere, or outskirts, or somewhere far where people have to decide, do I want gas, or do I want to go to this cannabis shop way over here? So, it has to be a happy medium for this. Thank you.

Response PM 56
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM57 Madison

February 6, 2025

Comment PM 57
I support Alternative 1. In the EIR Draft summary, it says Alternative 1 would be the environmentally superior alternative because this alternative would reduce and avoid the significant environmental impacts under Alternative 2. Air quality is a major issue, and it is not just about the odor emissions. These proposed 25 new cannabis facilities with options for consumption lounges and special events where cannabis is allowed to be smoked means a significant number of employees working in these environments would be exposed to secondhand smoke and all the toxins that come with that. Everyone has the right to a workplace that's free of dangerous secondhand smoke. In 1995, California became the 1st state to ban smoking in nearly every workplace, including public buildings, indoor public spaces, and restaurants. And now, over 80% of adults in California believe smoking shouldn't even be allowed in outdoor dining areas and restaurants. We need to think about how backwards things are heading for workers' rights if we don't recognize the environmental risks faced by employees who are exposed to secondhand cannabis smoke on a daily basis. Cannabis smoke, like tobacco smoke, contains harmful chemicals such as tar, carbon monoxide, and carcinogens. Workers in dispensaries or cannabis cultivation facilities who are exposed to these airborne toxins for long periods may experience an increased risk of respiratory issues, cardiovascular diseases, and even cancer. For employees who spend hours in these environments, the risk is similar to those working in industries with high levels of air pollution. Many of these employees would be in close proximity to cannabis while it is being smoked, tested, or processed, and forced to inhale smoke without consent. The right to clean smoke-free air should be an environmental priority. If we allow more and more of these cannabis businesses to open, the environmental impact of cannabis smoke will continue to harm not just consumers, but those working in the industry as well. So, for those reasons, I support Alternative 1. Thank you for the time.

Response PM 57
The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic

project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Draft PEIR Section 2.4, “Air Quality,” addresses impacts from both criteria air pollutant emissions and odors. No significant air pollution impacts were identified, but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors.”

The reader is also Section 9.1.1.7, “Master Response: Public Health Effects of Cannabis Use,” regarding County standards to protect the public who are not consuming cannabis products. The use of cannabis products and an acceptance of potential health effects of using cannabis is a personal decision that is not subject to environmental review under CEQA.

PM58 Michelle Kevorkian

February 6, 2025

Comment PM 58

My name is Michelle Kevorkian, and I'm in District 3. I'm a participant in the Social Equity Program. I want to address several critical oversights in the Draft EIR. First, regarding safety and regulatory compliance, it is important to note that California maintains some of the strictest testing requirements in the nation ensuring that all cannabis products are thoroughly tested for contaminants and accurately labeled. The concerns about hazardous materials overlook those robust existing safeguards. The economic impact analysts failed to acknowledge that California cannabis market generated $5.1 billion in sales in 2023, demonstrating the industry's significant contribution to local economies. This revenue supports essential public services and infrastructure improvements. Regarding environmental concerns, recent research shows that licensed cannabis operations are increasingly adopting sustainable practices. Studies indicate that regulated cannabis business actually help reduce community health impact by providing safe, test alternatives to unregulated markets but most importantly, overlook the social equity benefits of the program. The County's initiative is specifically designed to provide equitable access to business opportunities while helping eliminate the unlicensed market, which is the true source of many environmental and safety concerns cited in this report. I urge the decision-making body to consider these points and revise to reflect current industries best practice, and real-world data rather than theoretical worst-case scenarios when implementing the EIR. I am in support of Alternative 2. Thank you for your consideration.

Response PM 58

The comment’s support for Alternative 2: Cannabis Program Consistent with State Requirements, as the Proposed Project has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program

in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM59 Mike P.

February 6, 2025

Comment PM 59

Thank you for the opportunity to provide feedback on the Social Equity Cannabis Program. I want to express my strong support for Alternative 2 and urge the County to adopt it as the foundation for this program. The 600-foot buffer is a reasonable state-aligned standard that ensures cannabis businesses operate responsibly, while still allowing opportunities for new businesses to enter the market. The expanded buffer distances and added sensitive uses in Alternatives 3, 4, and 5 go far beyond what's necessary, and would effectively ban new cannabis businesses in our county by arbitrarily expanding the list of sensitive use locations to include parks, trails, libraries, and other ill-defined spaces. These alternatives severely restrict where businesses can operate. That's not regulation. It's just prohibition. If we're serious about building a fair and equitable cannabis industry, we have to avoid unnecessary barriers that make compliance impossible. The 600-foot buffer under Alternative 2 already provides ample protection for schools, daycares and youth centers, the locations that State law recognizes as needing additional safeguards. There is no jurisdiction for adding locations that have no direct connection to youth safety, especially when doing so would leave almost no viable land for new cannabis businesses. Thank you, and I support Alternative 2.

Response PM 59

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM60 Ronnie

February 6, 2025

Comment PM 60

My name is Ronnie. I'm with LTS Gardens, Loyal to Soil. I'm a graduate of UC San Diego. I studied communications, and my emphasis was on the War on Drugs. I'm really passionate on advocating for cannabis and advocating on its culture and the history and the medicinal value that there is to it. I'm in support of Alternative 2 and really trying to show San Diego and the

people who want to enjoy cannabis, the health benefits to it, show them also the wonderful ways it's grown, and how it could be handled sustainably from the water, to the nutrients, to its medium, to the lights, to even the materials you use to create the structure that the plants are grown in. All of it can be really dialed in and taken care of to the point where it's actually sustainable and gives back to our earth and not only environmentally, but it gives back socially as well, creating jobs, creating modes of traffic for people to talk and create social capital and create community. We see that in our communities already people are enjoying cannabis, and so on the side of our government, on the side of leadership it's great that we're working together to bring our comments and bring our opinions together so that we can create a safe space in a safe environment for people to enjoy cannabis. The War on Drugs has had a really harmful effect on Black, Brown, Asian, poor communities in general. And so, this is a great opportunity for us together, people from all different walks of nature, different backgrounds to not only try to get on the same page, but to share our thoughts on how we can make this a more safe environment, a safer industry for the world and for each other. Thank you.

Response PM 60
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM61 Jacob Moore

February 6, 2025

Comment PM 61
I'm Jacob Moore, resident of District 4 and a member of the Social Equity Program. I'm not in favor of administrative approval for licensing, especially of the most cost-effective licensing such as microbusinesses and grow space canopies over 5,000 square feet. It does add space for a pay-to-play type of scheme, which has happened in other parts of the state and country. So, I would like to take that into consideration moving forward. Also, I'm in favor of Alternative 2, which helps decrease the likelihood of space monopolies for current and/or future licenses. I believe this would help us decrease similar situations of other lawsuits, such as in San Bernardino back in 2017 with Measure O where people were granted licensing. It was deemed a monopoly. People paid for them, and then it was reversed due to this monopoly style scheme. Thank you.

Response PM 61
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of

alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM62 Terrie Best

February 6, 2025

Comment PM 62

I'm Terrie Best of District 1. As a native San Diegan and long-term cannabis patient advocate, I hope patient access to medical cannabis will be at the forefront of how this medicine is grown and distributed. I support option 2 because I believe zoning restrictive add-ons known as sensitive uses have contributed to marginalized communities being further sidelined and left without safe, convenient access. It's time to stop adding restrictions beyond what the State requires. Patients need to be considered, and we should stop treating cannabis as a vice. Please, let's place cannabis where the people are and begin to eliminate the stigma of cannabis as medicine. Thanks once again for the work you do.

Response PM 62

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM63 Andrew Banez

February 6, 2025

Comment PM 63

My name is Andrew Banez from District 4, and I've lived in San Diego for over 38 years. I'm a social equity participant and County grant awardee. Of all the alternatives that were proposed, I support Alternative 2 that is consistent with State regulations. Thank you.

Response PM 63

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or

reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM64 Eric Lieber

February 6, 2025

Comment PM 64

My name is Eric Lieber. I currently live in District 2, and I want to just say that I have support for Joel Anderson, as well as alternative number 2. Prop 64 states that 600 feet is our zoning requirement. Anything more than 600 feet is government overreach. So again, I just wanted to state my support for Alternative 2. And thank you again and have a good night.

Response PM 64

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM65 Eddie

February 6, 2025

Comment PM 65

Hello, I am a member of District 5, and I’d like to thank everyone that is working on this EIR and Social Equity Program. I personally appreciate your help on this. I'd like to start out by saying this draft zoning ordinance is too restrictive. Medical cannabis establishments should be treated with similar zoning guidelines as a pharmacy, especially considering the medical aspects and benefits of this medication, which are undebatable facts. Furthermore, America is supposedly the land of the free. These restrictions and regulations take a stab at our freedom as Americans. No one in favor of medical cannabis is advocating for driving while medicated, nor child use, with the exception of medical necessity along with a doctor's approval and oversight. Those in favor of opposition give weak excuses such as smell as a reason to block safe access. This is like saying farmers shouldn't be allowed because of their animals’ smell or crops such as broccoli. Let's be reasonable here. Smell doesn't hurt anyone and is a far reach to block equitable and safe access. Please be reasonable with your considerations. Thank you very much.

Response PM 65
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the program.

PM66 Rashida Hameed
February 6, 2025

Comment PM 66
I actually did call in last night, but I wanted to add to my comment, especially when we talk about the buffer zones and the distances. The black market actually has no buffer zones and offers the potential for hazardous medications to be easier to access than legal and safe cannabis. Fentanyl is a dangerous and deadly drug that is easily mixed with other drugs on the black market, including cannabis, which makes it critical to make legal and safe cannabis accessible more so than the black market for those who truly need their cannabis medication. Thank you.

Response PM 66
The comment includes input related to lack of regulation of illegal cannabis activities and does not address the adequacy of the Draft PEIR. No further response is provided.

PM67 Alfonso
February 6, 2025

Comment PM 67
I represent District 4. I am a candidate with the social equity group, and I just wanted to just say a couple of things. I think people are forgetting that the whole cannabis shops and things of that nature were actually for medical reasons at first. You actually had to go to a doctor to get a card to even get cannabis, and it was given out as medication. So, most of the people doing it are doing it from a therapeutic standpoint. And for the fact that now we have a chance to actually make money and help communities, it's kind of weird to try to downplay it and play like it's still in the days of that old movie like Reefer Madness. It's really not like that. The main problem nowadays with drugs, just like the lady before me just said - the opioid epidemic, focus on that when you're talking about helping kids and keeping people safe. I'm for Alternative 2. I think we should have the opportunity to have the medication and everything close to where you don't have to travel that far to get your medication and make some money in the process and help the city and the economy. That's what I wanted to say.

Response PM 67
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of

Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM68 Kathleen Lippitt

February 6, 2025

Comment PM 68

Eliminating the illicit market, ensuring consumer safety, providing regulatory oversight and youth education of the harms of marijuana, those were laudable goals, but none of them have been realized. A common mantra among marijuana advocates is that California marijuana is robustly regulated and inspected for oversight and safety precautions. The reality is that 70 to 80% of marijuana sold in California dispensaries has been found to be produced and grown illegally with armed and dangerous cartels and gangs protecting those grows. Marijuana's negative environmental impacts include diverting or contaminating water, creating food deserts as food farmers transition to marijuana cultivation, traffic safety, and most importantly our ability to prevent youth and young adults from use and abuse of high THC marijuana products. Aquifers across the US are declining. They are essential to the agricultural industry, especially for our local farmers. Marijuana legalization has fueled instead of eliminated the black market and the marijuana industry's influence has had a corruptive influence on our public electeds. Most importantly, it has been shown to have precipitously increased the daily use of high THC products among our most productive population of 18- to 24-year-olds. Whenever anyone uses the term medical marijuana, it is clear that their intention is to conflate dispensary marijuana with FDA approved prescription cannabis medicines that are purified, dose specific and prescribed by your primary caretaker. Thank you very much for letting me speak.

Response PM 68

The comment expresses concerns related to legality of cannabis products, safety, and environmental impacts of cannabis operations. The reader is referred to Sections 9.1.1.4, "Master Response: Code Enforcement and Crime"; 9.1.1.5, "Master Response: Legal Status of Cannabis"; 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis"; and 9.1.1.9, "Master Response: Cannabis Product Safety and Testing."

PM69 Shelby Huffaker

February 6, 2025

Comment PM 69

My name is Shelby Huffaker and I'm speaking to reiterate my support for Alternative 2. As others have stated, Alternatives 3, 4, and 5 are overly restrictive from a zoning perspective and would amount to a de facto ban on additional cannabis businesses in the unincorporated County. Cannabis has accepted medical value and numerous studies show that the liberalization of cannabis laws is associated with decreased use of other more harmful substances including opioids, alcohol, and benzodiazepines, contradicting the so-called gateway drug effect and lending support for the substitution effect instead. Increasing access is therefore critical for the many patients living in the unincorporated county, including those who live in residential treatment facilities. Once again, I'd like to reiterate my support for Alternative 2, and I thank you for your time.

Response PM 69
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM70 Howard Haynes
February 6, 2025

Comment PM 70
I just want to reiterate for Alternative 2. You need more easily accessible marijuana around in the urban neighborhoods. It's hard for people to get to where they need to get to and grab that from a legal dispensary. Say, it's down in Mission Valley and you live in southeastern San Diego. That's a 15-20 min drive just to get down there. I think it'll be easily accessible if we can have places that's easier to travel to. Thank you.

Response PM 70
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM71 Anna Lamanna
February 6, 2025

Comment PM 71
This is Anna Lamanna, and I've been a resident of San Diego for over 10 years, and I'm in support of Alternative 2. A little bit of my story is, I am one of those patients that actually really benefits and has struggled with heroin use. I got off of it with Methadone, or I switched to Methadone, and they were trying to keep me on that forever and going to the dispensary and having that option had gotten me clean off of opiates and has kept me clean. And now I'm a

grad student to be a therapist to help other people get sober, and this is an option that helped save my life and so I'm here to say that I'm in support of Alternative 2. Thank you.

Response PM 71
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM72 Russ Havens

February 6, 2025

Comment PM 72
I'm Russ Havens. I'm the publisher of the San Diego Cannabis Times. First, I want to thank everyone at the County and Project Cannabis for the mountain of work that you've accomplished. I've had the pleasure of working with some of you and appreciate you all rolling the rock to this point. I'm lending my voice as a 20-year San Diego resident in support of using the existing State regulations. To be clear, that's Alternative 2. California voters have made their viewpoint clear. Californians should have safe access to cannabis-related products. And that doesn't just mean in the cities. I want to point up to one issue raised last night more than tonight, but it was the fact that they already have quote unquote robust delivery services available in the rural sections of San Diego and they've touted that as a cure-all need for eliminating the need for dispensary storefronts. The service rendered at a delivery service offers the consumer far less information and far less feedback as to options between existing products in the same categories. Storefronts allow for much better two-way communication. And one specific example is, if I want to find something that has been packaged more recently than others, that is not available through a delivery service. You need to go in and discuss and take a look at the actual package dates. So once again, I'm going to reiterate this. I support to use the State's existing regulations. Onerous setback increases, just make it harder and make it almost impossible for a business to operate as it should.

Response PM 72
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback

distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM73 Brian

February 6, 2025

Comment PM 73

First of all, I want to thank all of you involved with this program and this opportunity to bring about a life-changing situation called cannabis equity. I am a 27-year user of crack cocaine. I have been shot 5 times. I have been stabbed once. I am a combat veteran of the United States Navy. I am a two-time college graduate. I have been a professional broadcaster. I am a published journalist. And I am a proud member of Southeast San Diego. I am an accomplished athlete, and I am an endeared father and family member. And I have been around cannabis all my life. And now this opportunity comes where this substance becomes legal, and it's an opportunity to change some men and women who are working very diligently to receive information and an education that is life changing. Why go any other direction and see how far any one of them would go to change a whole community, maybe a whole city, and it's in your hands. So, we know the right decision. It's Alternative 2. God bless you, thank you.

Response PM 73

The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM74 Becky Rapp

February 6, 2025

Comment PM 74

My name is Becky Rapp, and I appreciate the comments tonight, although I am in full support of Alternative 1. And I wanted to share a recent article that was published titled “Legal Weed Didn't Deliver on its Promises”, and it highlights the disparities between promises made by the industry advocates and the actual effects the industry has had on neighborhoods and communities. And the article describes some promises made, including reduced opioid addiction, safer products, increased tax revenue and socially responsible marijuana industry but these expectations have been largely overstated and proven to be false. Marijuana consumption use has surged since businesses were permitted. Just in the last 2 years it's gone from 2.5 million to 17.7 million Americans using daily. It's reported that more than 40% of

Americans use marijuana. And so, we have to ask ourselves if our communities and neighborhoods are safer and healthier, and according to the study the answer is no. In fact, one significant area of concern relates to opioid-related deaths. Deaths have risen in areas where marijuana has been permitted to sell, along with serious health concerns such as impairment memory, motor control and decision making have also been impacted. And right here in our County, emergency departments have seen and are seeing an upward [inaudible]. So, I do not think that we need to expand. I think the 5 businesses that we have is adequate, and I am in support of Alternative 1. Thank you.

Response PM 74
The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The reader is also referred to Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use," regarding County standards to protect the public who are not consuming cannabis products. The use of cannabis products and an acceptance of potential health effects of using cannabis is a personal decision that is not subject to environmental review under CEQA.

PM75 Ty Freeman

February 6, 2025

Comment PM 75
I wanted to take an opportunity to thank you all for your time and efforts, and I think it's important to state that not only does Alternative 2 move forward the legalization continuation of cannabis entrepreneurship in San Diego County, but one thing that's most important is this is not an industry upon which doesn't exist. I think oftentimes this is being viewed as if you're going from a zero sum to a 10-sum gain, and the fact of the matter is that if you don't legalize it, that it continues to go unlicensed, unmonitored, and safety issues continue to raise, and all of the nuances that socialize itself with unlicensed businesses associated with cannabis and its continuous illegal operations throughout the County will continue. I think it's important for all of us as we move forward the alternatives for consideration to keep in mind that you're not moving from zero. Cannabis exists in San Diego County, it has, but it doesn't exist legally to the extent that this opportunity, Alternative 2, would allow it to be. As we've mentioned, and some of the callers stated for a fact, and I believe we all have our opinions that numbers have increased on drug use. Well, that's because now people are not publicly shamed on admitting that they've had these problems and issues. If you look at San Diego County with 5 stores, previously the numbers would be low. But if you look at the licensed industry with its growth, you'll see that there will be more regulated, more medicinal users that will go and get the actual steps and process necessary to deal with the issues of concern. So, I think oftentimes, and we

base the issues of studies, we can base it as if there's not an illicit market that exists and what Alternative 2 says, look, we recognize that legalization is the avenue. It's the law. And as we talk about, I want to say this, for 30 years I represented workers in SEIU healthcare workers, and I think it's imperative to understand that with the labor peace agreement working conditions and monitor [comment stopped due to time limit].

Response PM 75
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM76 Virgil Grant

February 6, 2025

CommentPM 76
Thank you for having this. I'll start off with saying I'm in favor of proposal number 2 and as I'll echo the prior speaker, cannabis is here definitely. It's legalized. Prop 64 has passed. We've had it since 2016. Now it's how is it going to look in the County of San Diego? We determine that. We determine how it would look in the County of San Diego. I don't think we're here to speak on anything except for what we want it to look like. And I think number 2 is what we would like for it to look like, a regulated market. We're talking equity cannabis regulated. We're not talking children, 21 and over. We're not talking any of the illegal forms of cannabis. We're talking a regulated market where we really should be echoing also along with this regulated market is proper enforcement. So, all of the negative comments that were heard on this call is speaking towards illegal cannabis, not legal cannabis. What I think we need to really pay attention to is when we're looking at proposal 2 legal cannabis, we're talking regulated cannabis. We're not talking illicit cannabis. So, let's look forward to the future of having a regulated legal market, and maybe step up a little bit enforcement on the illicit market, so that the legal market will not be [inaudible] of the illicit market. Thank you. Proposal number 2 is the greatest thing going. Thank you and have a good evening.

Response PM 76
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of

Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM77 Alex/Breanna

February 6, 2025

Comment PM 77

I would just like to thank everybody for all of the steps you've taken to get us here. Just having this place to speak upon this type of subject and our community and trying to get everybody together and on the same page is amazing to have. I work at a dispensary. I've been in dispensaries in California for the last 10 years. I think I've been able to see the huge change from when we first went black market to where we are now, and seeing how much it's helped the general public, how people are feeling more safe to come out and to ask questions and find the real reason that they're having such and such issue, and to be able to have this substance available to them to help them with their ailments, and to have people get off of opioids, and seeing this firsthand, being able to assist with the knowledge and giving them very specific items to cater to their needs. And to be very strict on our IDs at the front door, so that we're making sure that it is not our youth that is being affected by this or influenced in any way. I think it's just very important that we have these safe places where we can grow and seeing how many regulations have been put in place within the dispensaries is a good thing, but within the parameters of, you know, restricting other places to open, I think that's not fair, and I believe in number 2. I think that's what we want, and I don't think we should put more restrictions. I think the change has been great and watching it progress, and the knowledge that's been put out. It's just amazing. So please don't change. And let's continue to help our people. Thank you.

Response PM 77

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM78 Barbara Gordon

February 12, 2025

Comment PM 78

Thank you. The County really needs to evaluate the significant environmental, the health and safety impact of any of these proposed products. Just an investigation by the Times, in conjunction with the cannabis industry's newsletter Weeds, found an alarming level of pesticides in cannabis products available at permitted stores across the State including some of the most popular brands of vapes and pre-rolled weed. I want to know, how is the County

going to deal with these environmental impacts and the health and safety and because, as of now, the DCC has been unable to deal with all of the chemicals and the pesticides that are in their products. So how is the County going to deal with this? Thank you.

Response PM 78
The comment expresses concern related to environmental, health, and safety impacts, including pesticides. The project's potential environmental impacts are addressed throughout the Draft PEIR. The reader is also referred to Sections 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis"; 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use"; and 9.1.1.9, "Master Response: Cannabis Product Safety and Testing," that address these concerns.

PM79 Vincent Stalcup

February 12, 2025

Comment PM 79
Good evening. My name is Vincent Stalcup, lifelong resident of District 1, the most populated city in unincorporated San Diego County, Spring Valley. I'm a San Diego City College graduate as well as a San Diego State student at the moment in the social work program. I'm calling because I am a social equity applicant and a program participant. And I just want to call and put my support in for Alternative 2. Any other alternative is not equity. It's going to be extremely hard to operate with extra buffers and extra regulations on us than what's already on us from the State. It's kind of like you guys are giving us the keys to the car and saying, don't take it out the driveway if any alternative besides Alternative 2 is chosen. If it's really about equity, let's make it about equity. Let's not make us jump through any more loops that we have to jump through to be able to be successful business owners. Please hear us out and go with Alternative 2. Once again, my name is Vincent. I appreciate you all. Have a great evening and look forward to seeing you at the town meetings. Thank you.

Response PM 79
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM80 Nathaniel Shuflin
February 12, 2025

Comment PM 80
I am calling for a couple of reasons. One would be that my questions about viable uses of land in the agricultural zones; a lot of the standard idle [inaudible] I'm on the [inaudible] a lot of the title documents for land purchases include an agreement to not have a cannabis business on the land you've purchased, and how we're going to address those documents and their wording as well as like the last commenter said, addressing the parity or lack thereof for other agricultural businesses that have little or no requirements on them, for land use and the differences, and how cannabis is being regulated. As well as a lack of parity with businesses that allow the sale of alcohol and firearms, all kinds of things that are much more dangerous, obviously, and trying to find a way that parity be achieved. As well as the important part of the equity program being addressed that ensures that each of us involved in this program do get an opportunity to experience some form of improvement. Thank you.

Response PM 80
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

PM81 Terrie Best
February 12, 2025

Comment PM 81
I'm Terrie Best from District 1. I'm a native San Diegan. Thank you for your hard work and service to San Diego. As previously stated, I'm for option 2. I do have a few more things to add since speaking on the 6th, I prefer to because I feel the restrictions around residential homes is contradictory to medical cannabis access goals. California law recognizes cannabis as medicine, yet a residential home restriction could isolate some of the most vulnerable populations from safe legal access. Additionally, restricting cannabis businesses near religious gathering creates an unpredictable and impractical regulatory environment making it difficult for business owners to find suitable locations. Lastly, naming visiting centers as a sensitive use is ill-advised as unlike schools, visitor centers do not have a permanent population that would be affected by nearby cannabis businesses making the inclusion of visiting centers and unnecessary sensitive use. Thank you for hearing me out.

Response PM 81
The comment includes support for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements and also provides input related to the merits or qualities of the proposed program. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the

requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process. The reader is also referred to Section 9.1.1.8, “Master Response: Comments on the Proposed County Code Changes under the Socially Equitable Cannabis Program,” regarding potential changes to the program.

PM82 Judi Strang

February 12, 2025

Comment PM 82

I'm here on behalf of my county planning group. Two items came up when we talked this week that they were concerned about that perhaps the report either doesn't know about or doesn't address. One has to do with billboards because we have a billboard, at least one out here in the back country advertising a pot shop, and it is an egregious example of breaking the State law, and when the County planning group member contacted the County, County told them it wasn't their business they needed to contact the State. Of course, in contacting the State, they said, no, they don't handle those sorts of enforcement. So, enforcement is a real issue. By the way, I'm in favor of alternative number 1. The second item has to do with the pesticides, and we talked at the county planning group about an example over the last couple of years where a group of residents around a grow were so troubled by the use of pesticides that blew into their property that they were hospitalized and over a period of time they were visited by the County's Department of Agricultural Weights and Measures. Then they were visited by the Environmental Protection Unit of the District Attorney's office. Then they were investigated by the California Department of Pesticide Regulations, and then the Sheriff came out, and the bottom line is that there were 16 people, many of whom ended up in the hospital that were affected, but no enforcement occurred. And think about the huge amount of resources that were utilized by the County and the State over this one situation of pesticides. We feel like enforcement isn't being addressed. The resources to do enforcement seem to be necessary to be addressed and we'd like better answers regarding enforcement. Thank you.

Response PM 82

The comment expresses support of Alternative 1: No Project—Retention of Current Cannabis Regulations and includes concerns regarding County enforcement and pesticides as they relate to commercial cannabis. The commenter’s preference for Alternative 1 has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Pesticide application is addressed in Draft PEIR Section 2.10, “Hazards and Hazardous Materials,” under Issue 1. Pesticides used on commercial cannabis cultivation sites are

restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

PM83 William Hinks

February 12, 2025

Comment PM 83

I did attend the February 6th meeting. I just wanted to chime in and add that how much importance that the Social Equity Program is and would be to me and my family, being a father of 10 and a 4th degree burn patient. Cannabis has been a better alternative for me over opiates and any other type of pharmaceutical drugs. Also, maybe the State and County could really educate those that are against the fact of cannabis and the Social Equity Program, that the Social Equity Program and state-regulated cannabis medical dispensary and services that are provided and regulated, they do not let people operate in harmful manners, and things are regulated. If a shop is not there for longevity, that's because they did something that was against the State ordinances, or whatever that was mandated. That's why they don't have longevity. But I am in full support of Alternative 2. I believe that the State and the County, everyone should consider it is the best alternative for us that have been deemed criminalized majority of us for possession of personal use. Unfortunately, that happened. But fortunately, the Social Equity Program has evolved, and I believe that if we adopt Alternative 2, and assist us that are in social equity, to evolve and be able to formulate some type of longevity for our families.

Response PM 83

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM84 Madison

February 12, 2025

Comment PM 84

I am in favor of Alternative 1. I come this evening to raise an important concern about the environmental impact specifically in terms of greenhouse gas emissions. Cannabis cultivation

is an energy intensive process. Indoor cultivation operations, often the norm, require massive amounts of energy to power high intensity lighting systems, ventilation and climate control. This type of energy consumption is alarming when you consider the fact that these operations often rely on non-renewable energy sources contributing significantly to greenhouse gas emissions. In fact, cannabis cultivation in California alone is estimated to use up to 2% of the State's total electricity, an unsustainable and alarming figure. Allowing 25 new cannabis businesses in our county would only exacerbate this issue and hinder our efforts to reduce emissions and combat climate change. Beyond cultivation, the transportation of cannabis products adds to the environmental burden. As these businesses grow, so too does the need for distribution, which typically involves long distance travel by fossil fuel powered vehicles. This increased transportation will lead to more traffic, air pollution, and a growing carbon footprint further undermining our collective efforts to build a cleaner, more sustainable San Diego. We must ask ourselves whether we are truly willing to prioritize growing an industry that has a negative impact on our environment, especially when we are working so hard to mitigate the effects of climate change and reduce emissions across all sectors. In light of these concerns, I strongly favor Alternative 1.

Response PM 84
The comment expresses support of Alternative 1: No Project—Retention of Current Cannabis Regulations and raises concerns related to greenhouse gas emissions, energy, and increased transportation as a result of the program. Draft PEIR Section 2.7, “Energy,” addresses energy use and identifies no significant and unavoidable impacts from increased energy use. Mitigation Measure M-EN. 2-1 would require compliance with the San Diego County CAP that would prohibiting the use of natural-gas-powered appliances through all-electric development or achieving Tier 2 status as set forth by the CALGreen Code Appendix A5 Nonresidential Voluntary Measures.

The reader is referred to Draft PEIR Section 2.9, “Greenhouse Gas Emissions and Climate Change,” which references the current San Diego County Climate Action Plan (CAP) and future cannabis uses required compliance with applicable CAP measures to reduce greenhouse gas emissions consistent with the CAP.

Air quality and transportation impacts are addressed in Draft PEIR Section 2.2, “Air Quality,” and 2.16, “Transportation.”

PM85 Shelby Huffaker

February 12, 2025

Comment PM 85
As a public health researcher who studies substance use and implementation science, as well as the chair of the San Diego Chapter of Americans for Safe Access. I'm speaking again to express my support for Alternative 2. Prohibiting licensed cannabis businesses either outright or through overly restrictive zoning laws is harmful to cannabis consumers particularly the medically compromised. In California almost [inaudible] or 1.9 million people are registered medical cannabis patients. Assuming a similar medical cannabis patient population in San Diego, this would mean that there are approximately 25,000 registered patients in the unincorporated county alone. And yet with just 5 licensed retailers this equates to a ratio of 1

retailer for every 5,000 patients. Meanwhile, a geospatial analysis published in 2022 found that over half of Americans live within 1 mile of a pharmacy, and two thirds live within 2 miles. It is no wonder then why many turn to the unregulated market for their medical cannabis needs. It is a well-known fact that the consumption of unregulated products of any kind is more likely to result in the exposure of patients and consumers to harmful contaminants, adulterants, and other byproducts. Furthermore, survey research shows that California cannabis consumers overwhelmingly prefer to shop from the legal market when they're able to do so. And yet the illicit market continues to outcompete with the regulated market by wide margins despite record spending on enforcement including here in San Diego. A key part of the solution is therefore to lower the barriers to entry into the regulated market. A good first step would be to adopt State regulations [inaudible]. In some [inaudible] Alternative 2 would help to ensure that license operators can compete with their unlicensed counterparts protecting patients and consumers while promoting safe access and business. Thank you.

Response PM 85
The comment expresses support of Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements and has been noted for future decision-making activities by the Board. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM86 Sarah
February 12, 2025

Comment PM 86
Question about how do we make it fair for people to be able to get into the cannabis retail space? It seems now it's kind of the people that do own them; they own several of them and it doesn't seem very fair for the average person now. How do they combat how many one person can own? Or is there like a limit? What is going to be done about that?

Response PM 86
The comment includes a question regarding the merits or qualities of the program and does not address the analysis contained in the Draft PEIR. No further response is required.

PM87 Michelle Kevorkian
February 12, 2025

Comment PM 87
My name is Michelle Kevorkian, and I'm in District 3. I'm a participant in the Social Equity Program and I want to address my concern regarding the proposed expansion of sensitive use buffers from 600 feet to 1,000 feet for cannabis facilities, as well as addition of new sensitive use criteria. The economic impact and business viability: the expansion of buffer zones by

additional 400 feet combined with the extensive new categories of sensitive use would effectively eliminate most viable locations for legal cannabis business in the unincorporated areas. The inconsistency with State guidelines: California State regulations recommend 600 feet buffers for sensitive use. The proposed 1,000 feet requirements exceed these guidelines without substantial evidence supporting the need for such expansive in the San Diego unincorporated areas. The counterproductive protectivity to public safety goals: severely restricting legal cannabis business locally may inadvertently encourage illegal operations in unmonitored areas. Lack of evidence-based justification: the proposal lacks substantial evidence demonstrating that the current 600-foot buffer zones have been insufficient in San Diego unincorporated areas. What we should be focused on is strengthening law enforcement against illegal operations rather than creating additional barriers for legal businesses. I respectfully request that the Planning Commission maintain the current 600-foot buffer requirements and reconsider the addition of new use categories. What I am in support of is option 2. Thank you.

Response PM 87
The comment provides an opinion regarding the merits or qualities of the proposed program and expresses concerns related to safety and law enforcement. The Board will take the commenter's opinions into consideration when making decisions regarding the program. The reader is referred to Section 9.1.1.8, "Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program," and Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM88 Andrew Banez
February 12, 2025

Comment PM 88
My name is Andrew Benez from District 4, and I've lived in San Diego for 30 years. I'm a social equity participant and County grant awardee. Of all the alternatives that were proposed, I support Alternative 2 that's consistent with state regulations. Thank you.

Response PM 88
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM89 Kathleen Lippitt

February 12, 2025

Comment PM 89
My name is Kathleen Lippitt, and as a member of a number of planning groups and participant, there are a number of concerns that are ongoing. Many of these groups are concerned about the fact that metro areas that are outside unincorporated communities will continue to outvote unincorporated communities. Creating zoning or ministerial oversight will further silence the voices of these 500,000 residents who are the most impacted and have the least say. The Cannabis Oversight Committee for the County is comprised of 9 members, 1 member chosen from each supervisor district. So, 4 of those supervisors barely have none to a tiny amount of unincorporated community. There's only one supervisor who has the majority, and that's Supervisor Desmond. There are 4 applicants that were on this committee. I don't know if they're all from the industry, but this document certainly reflects a heavy bias from industry. You mentioned consideration for small wildlife. What about the large wildlife like coyotes and mountain lions, there doesn't seem to be a consideration for them. There also seems to be no representation from expert input from voices such as the Air Pollution Control Board, US Fish and Wildlife, the Audubon Society, or the Ramona Wildlife Sanctuary. Those are important. And since access has been broadly facilitated by phone call delivery services and even DoorDash, access hardly seems to be a problem. The industry recognizes the value of a storefront where consumers come inside and then are likely to spend more money. The common ground that we have with industry advocates is that they that [comment stopped due to time limit].

Response PM 89

The comment expresses concern regarding the merits or qualities of the program, lack of participation by agencies, as well as biological resource impacts to wildlife. Impacts related to biological resources (wildlife species) are addressed in Draft PEIR Section 2.5, "Biological Resources, "with wildlife species impacts addressed under "Issue 1: Special-Status Plant and Wildlife Species" of this section. Coyotes are a common species that would not be significantly impacted by cannabis operations. Impacts to mountain lions are specifically addressed on Draft PEIR pages 2.5-36 through 2.5-40. The San Diego Air Pollution Control District and California

Department of Fish and Wildlife submitted comments on the Draft PEIR that are responded to above under Letter A2 and A6.

PM90 Peggy Walker

February 12, 2025

Comment PM 90

I support Alternative 1, and I want to add the comments from my planning group's standpoint. We found that from an environmental standpoint that the EIR fails to meet CEQA's goal. It's stated that goal is quote to address impacts that affect our most vulnerable residents, children, the elderly, people already bearing an unfair share of pollution and impacts that will be particularly felt by our children and grandchildren. For example, questions are not adequately answered regarding water resource depletion, water usage especially critical in a time of high fire danger, or wastewater and hazardous chemical waste management resulting from the intense operations of 25 new businesses. The EIR also lacks satisfactory mitigation answers for adverse environmental impacts related to energy usage, light pollution, odor, noise, roadway safety, and sensitive habitats and species, as has been mentioned. Nor does it address product safety regarding the reported pesticides and other contaminants and falsified testing results without consumer knowledge, which speak to inadequate state regulation and present a waste disposal issue. Thank you.

Response PM 90

The comment states that the Draft PEIR does not adequately address or mitigate the following environmental issue areas, but provides no data or technical analysis countering the conclusions of the Draft PEIR. The reader is referred to Section 9.1.1.9, "Master Response: Cannabis Product Safety and Testing," regarding cannabis product testing on the regulatory market.

- Light Pollution - The potential for new sources of light to affect nighttime views and dark skies is addressed in Draft PEIR Section 2.2, "Aesthetics," Section 2.2.3.6, "Issue 3: Adversely Affect View due to New Light and Glare." As discussed in this section, cannabis cultivation facilities would be subject to the California Energy Commission's Building Energy Efficiency Standards (CCR Title 24, Parts 1 and 2) and DCC regulations (CCR Title 4, Division 19, Section 16304) adopted for the purpose of reducing light and glare, as well as regulations in Section 51.201 et seq. of the Regulatory Code that were adopted for the purposes of minimizing light pollution in San Diego County and of protecting astronomical research at the Palomar and Mount Laguna Observatories from its detrimental effects. The Cannabis Program proposes amendments to the Zoning Ordinance that would further reduce light and glare from new cannabis uses. Section 6995(f)(1) specifies exterior lighting requirements to reduce light pollution and prevent spillover light, such as the use of motion sensors; LED bulbs; and luminaries that are cut-off, shielded, and downward facing. Section 6995(g)(2) would prohibit lighting in agricultural shade and crop structures and require the use of blackout curtains to prevent light escape from mixed-light cannabis cultivation. Section 6995(g)(2) specifies setback requirements for cultivation uses, which would prevent the spillover of light onto adjacent properties. Compliance with these regulations would ensure consistency with the General Plan policies that restrict outdoor light and glare in semirural and rural areas (Policy COS-13.1) and maintain dark skies, particularly

surrounding the Palomar and Mount Laguna Observatories (Policy COS-13.2 and Policy COS-13.3). Proposed commercial cannabis facilities would be subject to site-specific review during the application process to ensure compliance with the County's development standards.

- Odor - Draft PEIR Section 2.4, "Air Quality," addresses impacts from odors. No significant odor impacts were identified for cannabis uses within a building through compliance with proposed Regulatory Code amendments (Sections 21.2510(6), 21.2525(k), and 21.2528(i)), but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5 associated with outside cannabis cultivation operations. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors.
- Biological Resources – Draft PEIR Section 2.5, "Biological Resources," identifies several mitigation measures that adequately mitigate impacts to special-status plant and animal species as well as associated habitats and sensitive habitats.
- Energy - Draft PEIR Section 2.7, "Energy," addresses energy use and identifies no significant and unavoidable impacts from increased energy use. Mitigation Measure M-EN. 2-1 would require compliance with the San Diego County CAP that would prohibit the use of natural-gas-powered appliances through all-electric development or achieving Tier 2 status as set forth by the CALGreen Code Appendix A5 Nonresidential Voluntary Measures.
- Wastewater – Term 27 of Attachment A of State Water Resources Control Board (SWRCB) Order WQ 2023-0102-DWQ prohibits discharge cannabis wastewater into septic systems and leach fields. Draft EIR Section 2.18, "Utilities and Service Systems," identified no significant impacts to municipal wastewater treatment facilities.
- Hazardous Waste Chemicals – Draft EIR Section 2.10, "Hazards and Hazardous Materials," addresses impacts and related regulation of pesticides and hazards materials that may be used at a cannabis operation. No significant impacts were identified.
- Water Use - Draft PEIR Section 2.11, "Hydrology and Water Quality," and Section 2.18, "Utilities and Service Systems," regarding the impact analysis groundwater and municipal water usage by cannabis uses. While mitigation measures are identified, the Draft PEIR concludes that there would be significant and unavoidable groundwater and water supply impacts under Alternatives 2, 3, 4, and 5.
- Noise – Draft PEIR Section 2.13, "Noise," identifies mitigation for construction impacts that were identified as significant and unavoidable for Alternatives 2, 3, 4, and 5. No other significant noise impacts were identified.
- Roadway Safey – Draft PEIR Section 2.16, "Transportation," does not identify any significant roadway safety impacts.
- Wildfire – Draft PEIR Section 2.19, "Wildfire," does not identify any significant wildfire impacts associated with the program.

PM91 Joe Ryan

February 12, 2025

Comment PM 91

My name is Joseph Ryan. I'm from District 2. I am in support of Alternative 2 as well. Sensitive use should be applied on a case-by-case basis. It should not be a one size fits all. A blanket restriction unfairly disqualifies variable locations. Thank you for your time. Have a good night.

Response PM 91

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM92 Nathaniel Shuflin

February 12, 2025

Comment PM 92

My comment is regarding also sensitive use areas. Sensitive use areas with agricultural land surrounding them still allow considerable amounts of traditional agriculture. Maybe not row crops in some situations, but everything from grazing animals to growing high-impact crops like fruit trees. And yet their regulations aren't increasingly strict, even though one comment I heard tonight was talking about the greenhouse impact of cannabis and its related industries. How is this lack of parity being addressed by the County when it clearly does not represent the community support for the cannabis industry? And how involved is the CEQA and this environmental impact [inaudible]. The cannabis industry is using state-approved pesticides on a crop that is being regulated far more [inaudible] oversight but the reason I do address it again, as I heard a lot in the comments tonight that clearly have an agenda outside [comment stopped due to time limit].

Response PM 92

The comment states concerns regarding parity of cannabis with other agricultural operations. No comments regarding the adequacy of the Draft PEIR are made. Thus, no further response is provided

PM93 Albert Pepi
February 12, 2025

Comment PM 93
I'm a social equity applicant. I'm a native of San Diego. I'm from District 4, and I am for Alternative 2. Based on ignoring the reality is the urban planning: the sensitive use restrictions do not consider the actual day-to-day uses of many areas creating arbitrary and impractical barriers to business operations. Need for case-by-case review instead of a blanket approach to sensitive use restrictions: the County should implement a case-by-case review system to evaluate the actual impact of a business on its surroundings. Failure to balance public safety and business viability: while community safety is priority, the restrictions as written lean too heavily on caution rather than balancing safety with the need to create functional regulated marketplace. And the comments that I heard earlier, the ones opposing the proposal, it pretty much sounded like the same person saying the same stuff, but I probably shouldn't go into that, but it just seems like that it's the same stuff that's not considering the social equity goal that we're trying to proceed. And I appreciate your time. Thank you so much.

Response PM 93
The comment expresses support for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements and provides input on the merits of the program. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process. The reader is also referred to 9.1.1.8, “Master Response: Comments on the Proposed County Code Changes under the Socially Equitable Cannabis Program,” for consideration of potential changes to the proposed program.

PM94 Becky Rapp
February 12, 2025

Comment PM 94
My name is Becky Rapp, and I just had a comment that I wanted to share through [inaudible]. I recognize that there's going to be a committee together of residents, and it seems that there will be one resident appointed by each supervisor. So, one per district. And my concern is that this specifically is impacting the unincorporated area of the county, which really only affects two of the districts. It would be wise to possibly allow those supervisors to appoint more than one person considering that this is significantly impacting the people that live in the unincorporated area, and they should have a louder voice. Thank you.

Response PM 94
The comment provides input on the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program. The commenter is also referred to Section 9.1.1.8: “Master Response:

Comments on the Proposed County Code Changes under the Socially Equitable Cannabis Program."

PM95 Michelle Kevorkian

February 12, 2025

Comment PM 95

I'm Michelle Kevorkian, and I am in District 3, and I am in support of option 2. What I wanted to talk about is impact on social equity. The proposed expanded buffers would disproportionately affect social equity applicants and small business owners who already face significant barriers to enter into the legal cannabis business. The additional restrictions would make it virtually impossible for new businesses to find suitable locations effectively creating an anti-competitive environment. I realize that there's a lot of concerns but if we all band together and see it from this is a legal side and try to stay within that, and veer from having so many illegal dispensaries and other things that go on, we will have a more effective outcome in the long run. Things take time and I know it's new but the more we formulate, and we all stick of saying hey this isn't going away but let's make it equal for everyone and let's make different guidelines, there will be a better outcome in the long run. And I am in support of option 2. Thank you.

Response PM 95

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the project. The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM96 Keith Wilson

February 12, 2025

Comment PM 96

I am for option number 2. I think that cannabis is going to be around. Illegal spots that sell is going to be around. I think that we can make this work. We need to just put the right places in progress and because I've seen a lot of different illegal spots, and I think the legal one will make it. I just go for Number 2, and thanks for letting me speak.

Response PM 96
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM97 Sarah

February 12, 2025

Comment PM 97
I just want to make it clear I'm for Alternative 2. I also think unincorporated areas - there's a lot of land not being used. I feel like bringing legal regulated storefront dispensaries will actually bring more jobs, more opportunity for people. That's it. Thank you for letting me speak.

Response PM 97
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM98 Heidi Whitman

February 12, 2025

Comment PM 98
My name is Heidi Whitman and thank you for the opportunity to speak. I just wanted to chime in and say I'm in support of option 2. There really is no reason to make cannabis land use more restrictive than the State already requires. There's set regulations for all of that already. Thank you.

Response PM 98
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of

Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

PM99 Bill Richardson

February 12, 2025

Comment PM 99

My name is Billy Richardson. I'm from District 3. For the County, from the business side of the industry, right now it's really rough to even start a business in California with all the regulations and the taxes and everything. And a lot of us are being shied away from even trying to do business and put our money into this because of all the regulations. So, I feel if the County decides to increase regulation or increase anything or make it harder for us to do business, it's just going to push us all away and allow for all these dispensaries that are already operating in the County, which are mainly outsourced companies. They're all owned from places like LA, Oakland. It's all money that's getting pulled out of our county. So if we can get homegrown companies, people who can operate in San Diego to bring the money into our community and create that relationship with the customers and everything, I feel like it's a lot better route than regulating it until we can't do business. Thank you.

Response PM 99

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

PM100 Breanna Cota

February 25, 2025

Comment PM 100

I, Breanna Cota am in favor of Alternative 2. I believe it is important to provide a safe way to support the people who for many reasons were eligible for this program. I think its important to fine tune and commit to creating safe grows, relief for to creating safe grows, relief for those incarcerated. It is important to come together as a community. I have seen safe practices to recycle and prevent run off water. When you create a safe place for education then you create a safe place for knowledge. Safe and rule abiding practices. It is important to follow through and make this wrong right for those who have been put into a system for natural practices. Thank you.

Response PM 100

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of

Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process. Impacts associated with the control of water run-off is addressed in Draft PEIR Section 2.11, "Hydrology and Water Quality," on pages 2.11-37 through 2.11-67.

PM101 Alexander Grable

February 25, 2025

Comment PM 101

Maximum # of activities. Only having 2 cannabis activities per lot will make it hard for small businesses in cannabis find a place to operate. Having 4 or more activities per lot would make for a fair fighting chance to find a location to fit zoning requirements. Also opening up zoning would generally help small cannabis brands survive the market.

Response PM 101

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program. The commenter is also referred to Section 9.1.1.8: "Master Response: Comments on the Proposed County Code Changes under the Socially Equitable Cannabis Program."

PM102 Frank Hilliker

February 25, 2025

Comment PM 102

Social for those impacted needs to be spelled out. Whats that going to be? It needs to be spelled out! Thnx.

Response PM 102

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program. The commenter is also referred to Section 9.1.1.8: "Master Response: Comments on the Proposed County Code Changes under the Socially Equitable Cannabis Program."

PM103 John Miller

February 25, 2025

Comment PM 103

Proper regulation + proper channels reduces dangerous criminal activity in our City by reducing gang activity + decreasing the use of more dangerous substances. Proper management of outdoor operations is crucial. Improper disposal of plant waste is a troubling

fire hazard. It is imperative that zoning not be overly strict. I believe liquor stores to be a viable example to follow. If we trust our children to walk past vapes & handles. If we trust the people behind the counter to ID. our children; we should trust farmers to distribute their production in a similar fashion. It is also worth mentioning that many cannabis establishments hire security, which makes the entire neighborhood safeer. Thank you for your time.

Response PM 103
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program. The commenter is also referred to Section 9.1.1.8: "Master Response: Comments on the Proposed County Code Changes under the Socially Equitable Cannabis Program." As described in Section 2.18, "Utilities and Service Systems," Section 2.18.2, "Regulatory Framework," CCR, Title 4, Section 17223 requires cultivation facilities to have a cannabis waste management plan that identifies methods for managing cannabis waste, including on-premises composting, collection and processing by an agency, or self-hauling to a permitted facility. Transportation of self-hauled cannabis waste shall be performed only by the licensee or employees of the licensee. A licensee must report all cannabis waste activities, up to and including disposal, into the state's track-and-trace system. CCR, Title 4, Division 19, Section 15049 requires that all disposed cannabis is entered into the track-and-trace system for disposal purposes. Agricultural fires burn through various crops, pastures, and native vegetation on farms. Among different crop types, fruit crops and cereals have been found to be more flammable than vegetable crops, grazing herbs, pasture grasses, pasture legumes, and weeds. Generally, crop flammability has been correlated to lower moisture content, higher retention of dead material, and faster moisture loss rating. With this understanding in mind, cannabis cultivation is not a crop with higher flammability potential, compared to orchard or cereal crops because it is harvested before the plant may dry out and is not maintained with any dead material because new plants are established annually and completely removed after harvest.

PM104 Becky Rapp

February 25, 2025
The comment card attachment is provided in Appendix G.

Comment PM 104
I support alternative #1 – maintaining the 5 existing pot shops and not adding any add additional.

Response PM 104
The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future

decision-making for a discussion on the next steps in the approval process and Section 9.1.1.9, “Master Response: Cannabis Product Safety and Testing,” regarding California Department of Cannabis Control measures to ensure cannabis safety in regard to the Los Angeles Times December 19, 2024 article attached to this comment.

9.1.6 Konveio Comments and Responses

Letter K1 Keith

January 30, 2025

Comment K1-1
I think we should definitely go forward with all cannabis equity programs

Response K1-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Letter K2 Courtney Hall

January 31, 2025

Comment K2-1
I appreciate you seeking public input! I'd recommend putting the abbreviations section at the end. I think it discourages people to read the rest of the report if there are 9 pages of abbreviations (and only 5 pages of actual report!). Better yet, spelling things out in the report, rather than using abbreviations would make the document more accessible. This seems particularly important for a program that is focused on being "socially equitable".

Response K2-1
The comment on Draft PEIR format is noted. The abbreviations are listed at the beginning of the document given their repeated use and the length of the Draft PEIR (922 pages). No changes are recommended to the Draft PEIR.

Letter K3 Vincent Stalcup

February 1, 2025

Comment K3-1
I support alternative 2.

Response K3-1
The commenter’s preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in

compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K3-2
I do not support Please keep state regulations 600 foot buffer and only restrictions on day care, schools, and youth centers.

Response K3-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K3-3
I do not support alternative 4, keep state regulations.

Response K3-3
This comment is noted. The reader is referred to response to Comment K3-2.

Comment K3-4
I do not support alternative 5 please keep state rules.

Response K3-4
This comment is noted. The reader is referred to response to Comment K3-2.

Letter K4 Kathleen Lippitt

February 3, 2025

Comment K4-1
Please provide a simple WORD doc that is downloadable. This document is really difficult to navigate.

Thank you,
Kathleen Lippitt

Response K4-1
The commenter requests a word document that is downloadable. Downloadable version of the Draft PEIR were provided on the County website in PDF format, while hard copies of the Draft PEIR were made available at County libraries. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter K5 John

February 5, 2025

Comment K5-1
2021 - 19,335 people died from excessive alcohol use in

2021 - 1,370 people were killed in alcohol-involved crashes, which was 32% of all traffic deaths in California.

Cannabis related deaths NONE

Cannabis sensitive uses should no more constrictive than alcohol dispensing facilities sensitive uses or at the very least complying with California's cannabis control sensitive uses standard.

All outlets / dispensaries only serve 21 or older ONLY. Outlets / dispensaries are required to have level 3 armor installed in the facilities walls. Basically, they are large safes. Nobody is getting in without proper ID. This requirement by itself negates all concerns with sensitive uses. Why would a product that causes no deaths be more constrictive than one that causes 100s of thousands of deaths a year. I would propose the same conditions that a retail alcohol facility would have.

The law says ABC may deny any retail license located (a) within the immediate vicinity of churches and hospitals, or (b) within at least 600 feet of schools, public playgrounds and nonprofit youth facilities. Generally, ABC will deny a license in the above situations when there is evidence that normal operation of the licensed premises will be contrary to public welfare and morals. Mere proximity by itself is not sufficient to deny the license.

ABC will not license a new retail location within 100 feet of a residence unless the applicant can establish that the operation of the proposed premises will not interfere with the quiet enjoyment of the property by residents. (Section 23789 and Rule 61.4)

Response K5-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Letter K6 Joe Eberstein

February 12, 2025

Comment K6-1
Cannabis smoke contains the same cancer-causing carcinogens as tobacco smoke therefore smoke free policies should remain consistent across the board regarding indoor and outdoor exposure.

Response K6-1
The reader is referred to Section 9.1.1.7, “Master Response: Public Health Effects of Cannabis Use,” regarding County standards to protect the public who are not consuming cannabis products. The use of cannabis products and an acceptance of potential health effects of using cannabis is a personal decision that is not subject to environmental review under CEQA.

Comment K6-2
Local planning groups need to be an integral part of the discussion regarding cannabis business locations. They have a greater understanding of the region and local issues.

Response K6-2
This comment is noted. County staff has conducted extensive engagement with community planning groups and community sponsor groups. Staff have attended multiple Community Planning and Sponsor Group meetings to present Program updates to community members. Feedback from Community Planning and Sponsor Groups will be considered by the Planning Commission, and the Board of Supervisors in their deliberations regarding the final Zoning Ordinance.

Comment K6-3
Cannabis business and advertising should have a minimum of at least a 1000ft buffer from youth sensitive locations.

Response K6-3
This comment recommends a minimum buffer distance from youth sensitive locations to cannabis facilities. It should be noted that project alternatives 3, 4, and 5 require a 1,000 ft buffer from schools, daycares, and youth centers. The Board of Supervisors will be deliberating on these alternatives. This input from the commenter is noted and will be considered by the Planning Commission, and the Board of Supervisors in their deliberations regarding the final Zoning Ordinance.

Letter K7 Albert

February 20, 2025

Comment K7-1
Adopt Alternative 2. .State mandated buffers stay at 600ft.No additional sensitive use buffers. Not shutting out equity applicants from viable locations. Thank you.

Response K7-1
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter K8 Shelby Huffaker

March 6, 2025

Comment K8-1
Adopting these additional sensitive uses would amount to a de facto ban on cannabis businesses. Additionally, many older individuals residing in residential care facilities rely on cannabis products for their health needs (In California, Ryans Law permits the use of certain non-inhalable cannabis products in long-term healthcare facilities). Many of these residents may be unable to drive and would thus benefit from having cannabis retailers in close proximity to their living quarters. Barring cannabis businesses near areas of worship also ignores the fact that certain religious denominations, including Rastafarianism, view cannabis use as a spiritual practice consistent with their beliefs.

Response K8-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K8-2
When regulated properly, outdoor cultivation can be a more environmentally responsible option than indoor, particularly when regenerative agricultural techniques are used. The results of responsible outdoor cultivation could include reduced energy consumption and soil depletion,

water preservation, and promotion of biodiversity. Additionally, sungrown cannabis has been shown to produce higher levels of terpenes. These compounds enhance the medicinal qualities of cannabis while reducing the risk of adverse effects.

Response K8-2
The comment provides an opinion in support of outdoor cultivation. The reader is referred to Section 9.1.1.6, “Master Response: Consideration of Environmental Impacts of Cannabis,” as the Draft PEIR evaluated impacts associated with both indoor and outdoor cannabis cultivation.

Comment K8-3
The environmental impacts listed in Alternative 1 do not account for the proliferation of the illicit market, which, because of their unregulated nature, have substantial impacts on water and air quality, aesthetics, public health, and more. Without expanded access to licensed retailers, consumers will continue to frequent unregulated sources, particularly if they rely on cannabis products for their medical needs. As such, no amount of enforcement efforts will completely eliminate the unlicensed market. By displacing the unregulated market, there would be environmental benefits to creating opportunities for would-be licensed operators to fulfill patients' and consumers' with regulatory oversight.

Response K8-3
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program. No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment K8-4
What environmental impacts would result from allowing cannabis businesses to operate within 1,000 feet of a designated landmark? Are there certain types of designated landmarks that would or would not apply (e.g., a building on the register of historic places)?

Response K8-4
The comment expresses concerns about designated landmarks. With regard to landmarks, the reader is referred to page 2.6-26 in Section 2.6, “Cultural Resources,” for a discussion related to landmarks, under “Guidelines for Determination of Significance” of the Draft PEIR. Designated landmarks would be impacted only if demolition, destruction, relocation, or alteration are proposed. Operation within 1,000 feet of a designated landmark does not constitute as demolition, destruction, relocation, or alteration.

Letter K9 Richard

March 9, 2025

Comment K9-1
I am for the implementation of a program to cultivate and sell cannabis products to those that want them. It appears that Alternative 3 Cannabis program with expanded county regulations addresses my concerns. The expanded 1000 foot buffers between a cannabis facility and

schools, daycares etc and other cannabis facilities protects our young people and helps prevent the over population of these facilities. This is a good thing. The prohibition of outdoor growing is also to my liking. Added county regulations for new facilities to protect the visual aesthetics and character of our communities is equally important

Response K9-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

The commenter's preference for Alternative 3: Cannabis Program with Expanded County Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter K10 Peggy Brown

March 17, 2025

Comment K10-1
I am completely opposed to the cultivation of cannabis on a commercial level in unincorporated San Diego County. These grow operations will have a horrible impact on our community.

Response K10-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K11 Ashley

March 18, 2025

Comment K11-1
Alternative #1 No Project is the best alternative for the community of Bonsall and Fallbrook. We do not want to have the environmental impacts to our community and ground water. Bonsall is surrounded by riparian area that feeds the San Luis Rey River, and Fallbrook the Santa Margarita. We need to put our families and children first. We do not want the noxious ODOR of cannabis projects in unincorporated San Diego County. Especially near our schools and where children have park and farm activities. There is enough cannabis projects in the incorporated areas. There is no lack of available "legal" cannabis. Bonsall wants its rural area

to be used for non-cannabis agriculture, farming and horsemanship. It may be easy for non-Bonsall (and non-Fallbrook) residents to decide what to do with our community, but this project is strongly opposed by the people who live here. I have resided in Bonsall and Fallbrook for a combined 30 years! Please stop and think of the many people who live here and not just of the few who desire to profit from cannabis at the expense of our quality of life and quality of environment.

Response K11-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

The comment expresses concern about odors related to cannabis. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors."

The commenter's preference for Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter K12 Kathy Lemos

March 18, 2025

Comment K12-1
We do not want your ex cons coming to bonsall & given a growing license . It's like inviting a rat to the picnic.

Response K12-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter K13 Stephen drozd

March 19, 2025

Comment K13-1
Please stop any future commercialization of cannabis. It is not good for the community. People do not need any more vices. Look at downtown San Bernardino and all the

dispensaries...horrible neighborhoods...high crime. Please do not allow dispensaries or growing in fallbrook or bonsal.

Response K13-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K14 Tasha Estes

March 19, 2025

Comment K14-1
No. Just no. Go up to Northern California. You will likely have zero push back. Leave BONSALL ALONE. Those places are gross and ghetto. Nice, beautiful cities DO NOT have grown houses or lounges.

Response K14-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K15 Maria Aguirre

March 19, 2025

Comment K15-1
I am against this happening in Bonsall, CA. We are a small farm community and do not want Cannabis contaminating local farm and horse ranches. I VOTE NO!

Response K15-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K16 Blythe Peel

March 19, 2025

Comment K16-1
We moved here for the family friendly and safe environment. We came from San Bernardino County where there are cannabis farms galore, crime, and druggies. Don't go down this path.

Response K16-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K17 Courtney Kowalchuk

March 19, 2025

Comment K17-1
I am born and raised in California and am against this program in unincorporated communities. Thank you.

Response K17-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K18 Kimberly Dick

March 19, 2025

Comment K18-1
No way!!!! Do not put this in Bonsall, we will not let it happen.

Response K18-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Comment K18-2
Impacts air quality, no in Bonsall.

Response K18-2
Draft PEIR Section 2.4, "Air Quality," addresses impacts from both criteria air pollutant emissions and odors. No significant air pollution impacts were identified, but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors."

Letter K19 Douglas Bryant

March 19, 2025

Comment K19-1
I am a home owner in Fallbrook and heavily oppose this program.

Response K19-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K20 Nancy Riddlebarger

March 19, 2025

Comment K20-1

To Jessican Norton and Whom It May Concern,

I am writing as a concerned resident of Bonsall and a dedicated member of San Diego County's unincorporated communities to express my strong opposition to the proposed San Diego County Socially Equitable Cannabis Program.

My husband and I moved to Bonsall nearly four years ago from Marina Del Rey seeking a peaceful, family-friendly environment to start our own family, surrounded by nature and open space. We are well educated, high earners who are joyous to improve the community we live in. The implementation of this program threatens to disrupt the very qualities that make our community a desirable place to live, work from home, and raise a family.

The proposed program, which includes large-scale cannabis cultivation sites with armed guards, dispensaries, 'open-use' lounges, and public consumption events, poses a serious risk to the health, safety, and property values of our community. Reports from affected communities indicate increased crime rates, nuisances associated with cannabis-related businesses, and ongoing legal disputes regarding environmental and community degradation.

Response K20-1

The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

The commenter expresses concerns about potential crime-related impacts associated with cannabis. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," that address law enforcement, and Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use," regarding County standards to protect the public who are not consuming cannabis products

Pursuant to Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment.

Comment K20-2

Specifically, I have the following concerns regarding the proposed program:
Public Safety – The establishment of cannabis dispensaries, open-use lounges, and large-scale cultivation operations with armed security increases security concerns in our community. Crime rates, including burglary and vandalism, have been shown to rise near cannabis-related businesses in other jurisdictions. Large-scale cannabis operations and dispensaries have been linked to increased crime, requiring heightened security measures such as armed guards. This raises concerns for local families and creates an unwelcoming atmosphere in our neighborhoods.

Response K20-2
This comment expresses concern regarding public safety associated with increased crime rates, burglary, and vandalism as a result of the rise of cannabis-related businesses. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime.”

Comment K20-3
Environmental Impact, Air Quality – The EIR acknowledges that the program will result in significant and unavoidable odor emissions that will affect nearby residents. This will diminish our ability to enjoy outdoor spaces, impact quality of life, and potentially lead to long-term public health issues. Additionally, the use of chemicals and high water consumption associated with cannabis production threatens our local ecosystem.

Response K20-3
Draft PEIR Section 2.4, “Air Quality,” addresses impacts from both criteria air pollutant emissions and odors. No significant air pollution impacts were identified, but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors.”

Pesticide application is addressed in Draft PEIR Section 2.10, “Hazards and Hazardous Materials,” under Issue 1. Pesticides used on commercial cannabis cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

Impacts associated with decreased groundwater supplies or interference with groundwater recharge are discussed in Section 2.11, “Hydrology and Water Quality,” under “Issue 2: Substantial Decrease of Groundwater Supplies or Interfere Substantially with Groundwater Recharge.” As discussed there, impacts on groundwater supplies or recharge would be less than significant under Alternative 1 and significant and unavoidable under Alternatives 2, 3, 4, and 5.

Comment K20-4
Negative Effect on Property Values – Studies and anecdotal evidence from other communities have shown that proximity to cannabis businesses can reduce property values, making it harder for homeowners to maintain their investments and quality of life.

Incompatibility with Family-Oriented Communities – Bonsall and other unincorporated areas are known for their peaceful, rural character and family-friendly environment. The presence of cannabis lounges and public consumption events is in direct opposition to the culture and values that many residents moved here to embrace.

Lack of Community Benefit – The program’s structure includes licensing prioritization for individuals with prior drug convictions, which raises concerns about who will be operating

these businesses. Additionally, events and dispensary hours extending into the night (up to 10 PM) disrupt community peace.

Response K20-4
An evaluation of property values, family-oriented communities, and community benefits is not required by CEQA because property values do not have an impact on the natural or physical environment. As stated in Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment.

Comment K20-5
Proximity to Schools and Residential Areas – The proposed 800-foot setback from roads is insufficient to protect schools, homes, and public spaces from the potential negative impacts of cannabis operations.

Response K20-5
As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The reader is also referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis."

Comment K20-6
Water Consumption and Environmental Degradation – The program will place a substantial burden on our water resources, particularly in already drought-prone regions. The EIR identifies significant and unavoidable impacts on groundwater supplies, which could compromise the sustainability of our agricultural lands and rural homes.

Response K20-6
Impacts associated with decreased groundwater supplies or interference with groundwater recharge are discussed in Section 2.11, "Hydrology and Water Quality," under "Issue 2: Substantial Decrease of Groundwater Supplies or Interfere Substantially with Groundwater Recharge." As discussed there, impacts on groundwater supplies or recharge would be less than significant under Alternative 1 and significant and unavoidable under Alternatives 2, 3, 4, and 5.

Comment K20-7
Traffic and Noise Pollution – The proposed cannabis operations will increase traffic congestion, noise pollution, and late-night activities, further disrupting the peace and safety of

residential neighborhoods. The report highlights significant and unavoidable transportation impacts, including increased vehicle miles traveled and potential road hazards.

Response K20-7
The comment provides general opinions related to traffic and noise pollution. Traffic and noise pollution are addressed in the Draft PEIR in Section 2.16, "Transportation," and Section 2.13, "Noise." As identified in Section 2.13, "Noise," Issue 2: Excessive Long-Term Stationary Noise Levels, potential significant noise impacts from the operation of distribution uses. Implementation of Mitigation Measure M-N.2-1: Implement Noise Reduction Measures to Reduce Operational Noise Impacts at Distribution Facilities would reduce this impact to less than significant. The reader is also referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis."

Comment K20-8
Fire Hazards in Wildland-Urban Interface Areas – Many unincorporated areas, including Bonsall, are already at high risk for wildfires. The introduction of cannabis operations, which require high energy consumption and could lead to electrical overloads, exacerbates this danger and puts residents at greater risk.

Response K20-8
The comment expresses concern regarding increased fire hazards as a result of the proposed project. The reader is referred to Section 2.19, "Wildfire," of the Draft PEIR. Draft PEIR Section 2.7, "Energy," addresses energy use and identifies no significant and unavoidable impacts from increased energy use. Mitigation Measure M-EN. 2-1 would require compliance with the San Diego County CAP that would prohibit the use of natural-gas-powered appliances through all-electric development or achieving Tier 2 status as set forth by the CALGreen Code Appendix A5 Nonresidential Voluntary Measures.

Comment K20-9
Harm to Property Values and Community Livability - Homeowners in areas affected by cannabis programs have experienced decreasing property values due to the presence of dispensaries and cultivation sites. Families and prospective homebuyers are less inclined to move into communities where cannabis businesses are prevalent, leading to long-term economic decline in residential areas. Bonsall and other unincorporated areas of San Diego County are known for their rural, equestrian, and family-oriented communities—values that are completely incompatible with the objectives of this program.

Given these concerns, I urge the County to prioritize the health, safety, and well-being of residents over commercial cannabis interests. The Draft EIR itself identifies multiple significant and unavoidable adverse effects of this program, making it clear that this initiative is not suitable for family-friendly communities like Bonsall as an unincorporated area of San Diego County.

I respectfully request that my concerns and opposition be included as part of the public record and that the County prioritize the well-being and wishes of its residents over commercial cannabis interests.

I urge you to reject or heavily restrict the implementation of this program in communities like mine that seek to maintain their peaceful, family-friendly character.

Thank you for your time and consideration.

Response K20-9
An evaluation of property values is not required by CEQA because property values do not have an impact on the natural or physical environment. As stated in Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment.

Letter K21 Dana Bonwell

March 19, 2025

Comment K21-1
Bonsall is a small family town with no police that cannot sustain this type of program. Please don't bring this to our community.

Response K21-1
The comment expresses concerns about the lack of police from impacts associated with cannabis. The reader is referred to paragraph 3 on page 2.15-22 in Section 2.15, "Public Services," of the Draft PEIR, which states, the "proposed amendments to the County Regulatory Code contain requirements for a detailed security plan (Section 21.2510(a)(3)) and preparation of a Neighborhood Compatibility Plan (Section 21.210(a)(5)). Compliance with these requirements would ensure that on-site security measures are provided and site access is sufficient. Given these provisions, no substantial demands on local law enforcement would be expected such that construction of new facilities (e.g., sheriff stations) would be necessary from implementation of the Cannabis Program". The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

Letter K22 Kim

March 19, 2025

Comment K22-1
This would be a tragedy for our small community. Been unincorporated our resources are all ready stretched and on the verge of collapse. The fire danger alone would impose a huge risk to this operation. Our community lacks the resources to support. Our roads are unsafe and not patrolled. This would bring an element into our community we do not wish to support or host. We oppose this and this will bring danger to our community. Many residents are struggling with inadequate services and been in a high risk area many cannot even get insurance on their properties. Our air quality would be ruined and our serenity would deteriorate. There is not enough law enforcement to manage the huge uptick in crime. This area is struggling after the many wildfires and cannot afford the threat this would bring to our community. There are many other communities much better suited than can handle this mass influx of traffic and crime this will bring to our peaceful community. This is a retirement community in many aspects. Bonsall attracts people who seek a more peaceful lifestyle. This would also seriously jeopardize all the

horse farms and facilities in the area. We strongly oppose this future disaster and will not support any candidate that supports this agenda.

Response K22-1
The comment expresses concerns related to wildfires, safety, air quality, and traffic associated with the proposed program. The reader is referred to paragraph 9 on page 2.19-20 in Section 2.19, "Wildfire," of the Draft PEIR, which states: "Amendments to County Regulatory Code, including Section 21.2508(a) as part of proposed in the Cannabis Program, which requires commercial cannabis facilities to obtain all applicable zoning and land use entitlements, including approval from the local fire district. As required by the San Diego County Fire Protection District, building and grading plan forms including fire code plan check requirements would be necessary for all new buildings, as well as compliance with the 2023 Consolidated Fire Code for the fire protection districts in San Diego County." Compliance with these requirements would not increase the risk of wildfire.

The reader is referred to the response to Comment K21-1, regarding safety.

The reader is referred to Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis," regarding air quality and traffic.

Letter K23 Markus

March 20, 2025

Comment K23-1
The proposed cannabis program for Bonsall is completely unnecessary and unwanted by our community. No one here has been asking for this, and it does nothing to benefit our families, schools, or local businesses. Instead of forcing an industry on us that we don't need or want, our leaders should focus on initiatives that actually reflect the values and priorities of Bonsall residents. This is not the right fit for our community, and we strongly oppose it.

Response K23-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K24 Mandy Rodgers

March 21, 2025

Comment K24-1
As a homeowner in Bonsall, I oppose this project. It would bring our community down, we already do not have the infrastructure to combat what crime we do have here. This would destroy the community and ruin what Bonsall is for us residents here, especially knowing the profits do not benefit Bonsall directly and solely. Most resident here agree that this project is harmful and undesired.

Response K24-1
The commenter expresses concern associated with the lack of infrastructure to combat crime. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” and the response to Comment K21-1.

Letter K25 Terese Kristensen

March 22, 2025

Comment K25-1
Rainbow is a small rural community which is impacted by large developments of track housing to the north, south and west, and the Interstate 15. As a resident of Rainbow for 41 years, I’ve seen the beautiful, rural town of Rainbow encroached upon, but still remains a small rural town…I feel using Rainbow for pot farms and dispensaries is not a good option and will change our peaceful community.

Response K25-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program. The reader is referred to Draft PEIR Section 2.2, “Aesthetics,” regarding visual character impacts of the proposed Cannabis Program.

Letter K26 Cynara Kidwell

March 23, 2025

Comment K26-1
Please note that the sensitive uses included here are very expansive, including all possible sensitive uses currently utilized in any jurisdiction in California. These sensitive uses would be equally applied both to all cannabis business types. This would mean that despite a manufacturing facility, distribution or testing facility not having public access, nor public signage, nor any other indicator of presence, they would have to conform to the same sensitive use restrictions as a storefront dispensary. This is not practical and serves no constructive purpose. Therefore if expanded sensitive uses are permitted, I recommend different uses for different cannabis business types. Such expansive sensitive uses would eliminate much of the available zoning, and leaving in doubt whether the 15 planned storefront dispensaries could find viable parcels that meet the zoning requirements, sensitive use distance requirements, and are commercially viable.

Response K26-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the

requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K26-2
Given that many of the parcels zoned for cannabis cultivation are not yet connected to the county's water, power or sewer grid, outdoor cultivation would be the only feasible business to pursue on these parcels. By eliminating outdoor cultivation, we are eliminating a business opportunity for our applicants. I suggest removing Alternative Four from consideration.

Response K26-2
The commenter’s preference for the elimination of Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition from consideration has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to response to Comment K26-1.

Comment K26-3
Outdoor cultivation is not commercially lucrative on a small scale. As of July 2024, outdoor cannabis wholesale price averaged $346 per pound, while indoor cannabis had an average wholesale price of $1,252 per pound in the United States, according to Cannabis Benchmark. Therefore, restricting outdoor cannabis to under one acre has the potential to make the enterprise not commercially viable. For this reason, I recommend rejecting Alternative 5.

Response K26-3
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program. The reader is referred to response to Comment K26-1.

Comment K26-4
While there are odors associated with outdoor cannabis, the environmental impact can be mitigated by having greater sensitive use buffers associated with outdoor cultivation as compared to other uses. Much of the county land zoned for outdoor cultivation is not close to any residences nor commercial zones, and would not pose an issue in these areas.

Response K26-4
The comment provides an opinion regarding the merits or qualities of the proposed program. Draft PEIR Section 2.4, “Air Quality,” addresses impacts from odors and identifies significant and unavoidable odor impacts for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors.”.

Comment K26-5
Cannabis dispensaries often increase the visual character of the surrounding areas due to the landscaping and visual enhancement to the premise necessary to administrative permit.

Response K26-5
The comment expresses concern related to the increase of visual character of the surrounding areas. The reader is referred to paragraph 2 on page 2.2-17 in Section 2.2, “Aesthetics,” in the

Draft PEIR, which states: “Generally, cannabis facilities would resemble existing uses in agricultural, commercial, and industrial zones. Cannabis cultivation and microbusiness uses are assumed to have similar characteristics as existing agricultural and rural uses that currently occur in the unincorporated area, except for enclosed fencing around outdoor cultivation areas. Indoor cultivation and noncultivation uses would likely locate into existing industrial and retail buildings in the unincorporated area; however, any new buildings that would be constructed under the Cannabis Program are assumed have similar massing, size, and use to existing commercial and industrial buildings.”

Comment K26-6
The potential impacts posed to plant and wildlife species are related to cultivation, and are equivalent to the impacts association with the cultivation of any plant. The mitigation measures suggested would also be comparable to the mitigation measures necessary for the cultivation of any plant.

Response K26-6
No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. The reader is referred to Section 2.5, “Biological Resources,” for discussion of potential plant, wildlife, and habitat impacts of the proposed Cannabis Program.

Comment K26-7
The noise impact of cannabis business construction would be equivalent to that of the construction of any business.

Response K26-7
No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Comment K26-8
The impact groundwater supply is relevant principally to cultivation and is equivalent to any cultivation of any plant material.

Response K26-8
The comment expresses concern related to groundwater supply. Impacts associated with decreased groundwater supplies or interference with groundwater recharge are discussed in Section 2.11, “Hydrology and Water Quality,” under “Issue 2: Substantial Decrease of Groundwater Supplies or Interfere Substantially with Groundwater Recharge.” As discussed there, impacts on groundwater supplies or recharge would be less than significant under Alternative 1 and significant and unavoidable under Alternatives 2, 3, 4, and 5. Draft PEIR Table 2.11.7 identifies water demands of cannabis cultivation and associated uses that differ from other agricultural activities.

Comment K26-9
The presence of cannabis businesses often enhance the aesthetics of the community, due to the landscaping and business improvements associated with these projects.

Response K26-9
The comment provides an opinion regarding the merits or qualities of the proposed program. The reader is referred to Draft PEIR Section 2.2, “Aesthetics,” regarding visual impacts of the proposed program, which identifies significant and unavoidable visual character impacts for Alternatives 2, 3, 4, and 5.

Letter K27 Brooke

March 23, 2025

Comment K27-1
We do NOT want ANY cannabis farms or facilities near our parks, schools, and the riverbed. Take it somewhere else!

Response K27-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter K28 Cynara Kidwell

March 23, 2025

Comment K28-1
There is no definition of religious assembly provided in this document, and the definition provided in County Code Section 1348 is overly broad and goes beyond religious gatherings to include any civic or fraternal gatherings (types of gatherings that could be facilitated by a cannabis lounge). The definition reads:

""The Civic, Fraternal or Religious Assembly use type refers to meetings and activities attended regularly by and conducted primarily for their members, by nonprofit organizations which are

tax-exempt pursuant to Section 501 (c) of the Internal Revenue Code and which may meet during or after regular business hours. Typical uses include meeting places for civic clubs, ethnic

associations, social clubs, scouting organizations (other than 1505, Participant Sports and Recreation), churches, mosques, synagogues, temples, or fraternal or veterans organizations.

Excluded from this use type are uses classified as Group Residential, Group Care, or Transient Habitation (all types).""

Per this expansive definition ANY civic hall, business or private gathering that holds any sort of event organized by a religious group (charity fundraiser, party, gathering) is a sensitive use. This is absurdly broad and would allow any opponent of a cannabis dispensary to quickly organize an ""event"" to defeat it.

I recommend against including of religious establishments as a sensitive use criteria. Firstly, there is no consensus regarding the approval or disapproval of cannabis by religious groups. To Rastafari, it is a sacred plant, for other churches it is considered an acceptable form of medicine, and some denominations are opposed to its use. Secondly, there is a very low barrier to entry to establish a religious center (even one that is more precisely defined than the current county code). Jehovah's Witnesses commonly meet in homes, many civic halls/womans' centers/rec centers rent out their facilities for various uses throughout the week, including religious meetings, and any private place of business can choose to hold a worship service. Religious centers are an easy function to establish making it a difficult criteria for proposed cannabis business to avoid. Moreover, many cannabis businesses types (manufacturing, delivery, distribution and testing) are not public facing - they display no signage and have no public entry. A religious center patrons would not be aware, nor therefore ability to be impacted, by their presence.

Response K28-1
The comment expresses concern about the inclusion of “religious assembly” as a sensitive use in cannabis zoning regulations. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The reader is also referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program,” which addresses how sensitive uses are defined and applied under the program. The comment will be considered by the Board during future decision-making activities.

Letter K29 Casey

March 24, 2025

Comment K29-1
Finally the county is expanding the cannabis program! The majority of San Diego voters voted for legalization, it's about time they made it accessible throughout our county. I take cannabis

for medical reasons, as an alternative to anxiety medication. It's not always convenient for me to have to drive into another town to make my purchase. Delivery is available but it adds additional costs and when you're already trying to make ends meet it's not always feasible. I think alternative 4 is a decent compromise. Keeping the grows indoors will minimize odors for those who oppose cannabis in there areas and bring much needed storefronts for easier access for the people who need it. I am glad the county is finally putting our votes into action.

Response K29-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K30 Ruth

March 24, 2025

Comment K30-1
Allowing this in the unincorporated areas is a great threat to our environment, our children and anyone that is in the area. I do NOT want this in my area/next door/within miles of our kids.

Response K30-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K31 Paul the Bold

March 24, 2025

Comment K31-1
"The Social 'Equity' Cannabis Program is what a number of us warned the Board about when it first came up: you got a bunch of people who are known offenders getting priority for pot licenses.

But the most interesting part is how they can take $280 thou of what is ultimately our tax dollars and raffle it off, not caring, apparently, about just how bad the background crime was.

I researched the Cannabis Ordinance at the Board of Supervisors: From the Agenda (#31 on 4/30/2025) ""To be eligible, an equity applicant must be at least 21 years of age at the time of application and meet criteria for Tier A OR criteria for Tier B.

Tier A: Incarcerated for San Diego County arrest or conviction for any crime under the laws of the State of California or United States related to the sale, possession, use, manufacture, or cultivation of Cannabis that occurred prior to November 8, 2016.

Tier B: Deported, Arrested, or Convicted: In San Diego County for any crime under the laws of the State of California or United States related to the sale, possession, use, manufacture, or cultivation of cannabis that occurred prior to November 8, 2016, AND

Low Income– 80% or below of the Area Median Income (San Diego County) determined by US Department of Housing and Urban Development (HUD).""

Aside from the crime stuff (remember SF & Oakland?,) The Cannabis Social Equity Grant Drawing was completed on September 18th. [10] Grant recipients will each receive $28,000. The grant funding comes from the Governor's Office of Business and Economic Development's Cannabis Equity Grants Program for Local Jurisdictions.

The grantees BTW get their last names hidden so we can't see for ourselves how bad their offenses were. And you don't need someone in an 'altered' state playing with fire in a high fire zone (or driving to bring the number of car crashes back up after the Community Plan supposedly reduces it.

I examined the County report on 4/30. When the report says “End cannabis criminalization and open opportunity for directly impacted by expanding expungement efforts, investing in diversion and restorative justice and non-carceral regulation enforcement. ,” I am reminded of San Francisco or Oakland’s struggles with crime. Please do not let it happen here.

With a depleted police force and an invasion [at that time] of immigrants, we can ill afford to decriminalize activities we know are harmful to society at large.

Moreover, the research seems to be based on somewhat limited data.

I object to your setting up tiers and then saying “may receive additional benefits that may be determined at a later time” before you even set up the tiers. And it seems that you are pitting people against each other based on when they were arrested or convicted. And I don’t know how someone could be “Deported or convicted for arrest in San Diego County crime.”

The Matrix: You want to Impose a license ceiling for cannabis storefront retailers only, do not impose a license ceiling for all other cannabis business types (manufacturing, distribution, delivery, cultivation, testing.) This will result in a bottleneck, a glut of services and supplies with nowhere to go – bad for business.

You want to reserve Minimum 50% of storefront retail licenses for social equity applicants - Process to award licenses will be determined at a later date -Storefront license cannot be sold or transferred for social equity for a three-year timeframe. Sounds like you are restricting the availability of licenses. Suppose you can’t get 50%?

And then the matrix says the Board has discretion to change all these things, so to me, it’s pretty meaningless.

Finally, the resolution: Section 1 says “Members 1-5 shall be nominated by a Board of Supervisor” Do you mean “one of the Supervisors” or “the Board as a whole”? Later on, it says “Vacancies shall be filled by the applicable nominating or appointing authority specified in Section 2.” There is no Section 2. This is the second time in a few months I have noticed grammatical errors in County legal documents which leave them open to interpretation. Please correct and proofread more carefully.

This whole thing seems to have been cobbled together at the last minute. I urge you to reject and redo this resolution.

But since the Board in its wisdumb approved this thing, I hope you will take these remarks as suggestions in improving it, especially

about the potential lack of ability for police enforcement.

Response K31-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

Letter K32 Taro Murano

March 28, 2025

Comment K32-1
cannabis cultivators are required to comply with Term 69, which says: Cannabis cultivators shall not divert surface water unless it is diverted in accordance with an existing water right that specifies, as appropriate, the source, location of the point of diversion, purpose of use, place of use, and quantity and season of diversion. Cannabis cultivators shall maintain documentation of the water right at the cannabis cultivation site. Documentation of the water shall be available for review and inspection by the Water Boards, CDFW, and any other authorized representatives of the Water Boards or CDFW.

Response K32-1
The comment states the provisions of Term 69 in Attachment A of SWRCB Order WQ 2023-0102-DWQ, General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities. This term would apply to cannabis cultivation uses under the program that propose to divert surface water. The reader is referred to Draft PEIR Section 2.11, "Hydrology and Water Quality," pages 2.11-24 through 2.11-27 provides an overview of water diversion requirements under SWRCB Order WQ 2023-0102-DWQ.

Comment K32-2
B/c compliance with the Numeric and Narrative Instream Flow Requirements detail a forbearance period, those who divert water for cannabis are required by law to obtain an appropriative water right, like a cannabis small irrigation registration.

Response K32-2
The comment refers to surface water flow requirements for diversions under SWRCB Order WQ 2023-0102-DWQ, General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities. This information is provided in Draft EIR Section 2.11, "Hydrology and Water Quality."

Comment K32-3
Term 69 - requires an existing water right and riparian and/or pre-1914 diverters that divert water in compliance with the forbearance period are required to obtain an appropriative water right and an existing appropriative water right with irrigation as a beneficial use, are still required to comply with the forbearance period.

Response K32-3
The reader is referred to response to Comment K32-2.

Comment K32-4
onstream reservoir storage is allowed so long as construction of the reservoir was prior to Oct. 1, 2016, pursuant to Term 79.

Response K32-4
The effective date under Term 79 in Attachment A of SWRCB Order WQ 2023-0102-DWQ is October 1, 2017.

Letter K33 Cynara Kidwell

March 29, 2025

Comment K33-1
Deferring to state regulations for buffer standards is recommended, since this will ensure that local regulations will never be in conflict with state regulations. This will allow the County regulations to stand, without revision, for a longer period of time.

Response K33-1
The comment expressed concerns related to state and local regulations conflicting but does not provide specific examples. No specific issues pertaining to the contents of the Draft PEIR are presented in this comment; thus, no further response is provided.

Comment K33-2
If local parks are added as a buffer criteria to the ordinance, we highly recommend that the definition of local parks include "with playground equipment". This is because there are non-traditional "parks" that fall under the definition of "parks" in different local zoning ordinances. Specifically, in San Diego City, any parcel zoned as "Open Space" is managed by the parks department, and therefore included in the definition of park. This became problematic in the implementation of the original language of the San Diego City Cannabis zoning ordinance, because, the City had included Parks as a sensitive use, and unintentionally, this led to any open space designated parcel (steep hills, flood planes, and other parcels that could not be developed due to geographic characteristics), being considered a a sensitive use for cannabis businesses. The City of San Diego later clarified that for the purposes of their cannabis ordinance, open spaces were not considered parks, but to avoid this interpretation, as well as to avoid similar issues in other jurisdictions, a park should be narrowly defined to include parks for public use, specifically those for youth use - i.e. with playground equipment.

Response K33-2
The commenter asks for the definition of “parks,” as included in sensitive uses, to be clarified. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The reader is also referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Comment K33-3
There are many public trails in and around San Diego County today that are adjacent to industrial areas with many industrial uses. Given that cannabis businesses, besides outdoor/greenhouse cultivation, are only permitted in enclosed structures, what effect does the presence of a cannabis business have on a trail? The only possible cannabis business type that could affect a hiker on a trail would be outdoor/greenhouse cultivation. Therefore, this sensitive use, if included, should only be applicable to outdoor/greenhouse cultivation.

Response K33-3
The commenter expresses concerns about the inclusion of public trails as a sensitive use. The reader is referred to response to Comment K33-2.

Comment K33-4
If the sensitive use of ""Preserves with visitor-serving amenities"" is included, I highly suggest that the sensitive use is limited to the ""visitor serving amnesties"" of a preserve. Open space preserves are very large.

San Elijo Lagoon Ecological Reserve is 979 acres. While it contains a visitors center midway along its northern border, there is no justification to consider the eastern edge of the lagoon, where there are no trails, and no public access, to be a sensitive use to a cannabis dispensary. Please limit the sensitive use to the visitor serving amnesties.

Response K33-4
The comment requests that "preserves with visitor-serving amenities," which are listed as a sensitive use under project Alternatives 3, 4, and 5, be revised to only include sections of the preserve that contain these "visitor-serving amenities." This input from the commenter is noted and will be considered by staff, Planning Commission, and the Board of Supervisors in their deliberations regarding the final Zoning Ordinance.

The reader is also referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Comment K33-5
Day cares are already included in the state sensitive buffers. Including "Child care centers" is duplicative and confusing and could lead to conflicts with state law, due to dissimilar definitions. This could also lead to the inclusion of in-home daycares, which are very difficult to identify and track. Please reference the state definition of "Day care centers" to avoid confusion and provide clarity to applicants.

Response K33-5
The reader is referred to response to Comment K33-2.

Comment K33-6
"Residential Care Facility" as defined in Cal. Code Regs. 22, § 58032 means "means a facility licensed as a Residential Care Facility for the Elderly or a residential care facility as defined in the California Health and Safety Code". This includes dementia care facilities and hospice facilities. Elderly individuals with dementia and hospice commonly use cannabis products to stimulate appetites, calm nerves, and manage pain. In 2021, Gov. Gavin Newsom signed SB 311: Compassionate Access to Medical Cannabis Act (or Ryan’s Law). This law specifies that health care facilities allow a terminally ill patient's use of medicinal cannabis within the health care facility. It was proposed by California State Senator Ben Hueso, of San Diego. Therefore, given the utility of cannabis medicine in the care of adult residential facilities, why limit the proximity of cannabis businesses to these facilities? Please remove this sensitive use.

Response K33-6
The comment expresses concerns about the inclusion of residential care facilities as sensitive uses. The reader is referred to response to Comment K33-2.

Comment K33-7
Cannabis cultivation is an agricultural use. By allowing this valuable cash crop on agricultural land, it will add value to our agricultural lands, and support their preservation.

Response K33-7
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Comment K33-8
By requiring building and landscaping upgrades for building housing cannabis businesses, cannabis businesses will have a positive effect on the aesthetic character of aging buildings. This has already been shown to be the effect of the introduction of cannabis businesses to previously blighted buildings and neighborhoods in La Mesa, Imperial Beach, Chula Vista and San Diego City.

Response K33-8
The comment states that cannabis business will have a positive effect on aesthetics. The reader is referred to Draft PEIR Section 2.2, “Aesthetics,” regarding visual impacts of the

proposed program, which identifies significant and unavoidable visual character impacts for Alternatives 2, 3, 4, and 5.

Comment K33-9
By not including Village Plans, you eliminate the vast majority of viable commercial zoning for dispensaries in Fallbrook (if the additional sensitive uses are adopted).

By not including county commercial land use of type C36/C37, the majority of additional fallbrook business Zones that are not part of the fallbrook village plan are also eliminated.

By not including Specific Plan Areas, you eliminate all viable commercial zoning for cannabis dispensaries in:

Otay

Much of the county commercial land use is of type C36 which is not included in as a permissible zone. This greatly limits the accessibility of commercial zoning in Valley Center, Hidden Meadows, Sweetwater/Bonita

By not including county commercial land use of type C36 as well as the specific plan areas for Valle del Oro, the vast majority of commercial zoning in Rancho San Diego is excluded from the ordinance.

To allow for inclusion of the above communities for cannabis businesses, please expand the zoning categories for Retail Storefront to include C36, C37 as well as specific plan areas.

Response K33-9
This comment states that cannabis facilities should be allowed within zones identified as C36 and C37 in the Zoning Ordinance. It should be noted that the Draft Zoning Ordinance does allow for cannabis retail storefront, retail non-storefront, and microbusiness facilities in the C36 and C37 zones.

This comment also objects to the exclusion of Village Plans and Specific Plan Areas from the Draft Zoning Ordinance. The Board of Supervisors' direction on January 27, 2021 (Minute Order No. 4) directed the development of the Zoning Ordinance. The Board directed the allowed zoning for cannabis facilities which included industrial, commercial, and agricultural zones. The Board did not direct the permitting of cannabis facilities in Village zones or Specific Plan zoning. This input from the commenter is acknowledged and will be considered by the Planning Commission, and the Board of Supervisors in their deliberations regarding the final Zoning Ordinance.

The reader is also referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Comment K33-10
Correction to my comment, zone C36 and C37 are included for retail storefront. I continue to recommend the specific plan areas and village plan areas outlined above.

Response K33-10
The reader is referred to response to Comment K33-9.

Comment K33-11
While a straight line, “as the crow flies”, measurement without regard for intervening structures, is necessary for the 600-foot sensitive use barriers required by state law, if the county were to adopt a 1,000 foot sensitive use radius from additional sensitive uses, we would recommend that significant natural or man-made barriers that would prevent physical and visual access be considered. For example, originally in the San Diego City ordinance, no such considerations were made. For this reason, applicants in the industrial Midway district were disallowed, because on the other side of a four-lane Freeway was a Mission Bay Park, despite there being no access of visual of the park from the otherside of the Freeway. Later the City revised its ordinance to include the below language. I recomment that such language also be written into the county ordinance, if you wish to include buffers of greater than 600 feet and/or additional sensitive use buffers:

San Diego Municipal Code Section 113.0225.c:

""When measuring distance for separation requirements for cannabis outlets or cannabis production facilities, the measurement of distance between the uses shall take into account natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access."

Response K33-11
This comment recommends that the County consider barriers that prevent physical or visual access to cannabis facilities if they implement expanded sensitive use buffers. The commenter provides an example from the City of San Diego. This input from the commenter is acknowledged and will be considered by the Planning Commission, and the Board of Supervisors in their deliberations regarding the final Zoning Ordinance.

The reader is also referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Letter K34 Terrie Best

March 30, 2025

Comment K34-1
I feel alternative 1, which takes no action to improve safe access to medical cannabis is untenable. The county should regulate the illicit market that is already thriving in its borders. From a revenue and public safety perspective regulations are required.

Response K34-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Comment K34-2
I feel this is the alternative that best fits San Diego County's needs. I noticed over the months and years of listening in on and contributing to the public info-gathering the county did on this issue that using state regulations with no added restrictions to land use was preferred. Which is probably why alternative 2 is on option here. The county staff listened to the stakeholders and public.

Response K34-2
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K34-3
Alternatives 3-5 are overly restrictive and will not address public safety. Adding more land use restrictions that what the state allows causes de facto bans and that provides space for the illicit market to thrive and remain unsafe and untaxed.

Response K34-3
The comment provides an opinion regarding the merits or qualities of the proposed program. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter K35 Kathleen Lippitt

March 30, 2025

Comment K35-1

Marijuana cultivation, especially in riparian habitats (areas near rivers, streams, and wetlands), can cause several environmental harms, particularly when it involves greenhouses and manufacturing operations. Some key concerns include:

1. Water Diversion & Depletion

- Cannabis plants require large amounts of water, especially during peak growing seasons.
- Illegal or unregulated water diversions can reduce streamflow, affecting aquatic life and riparian vegetation.
- Lower water levels can lead to higher water temperatures, harming fish like steelhead trout and salmon, which depend on cool water.

Response K35-1

Impacts associated with surface water diversion are discussed in Draft PEIR Section 2.4, "Biological Resources," and 2.11, "Hydrology and Water Quality." As identified in these sections of the Draft PEIR, surface water flow requirements for diversions under SWRCB Order WQ 2023-0102-DWQ were developed to protect fish spawning, migration, and rearing for endangered anadromous salmonids, as well as flows needed to maintain natural flow variability in each watershed. The diversion requirements would ensure that the individual and cumulative effects of water diversions and discharges associated with commercial cannabis cultivation do not affect instream flows necessary for fish spawning, migration, and rearing for endangered anadromous salmonids, as well as flows needed to maintain natural flow variability.

Comment K35-2

2. Pesticide & Fertilizer Runoff

- Cultivation often involves the use of pesticides, herbicides, and fertilizers that can run off into nearby streams.
- Nutrients like nitrogen and phosphorus can cause algal blooms, reducing oxygen levels and harming aquatic species.
- Toxic chemicals from unregulated operations can poison fish, amphibians, and insects.

Response K35-2

The reader is referred to Draft PEIR Section 2.11, "Hydrology and Water Quality," for the evaluation of water quality impacts from cannabis runoff. As described in Draft PEIR Section 2.11, a nitrogen management plan is required for commercial cannabis cultivation sites SWRCB Order WQ 2023-0102-DWQ. Pesticide application is addressed in Section 2.10, "Hazards and Hazardous Materials," under Issue 1. Pesticides used on commercial cannabis

cultivation sites are restricted to those with 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 commercial cannabis cultivation sites. 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 and rosemary oil. The use of restricted pesticides on commercial cannabis cultivation is prohibited.

Comment K35-3
3. Habitat Destruction

- Clearing land for cannabis cultivation, especially in riparian zones, can lead to soil erosion and loss of vegetation.
- The removal of trees and plants can destabilize stream banks, increasing sedimentation in waterways.
- Increased sediment loads can smother fish eggs and aquatic invertebrates, disrupting ecosystems.

Response K35-3
As described in the Draft PEIR biological resources analysis, regional habitat linkages and corridors have been identified in the MSCP, and according to the BMO, development projects must generally avoid corridors and linkages within the MSCP to the maximum extent practicable. In addition, the reader is referred to Section 9.1.1.6, “Master Response: Consideration of Environmental Impacts of Cannabis.”

Comment K35-4
4. Greenhouse Impacts

- Greenhouses require artificial lighting, which can disrupt nocturnal wildlife and alter natural light cycles.
- They also generate heat and humidity, potentially affecting local microclimates.
- Many greenhouses use plastic sheeting, which can degrade and contribute to plastic pollution in nearby waterways.

Response K35-4
The potential effects on nighttime lighting are addressed in Issue 3: Adversely Affect Views due to New Light and Glare in Section 2.2, “Aesthetics,” in the Draft PEIR. As noted in the second bullet point on page 2.2-31, “Section 6995(g)(2)(iv): Lighting is prohibited in an agricultural shade structure or agricultural crop structure, as defined by Sec 91.1.105.2.a.18 of the County Building Code.” In addition, the reader is referred to Section 9.1.1.6, “Master Response: Consideration of Environmental Impacts of Cannabis.”

Comment K35-5
5. Manufacturing Waste & Pollution

- Cannabis processing facilities (for oils, edibles, concentrates) can generate hazardous waste, including solvents like butane, ethanol, and CO2.
- Improper disposal of these chemicals can contaminate soil and water, affecting both wildlife and human water supplies.
- Wastewater from cannabis extraction can contain heavy metals, pesticides, and organic waste, further polluting riparian ecosystems.

Response K35-5
With regard to the discussion of hazardous waste, the reader is referred to Section 2.10, "Hazards and Hazardous Materials," of the Draft PEIR for a discussion related to the potential for impacts related to hazards and hazardous materials to occur as a result of the program. Term 27 of Attachment A of State Water Resources Control Board (SWRCB) Order WQ 2023-0102-DWQ prohibits discharge cannabis wastewater into septic systems and leach fields.

Comment K35-6
6. Increased Human Activity & Infrastructure

- Roads, power lines, and infrastructure built to support cultivation can fragment wildlife corridors.
- Increased human activity can lead to poaching, illegal dumping, and disturbance of sensitive species.
- Noise pollution from generators, fans, and machinery can impact bird species and other wildlife.

These are concerns based on the impacts of marijuana operations in other communities/counties in California.

- According to NBC News 2022, 70-80% of MJ sold in state-LEGAL dispensaries in Calif was produced and grown ILLEGALLY (SOURCE: https://learnaboutsam.org/wp-content/uploads/2023/04/2023-Report.pdf)
- 0.49% of California's state budget is comprised of MJ taxes
- Outdoor MJ grow sites consume an estimated 29.4 Million gallons of water per yr in Calif. (Greta Wengart, Integral Ecology Research Center Ca.
- Indoor MJ grows emit as much C02 as 3.3 MILLION CARS (Larkin & Sweeney, 2022)
- MJ PRODUCTION IS NEARLY 4X MORE ENERGY INTENSIVE THAN COAL OR OIL (MILLS, 2012)

- Cartel presence in California has only expanded since legalization. In California, authorities suspect—based on phone records and wire transfer activity, as well as figurines commonly associated with cartels, such as those depicting Jesus Malverde—that illegal marijuana activity is tied to the Sinaloa and La Familia Michoacana cartels (Magdaleno, 2018).

- A study of 57 concentrates legally sold for dabbing in California found that almost 72% of the samples contained residual solvents, including isopentane, butane, and propane. One third of those samples also contained pesticide residues (Haggerty, 2020).

- Environmental Impacts Pg 43

The two county supervisors that advocated for this program are gone and the now board majority supervisors who are continuing to push for this program do not live in the unincorporated communities and those they represent are in urban communities. The over 500,000 unincorporated residents had their voices silenced when they were not given the option of voting as to whether they wanted this program or not. The County's Social Equity plan is racist on its face and will have a disparate impact on them, which is a violation of their 14th Amendment.

Response K35-6
The reader is referred to Section 9.1.1.7, “Master Response: Consideration of Environmental Impacts of Cannabis.” The comment’s statements regarding the proposed equity program are noted.

Comment K35-7
California’s voters legalized pot in 2016, they voted for an initiative that specifically called on the state to regulate pesticides in cannabis products.

A SFGATE investigation has found numerous problems plaguing the state’s pesticide rules, including labs falsifying safety tests and stores selling pot contaminated with banned chemicals. Meanwhile, the state’s own pot regulator, the Department of Cannabis Control (DCC), has admitted it is currently unable to test for pesticide contamination in some pot products. And due to a lack of transparency at the agency, consumers might never know they’re consuming pesticides or other contaminants.

Response K35-7
The reader is referred to Section 9.1.1.9, “Master Response: Cannabis Product Safety and Testing.”

Comment K35-8
The two county supervisors that advocated for this program are gone and the now board majority supervisors who are continuing to push for this program do not live in the unincorporated communities and those they represent are in urban communities. The over 500,000 unincorporated residents had their voices silenced when they were not given the option of voting as to whether they wanted this program or not. The County's Social Equity plan is racist on its face and will have a disparate impact on them, which is a violation of their 14th Amendment.

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When the DCC suspects a product is contaminated, it sends secret product "embargoes" to pot companies, leaving the public in the dark — even when stores violate embargoes by selling the potentially dangerous products. Last year, SFGATE learned about one of these secret warnings and told the public about the three embargoed products. The DCC finally warned the public about one of the products two months later, when the producer issued a voluntary recall; the agency has yet to publicly address safety issues about the other two products.

Nicole Elliott, the director of California's Department of Cannabis Control, declined months of interview requests for this investigation, and the agency has refused to answer the majority of SFGATE's questions, citing "ongoing investigations," or to make any agency experts available for an interview.

California's pot regulations are not a total failure; studies have shown that pot purchased at legal stores is less likely to be contaminated than illicit cannabis. However, Josh Swider, the CEO of Infinite Chemical Analysis Labs, a cannabis testing lab in San Diego, said the DCC's lack of enforcement has allowed contaminated pot to leak onto the shelves of legal stores across the state.

"It's a broken system. You can't say it's not," Swider said.

County enforcement is reactive. Code enforcement officers are not suitable to visit marijuana grows, legal of otherwise. The public is intimidated by those with industry interests and should not be used to be de facto inspectors responsible for reporting unlawful or problematic grows. Oregon's cannabis retail environment was correlated with adolescent cannabis use and beliefs in 2017, including specifically use of manufactured cannabis products that are becoming common in a legal cannabis market. Younger student cannabis use was most often linked to cannabis advertising exposure, while older student cannabis use was more common among students who attended high schools within 1 mile from a cannabis retailer.

- H.S. Kim et al.

Colorado cannabis legalization and its effect on emergency care

Ann. Emerg. Med.

(2016)

- M.J. Paschall et al.

Recreational marijuana availability in Oregon and use among adolescents

Am. J. Prev. Med.

(2020)

- I.C. Rhew et al.

Associations of cannabis retail outlet availability and neighborhood disadvantage with cannabis use and related risk factors among young adults in Washington State

Drug Alcohol Depend.

(2022)

Response K35-8
The comment expresses concern regarding cannabis product safety, public health, and crime. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," in regard to community safety caused by the proposed program, Section 9.1.1.7, "Master Response: Public Health Effects of Cannabis Use," and Section 9.1.1.9, "Master Response: Cannabis Product Safety and Testing," regarding state quality controls and testing.

Letter K36 Ennis Pipe

March 31, 2025

Comment K36-1
I am writing to voice my opposition to the Socially Equitable Cannabis Program for a number of reasons. They are:

Impact on the quality of life of Bonsall and Fallbrook due to the environmental issues, safety of our neighborhoods, and our day-in, day-out quality of life. There was an investigation conducted by SFGate, released in February 2024, that disclosed "that banned pesticides keep showing up in California's legal pot." This is occurring because of lack of specifically required oversight by the state. There is a lack of transparency and resources to oversee a critical, and key, component of the legalization program. These grow farms pollute the air, pollute the water, and the smell. Wineries in our area will be forced out of business because their grapes will be tainted (go ask Napa how the 2020 vintage went with the fires -grapes were left to rot on the ground due to smoke taint.)

Response K36-1
The comment expresses concern about environmental impacts, odors, potential hazards, and code enforcement related to cannabis. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," for a discussion related to the potential for odors, and Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis," for a discussion related to pollution and environmental impacts. The comment states that cannabis odors could have negative effects on other crops. This is often referred to as "taint," where the

smell or taste of one agricultural product affects the smell or taste of another agricultural product. The County is not aware of evidence of this occurring; nevertheless, this concern is acknowledged for the record.

With regard to the discussion of hazardous waste, the reader is referred to Section 2.10, "Hazards and Hazardous Materials," for a discussion related to the potential for impacts related to hazards and hazardous materials to occur as a result of the project, and Section 9.1.1.9, "Master Response: Cannabis Product Safety and Testing," regarding state quality controls and testing. The comment also expresses concerns about code enforcement–related impacts associated with cannabis. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

Comment K36-2
On March 28th, it's been announced that a California cannabis company with 16 dispensaries, a 100,000 square foot 'cultivation campus', and $100m in revenue is entering into voluntary receivership. A 100,000 square foot campus…I'll say it again, a 100,000 square foot campus. These aren't little mom and pop businesses. The are corporate entities who, if Santa Barbara County is anything to go by, do not care one iota about local communities and their quality of life and they have zero interest nor financial ability to clean up the environment.

Specifically, as it relates to the Bonsall community, there is a near complete lack of law enforcement resources for our community. Supervisor Desmond and the Sheriff's Department have acknowledged that resources aren't available yet we are encouraging the growth and use of cannabis near or in our local community and forcing our community to deal with consequences.

Response K36-2
The commenter expresses concern about the scale of a potential commercial cannabis operations and a lack of law enforcement resources to respond to cannabis-related impacts. The proposed Cannabis Program does not include the entitlement of any specific cannabis application. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime," for a further discussion regarding law enforcement and crime.

Comment K36-3
I personally litter-pick along two roads in our community for 3 hours per week. The amount of discarded beer cans, spirits bottles, discarded drug paraphernalia, and empty Amazon packaging (from packages being stolen of porches) that I am cleaning up by the side of the road is alarming. And somehow, this problem continues to be ignored due to lack of resources. Our Cal-West development has had trucks, electric bikes, and other thefts with little support. I'll also add that I personally have returned used needles to the Sheriff department that I've picked up off sidewalks near my home -and I live across from an elementary school. Yet, there is still no ability to monitor, directly address, or solve these issues due to lack of law enforcement or political will and yet, somehow, someone thinks it's a good idea to open up unincorporated areas to grow farms and dispensaries? Selfish? Self-centered?

I could go on but it is clear and obvious from a number of perspectives that this makes absolutely zero sense to allow this industry to establish themselves in our communities.

Ennis Pipe
March 31, 2025

Response K36-3
The commenter expresses concern about issues relating to law enforcement and public safety in their community. The reader is referred to Section 9.1.1.4, “Master Response: Code Enforcement and Crime,” in regard to concerns related to enforcement, illegal activity, and community safety.

Letter K37 Armand

March 31, 2025

Comment K37-1
The inclusion of “religious assembly” as a sensitive use in cannabis zoning regulations presents a number of practical, legal, and policy-related concerns that must be carefully considered before implementation. As currently defined in County Code Section 1348, the term is overly broad and ambiguous, making it problematic for land use planning and a potential barrier to fair and consistent cannabis permitting.

The definition reads:

"The Civic, Fraternal or Religious Assembly use type refers to meetings and activities attended regularly by and conducted primarily for their members, by nonprofit organizations which are tax-exempt pursuant to Section 501(c) of the Internal Revenue Code and which may meet during or after regular business hours. Typical uses include meeting places for civic clubs, ethnic associations, social clubs, scouting organizations, churches, mosques, synagogues, temples, or fraternal or veterans organizations."

This expansive definition essentially allows any civic hall, event space, private business, or home that hosts a religious or civic gathering—even temporarily—to qualify as a “sensitive use.” By this logic, a community center that rents out a space once a week to a prayer group, or a veterans hall that hosts a church-sponsored fundraiser, would be treated the same as a full-time house of worship under the zoning code. This is not only overly inclusive, but opens the door to arbitrary and even bad-faith use of zoning to obstruct cannabis businesses.

In practical terms, such a broad definition makes it far too easy for opponents of a proposed dispensary to establish a last-minute religious or civic “event” in close proximity in order to derail a project. This creates an unpredictable, inconsistent, and potentially exploitable process, placing undue risk and burden on legal cannabis operators—particularly equity applicants and small business owners with limited resources to navigate prolonged zoning battles.

Additionally, the justification for including religious assemblies as a sensitive use is not grounded in objective evidence of public harm. There is no universal religious stance on cannabis. To the Rastafari faith, cannabis is sacred. For many other religious groups, its medicinal use is seen as legitimate and acceptable. And while some denominations oppose it,

this variance in belief underscores that religious views on cannabis are subjective, diverse, and not an appropriate standard for public land use regulation.

It must also be acknowledged that there is a very low barrier to entry to establishing a religious meeting space. Many religious assemblies are held in homes, rented rooms in civic halls, women's centers, or recreational spaces. Private businesses can even host worship services. This makes religious assembly an overly fluid and difficult-to-map use type, rendering it an unreliable or impractical zoning buffer.

Moreover, the inclusion of religious assemblies as a sensitive use does not align with the nature of many cannabis business types. Manufacturing facilities, delivery hubs, distribution centers, and testing laboratories are not public-facing operations. They do not have signage, they do not engage with walk-in customers, and their presence is often unnoticeable to the surrounding community. The idea that a nearby religious center—or its patrons—would be negatively impacted by a non-public-facing cannabis operation is unsupported by logic or data.

For these reasons, I strongly recommend that religious assembly not be included as a sensitive use criterion in cannabis zoning regulations. If it is included, it must at minimum be narrowly and clearly defined, with firm criteria regarding frequency, permanence, and primary use of the site. Otherwise, the result will be an unworkable and unfair regulatory framework that disproportionately harms responsible cannabis businesses and invites obstruction through vague or manipulable land use classifications.

San Diego County has the opportunity to create a thoughtful, balanced, and equitable cannabis program. That effort must be grounded in clearly defined terms, practical regulations, and policies that protect both community integrity and the rights of legal business operators. The current definition of religious assembly, as written, undermines that goal and should not be adopted in this form.

Response K37-1

The comment expresses concern about the inclusion of “religious assembly” as a sensitive use in cannabis zoning regulations. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The reader is also referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program,” which addresses how sensitive uses are defined and applied under the program. The comment will be considered by the Board during future decision-making activities.

Comment K37-2
While it is understood that a straight-line, “as-the-crow-flies” measurement is required under California state law to establish the 600-foot buffer between cannabis businesses and certain sensitive uses, we urge the County of San Diego to take a more nuanced and practical approach when considering any additional local buffer requirements—particularly those extending to 1,000 feet or more and applying to a broader range of sensitive uses.

The rigid application of straight-line measurements, without regard for intervening natural or constructed barriers, can lead to results that are both unreasonable and counterproductive. A policy that fails to account for physical and visual separation can unjustly disqualify otherwise ideal and compliant parcels, particularly in industrial or commercially zoned districts where cannabis businesses are most appropriate.

A clear example of this issue can be seen in the City of San Diego’s initial implementation of its cannabis ordinance. In the Midway industrial district, numerous applicants were denied due to proximity—by straight-line measurement—to Mission Bay Park, which was located on the opposite side of a wide, four-lane freeway. Despite the complete lack of visual or pedestrian access, these parcels were disqualified under the original ordinance. This rigid application of the rule resulted in the unnecessary loss of viable business locations and ultimately undermined the intent of thoughtful cannabis regulation.

Recognizing this flaw, the City of San Diego later revised its ordinance to include more practical and contextual language that takes barriers into account. We recommend that the County adopt a similar standard by incorporating language modeled after San Diego Municipal Code Section 113.0225(c), which states:

"When measuring distance for separation requirements for cannabis outlets or cannabis production facilities, the measurement of distance between the uses shall take into account natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access."

Including such language in the County ordinance would promote a more rational and defensible approach to land use planning. It would allow planners and applicants alike to consider the true impact and context of a cannabis business’s location, rather than relying on a measurement method that ignores on-the-ground realities.

This approach is not only fair—it also better aligns with the County’s goals of promoting access to opportunity, encouraging responsible site selection, and avoiding unnecessary legal and procedural conflicts. It ensures that sensitive uses are meaningfully protected without obstructing the development of compliant, well-regulated cannabis businesses.

In conclusion, if the County of San Diego intends to adopt buffers exceeding 600 feet or to expand the list of sensitive uses, we strongly recommend that natural and man-made barriers be taken into account when calculating separation distances. This small but critical adjustment will ensure the ordinance is both practical in its application and equitable in its outcomes.

Response K37-2
This comment recommends that the County consider barriers that prevent physical or visual access to cannabis facilities if they implement expanded sensitive use buffers. The commenter provides an example from the City of San Diego. This input from the commenter is acknowledged and will be considered by staff, Planning Commission, and the Board of Supervisors in their deliberations regarding the final Zoning Ordinance.

The reader is also referred to Section 9.1.1.8, “Master Response: Comments on Proposed County Code Changes Under the Socially Equitable Cannabis Program.”

Comment K37-3
If the County of San Diego intends to include local parks as a sensitive use in the cannabis zoning ordinance, we strongly recommend that the definition of “local parks” be narrowly and clearly defined to include only public parks with playground equipment or designated youth recreational areas. This clarification is critical to avoid misapplication of the ordinance and to ensure that the intended spirit of protecting areas frequented by youth is upheld without creating unintended zoning barriers.

Experience from the City of San Diego provides a clear and cautionary example. In the City’s original cannabis zoning ordinance, the term “parks” was included as a sensitive use without a specific definition. However, under San Diego’s municipal code, any parcel zoned as “Open Space” is managed by the Parks and Recreation Department and is technically classified as a “park”—regardless of whether it contains any recreational infrastructure, public access, or actual park-like features.

This resulted in unintended consequences during the ordinance’s implementation. Vast stretches of undevelopable land—such as steep slopes, floodplains, canyon areas, and environmentally protected open spaces—were mistakenly treated as sensitive uses. In many cases, these areas had no public access, no recreational use, and were not utilized by families or children in any capacity. Despite this, they triggered cannabis zoning buffers, leading to unnecessary disqualification of viable business sites and confusion among planners and applicants alike.

Recognizing the flaw in this approach, the City of San Diego later amended its interpretation to clarify that “open space” parcels were not to be considered “parks” for the purpose of cannabis zoning. However, without clear language from the outset, this issue consumed time, resources, and created regulatory ambiguity. It also had the unintended effect of severely limiting the availability of compliant parcels, particularly in areas already constrained by multiple buffer requirements.

To prevent similar challenges in San Diego County and ensure consistency across jurisdictions, we recommend the County adopt a precise and functional definition of ""local parks"" within the cannabis ordinance. Specifically, we recommend language that defines a park as:

""Publicly accessible recreational land that includes playground equipment or designated youth recreational facilities.""

This approach ensures that the buffer serves its intended purpose—protecting areas where children and families regularly congregate—while not creating arbitrary limitations based on undevelopable or inaccessible land that poses no practical concern.

Cannabis businesses are already subject to rigorous zoning requirements and sensitive use buffers. Expanding these criteria without clear definitions introduces uncertainty and further restricts the limited areas where compliant, well-regulated operations can exist—especially in industrial or commercial zones appropriate for cannabis activity.

In conclusion, if local parks are to be included as a sensitive use, the County must define them with intention and specificity. Limiting the definition to parks with playground equipment or youth-serving facilities strikes the appropriate balance between community protection and business viability. It avoids the pitfalls experienced by other jurisdictions and provides a clearer, more predictable regulatory environment for all stakeholders.

Response K37-3

The comment suggests that the County should define local parks as a sensitive use narrowly to avoid unintended zoning restrictions. As discussed in Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR,” the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, “Master Response: Board of Supervisors Direction and Future Decision-Making,” regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

The reader is referred to Section 9.1.1.8. “Master Response: Comments on Proposed County Code Changes under the Socially Equitable Cannabis Program,” which addresses the definition and application of sensitive uses under the proposed ordinance. The comment will be considered by the Board during future decision-making activities.

Comment K37-4

If the County of San Diego intends to include local parks as a sensitive use in the cannabis zoning ordinance, we strongly recommend that the definition of “local parks” be narrowly and clearly defined to include only public parks with playground equipment or designated youth recreational areas. This clarification is critical to avoid misapplication of the ordinance and to ensure that the intended spirit of protecting areas frequented by youth is upheld without creating unintended zoning barriers.

Experience from the City of San Diego provides a clear and cautionary example. In the City’s original cannabis zoning ordinance, the term “parks” was included as a sensitive use without a specific definition. However, under San Diego’s municipal code, any parcel zoned as “Open Space” is managed by the Parks and Recreation Department and is technically classified as a

“park”—regardless of whether it contains any recreational infrastructure, public access, or actual park-like features.

This resulted in unintended consequences during the ordinance’s implementation. Vast stretches of undevelopable land—such as steep slopes, floodplains, canyon areas, and environmentally protected open spaces—were mistakenly treated as sensitive uses. In many cases, these areas had no public access, no recreational use, and were not utilized by families or children in any capacity. Despite this, they triggered cannabis zoning buffers, leading to unnecessary disqualification of viable business sites and confusion among planners and applicants alike.

Recognizing the flaw in this approach, the City of San Diego later amended its interpretation to clarify that “open space” parcels were not to be considered “parks” for the purpose of cannabis zoning. However, without clear language from the outset, this issue consumed time, resources, and created regulatory ambiguity. It also had the unintended effect of severely limiting the availability of compliant parcels, particularly in areas already constrained by multiple buffer requirements.

To prevent similar challenges in San Diego County and ensure consistency across jurisdictions, we recommend the County adopt a precise and functional definition of "local parks" within the cannabis ordinance. Specifically, we recommend language that defines a park as:

"Publicly accessible recreational land that includes playground equipment or designated youth recreational facilities."

This approach ensures that the buffer serves its intended purpose—protecting areas where children and families regularly congregate—while not creating arbitrary limitations based on undevelopable or inaccessible land that poses no practical concern.

Cannabis businesses are already subject to rigorous zoning requirements and sensitive use buffers. Expanding these criteria without clear definitions introduces uncertainty and further restricts the limited areas where compliant, well-regulated operations can exist—especially in industrial or commercial zones appropriate for cannabis activity.

In conclusion, if local parks are to be included as a sensitive use, the County must define them with intention and specificity. Limiting the definition to parks with playground equipment or youth-serving facilities strikes the appropriate balance between community protection and business viability. It avoids the pitfalls experienced by other jurisdictions and provides a clearer, more predictable regulatory environment for all stakeholders.

Response K37-4

The comment recommends a narrowly tailored definition of “local parks” to avoid unintended zoning impacts and references lessons from the City of San Diego. The reader is referred to response to Comment K37-3.

Comment K37-5
Throughout San Diego County, public trails are commonly found running alongside industrial zones—areas that already accommodate a wide variety of active industrial and commercial operations. These trails have long coexisted with businesses ranging from manufacturing plants to logistics centers, without creating conflicts or safety concerns for trail users.

In this context, it's important to evaluate the realistic impact a cannabis business would have on a nearby trail. For the vast majority of cannabis license types—such as retail, manufacturing, distribution, delivery, and testing—operations are conducted entirely within enclosed, secured structures. These facilities do not emit odors, have no exterior signage related to cannabis, and are virtually indistinguishable from any other commercial or industrial building to someone passing by on a trail.

The only cannabis use type that might have a perceptible effect on a trail user would be outdoor or greenhouse cultivation, due to the potential for odors or visibility of plants. Even then, impacts can be addressed through standard mitigation practices such as setbacks, fencing, vegetation buffers, and proper site planning.

For this reason, if public trails are to be considered a sensitive use within the ordinance, we strongly recommend that this designation be limited exclusively to outdoor and greenhouse cultivation. Applying it across all cannabis business types—including those entirely enclosed and non-public-facing—would create unnecessary barriers and drastically limit viable zoning, especially in industrial areas where many trails naturally intersect with other permitted uses.

Such a broad application would also be inconsistent with how other land uses near trails are treated and would unjustly single out cannabis businesses, despite their highly regulated nature and minimal external impact.

In conclusion, if the goal is to protect the experience of trail users, a targeted approach is the most appropriate path forward. Restricting this buffer only to cultivation activities—where a tangible impact might exist—ensures both community preservation and regulatory fairness.

Response K37-5
This comment expresses concern regarding public trail buffers. The reader is referred to response to Comment K37-3.

Comment K37-6
The inclusion of "child care centers" as an additional sensitive use in the County's cannabis ordinance raises important concerns around clarity, redundancy, and potential conflict with state law. Under existing California law, "day care centers" are already recognized as sensitive uses subject to the state-mandated 600-foot buffer requirement for cannabis businesses. Therefore, adding "child care centers" as a separate or additional category is not only duplicative, but also introduces unnecessary confusion for applicants, staff, and the broader community.

A primary issue stems from the lack of a consistent definition between "day care centers" under state law and what might be interpreted as "child care centers" at the local level. These terms are often used interchangeably, but in legal and regulatory contexts, they can carry

distinct meanings. Without clear alignment to state definitions, the inclusion of “child care centers” could lead to misinterpretation, inconsistent enforcement, or even legal challenges based on nonconformity with state law.

In addition, introducing a broader term like “child care centers” risks inadvertently including in-home daycare providers, which are often small, informal, and difficult to identify through public records. These in-home providers frequently operate out of private residences and may not be clearly marked or easily discoverable by applicants conducting site searches. Including them as sensitive uses could create a highly unpredictable regulatory landscape where applicants are penalized for proximity to facilities that may not be visible, publicly listed, or mapped.

To promote consistency, reduce confusion, and ensure compliance with state law, we strongly recommend that the County reference and align with the state’s definition of “day care centers” as specified in the California Business and Professions Code and the Department of Social Services licensing framework. This approach will provide clarity for both applicants and enforcement agencies, while avoiding redundant or conflicting terminology that complicates the permitting process.

In conclusion, while protecting youth-serving facilities is a shared goal, regulatory language must be precise and consistent with state standards. For this reason, we urge the County to remove the term “child care centers” from the ordinance and instead defer to the established and well-defined state-sensitive use designation of “day care centers.” This will ensure both effective policy implementation and a fair, transparent process for all stakeholders involved.

Response K37-6
The reader is referred to response to Comment K37-3.

Comment K37-7
The inclusion of “Preserves with visitor-serving amenities” as a sensitive use in the cannabis ordinance, if not precisely defined, poses a serious risk of regulatory overreach and unintended consequences. If the entirety of an open space preserve is treated as a sensitive use—rather than just the areas where the public actively engages—it could result in the unjust disqualification of countless viable parcels, significantly undermining the goals of a fair, functional cannabis permitting process.

Preserves in San Diego County are immense in size and often include large swaths of undeveloped, inaccessible terrain that have no public interface, no trails, and no recreational or educational activities. A clear example of this is the San Elijo Lagoon Ecological Reserve, which spans approximately 979 acres. While it contains a public-facing visitor center midway along its northern border—complete with educational signage and pedestrian access—the majority of the preserve is passive habitat, with no public trails, no infrastructure, and no reasonable basis to be treated as a sensitive use.

To declare the entire boundary of a preserve such as San Elijo Lagoon off-limits to cannabis businesses would be both arbitrary and irrational, especially when considering parcels on the extreme edges of the preserve—like the eastern boundary—where there is no public access, no visibility, and no logical pathway for interaction with preserve users.

This approach would mirror the same mistakes seen in earlier cannabis ordinances, where open space or park land was treated as sensitive simply because of its zoning designation, regardless of whether it functioned as a true public gathering space. These kinds of blanket designations resulted in vast and unnecessary restrictions, blocking cannabis businesses from locating on parcels that otherwise posed no tangible risk or conflict with community uses.

Moreover, such an overbroad definition opens the door to legal and procedural challenges. It lacks the specificity required to ensure consistent application, and risks being interpreted and enforced in a way that is subjective, inconsistent, and inequitable—particularly for small businesses and equity applicants who may not have the legal resources to navigate such vague restrictions.

To avoid these pitfalls, we strongly urge the County to limit this sensitive use designation solely to the areas within preserves that contain “visitor-serving amenities”—such as visitor centers, restrooms, parking areas, trailheads, educational exhibits, and any other locations specifically designed for public use. This language is clear, measurable, and grounded in the actual intent of the sensitive use designation: to protect areas where children, families, and the public regularly gather.

A preserve in its entirety is not a visitor-serving area. It is often hundreds of acres of ecologically protected space, much of which is not designed for—or even accessible to—the public. To treat these lands as though they are functionally equivalent to a school, playground, or park with active amenities is both factually incorrect and dangerously overbroad.

In conclusion, if the County of San Diego wishes to include preserves in the list of sensitive uses, it must clearly limit that designation to the actual visitor-serving portions of those preserves. Anything beyond that would not only undermine sound policy—it would also erode confidence in the fairness and integrity of the cannabis land use process.

Response K37-7
The comment suggests that the County modify the proposed Cannabis Program’s definition of sensitive uses to only include the visitor-serving portions of those preserves. The reader is referred to response to Comment K37-3.

Comment K37-8
Excluding Village Plans and Specific Plan Areas from eligibility for cannabis dispensaries—particularly if additional sensitive use buffers are adopted—would have severe and likely unintended consequences on the viability of legal cannabis businesses in key communities within San Diego County.

Specifically:

By not including Village Plans, the County would effectively eliminate the vast majority of viable commercial zoning in Fallbrook, one of the only areas in the unincorporated region where retail activity is centralized and appropriately zoned for dispensary use. Fallbrook’s Village Plan Area is where the bulk of its commercial core lies—excluding it from consideration would render almost all viable parcels in the area off-limits, effectively shutting out this community from the opportunity to host a legal dispensary.

By not including Specific Plan Areas, the County would completely eliminate all viable commercial zoning in Otay, where cannabis businesses might otherwise be located in well-planned, designated commercial corridors. Otay's Specific Plan governs the layout and development of the area, and failure to include it in cannabis zoning essentially blocks any path forward for retail cannabis access in that entire region.

This exclusion creates a troubling inconsistency. These plan areas were specifically designed to guide smart growth, designate compatible land uses, and create cohesive, community-centered development. In many cases, they contain some of the best-suited parcels for cannabis retail, thanks to their commercial nature, walkability, infrastructure, and distance from truly sensitive community uses.

To ignore these areas is to undermine the very planning tools that the County has long used to promote balanced and sustainable development. It also directly contradicts the goals of a fair and geographically equitable cannabis program.

Furthermore, removing Village Plans and Specific Plan Areas from eligibility:

Reduces local access to legal cannabis, which could push consumers back into the illicit market—undermining public safety and economic goals.

Disproportionately impacts smaller and rural communities, which may already face barriers to participation and investment.

Contradicts the intent to spread opportunities equitably across unincorporated areas, rather than concentrating dispensaries only in a few overburdened regions.

In conclusion, we urge the County to include both Village Plans and Specific Plan Areas as eligible zoning designations for cannabis dispensaries. Doing so is essential to preserve viable commercial locations, ensure geographic equity, and fulfill the goals of an accessible, regulated, and community-conscious cannabis program.

Response K37-8
The comment suggests that the County should village plans and specific plan areas as eligible zoning designations for cannabis dispensaries use under the proposed Cannabis Program. The reader is referred to response to Comment K33-9.

Comment K37-9
The inclusion of "Residential Care Facilities" as a sensitive use in the cannabis ordinance is deeply problematic and inconsistent with both current law and the recognized medical utility of cannabis, particularly for the elderly and terminally ill. According to California Code of Regulations, Title 22, § 58032, a "Residential Care Facility" is defined as "a facility licensed as a Residential Care Facility for the Elderly or a residential care facility as defined in the California Health and Safety Code." This definition includes a wide range of facilities, such as dementia care homes, assisted living centers, and hospice care environments.

It is precisely these populations—elderly individuals, those living with chronic illness or cognitive decline, and patients in hospice care—who frequently rely on cannabis-based

medicine to support quality of life, palliative care, appetite stimulation, anxiety reduction, and pain management. Rather than being shielded from cannabis, these individuals are among its most consistent medical users.

In recognition of this need, California passed SB 311: The Compassionate Access to Medical Cannabis Act (Ryan's Law) in 2021, signed into law by Governor Gavin Newsom. This legislation, authored by Senator Ben Hueso of San Diego, requires that healthcare facilities allow terminally ill patients to use medical cannabis within their care settings. The passage of this law clearly illustrates that the State of California does not view cannabis as incompatible with the health and well-being of patients in residential care environments—on the contrary, it affirms its therapeutic value.

Given this legal and medical context, it is contradictory and counterintuitive to include Residential Care Facilities as a "sensitive use" in cannabis zoning regulations. To do so would imply that cannabis businesses pose a harm to vulnerable adults and the elderly, despite the fact that state law protects these individuals' right to access cannabis in the very facilities deemed "sensitive." This sends a conflicting message and undermines the intent of compassionate use legislation.

Moreover, the proximity of a legal, licensed cannabis business to a residential care facility poses no greater risk than proximity to a pharmacy or medical clinic—both of which often dispense powerful controlled substances. Cannabis businesses are highly regulated, non-disruptive, and discreet, particularly when not retail in nature (e.g., delivery, distribution, or manufacturing facilities).

Restricting the location of cannabis businesses near these facilities not only lacks evidence-based justification, it limits patient access to medicine, creates unnecessary zoning complications, and further stigmatizes the use of cannabis for legitimate medical care—particularly for those who need it most.

In conclusion, we strongly urge the County of San Diego to remove Residential Care Facilities from the list of sensitive uses in the cannabis zoning ordinance. Their inclusion contradicts current state law, ignores the essential medical role cannabis plays for elderly and terminally ill individuals, and erects unnecessary barriers to both patient care and legal business development. A more compassionate, logical, and aligned approach is needed—one that respects the rights of patients, the intent of Ryan's Law, and the integrity of the County's cannabis program.

Response K37-9

The comment suggests that the County should remove residential care facilities as a sensitive use under the proposed Cannabis Program. The reader is referred to response to Comment K37-3.

Letter K38 Joseph Ryan

March 31, 2025

Comment K38-1
I strongly support Alternative 2.

This alternative aligns with California voters' clear intent to legalize cannabis with fair and equal access for all applicants. It establishes a level playing field by adhering directly to state-standard regulations, promoting equity and reasonable competition among current and future cannabis businesses.

Response K38-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter's opinions into consideration when making decisions regarding the Cannabis Program.

The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K38-2
I strongly oppose Alternative 1.

Retaining current limited regulations unfairly protects existing operators, preventing equitable market entry for new businesses, particularly social equity entrepreneurs. It ignores California voters' clear directive for legalization with fair access.

Response K38-2
The commenter's opinion on Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Comment K38-3
Alternative 3 unnecessarily increases setbacks from 600 feet to 1,000 feet without evidence-based justification.

This restrictive zoning unfairly impacts new businesses, particularly social equity applicants, by severely limiting viable business locations. It appears intentionally designed to hinder the will of California voters by creating excessive barriers to entry.

Response K38-3
This comment expresses concern regarding an increase in setbacks. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K38-4
Alternative 4 unjustifiably prohibits outdoor cannabis cultivation, disproportionately harming new and smaller operators who rely on lower-cost outdoor cultivation options.

Such a prohibition directly opposes equitable access intended by the voters, limiting competition, and favoring only those who can afford indoor facilities.

Response K38-4
The commenter's opinion on Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K38-5
Alternative 5 imposes unnecessary and arbitrary restrictions, both through overly restrictive setbacks and limiting outdoor cultivation size.

These constraints disproportionately burden new operators and small-scale farmers, stifling competition and market equity without providing demonstrable public benefits.

Response K38-5
The reader is referred to response to Comment K38-4.

Comment K38-6
"Is there documented evidence supporting the necessity for expanding setbacks from 600 to 1,000 feet in Alternatives 3, 4, and 5? Without clear and compelling justification, these increased setbacks unfairly restrict new cannabis operators—while current operators remain unaffected—creating an uneven playing field that appears designed solely to limit competition. This directly conflicts with California voters' intent to provide equitable market access."

Response K38-6
The reader is referred to response to Comment K38-4.

Letter K39 Noah Friend

March 31, 2025

Comment K39-1
Given cannabis's federal status, this entire proposal is a waste of time, money, and resources. Northern California tried it, and it's already a disaster—facing an open class action lawsuit from everyone negatively affected by it. Open 'use' lounges? Straight out of the opium den playbook, except now we'll have 'high' drivers swerving alongside drunk drivers. Despicable, embarrassing, and a slap in the face to San Diego. Families won't want to live near any of these areas. Property values will tank while tourists ditch us for somewhere that doesn't reek of bad decisions. The county'll drown in red tape and shady licensing deals just to prop up a market the feds could squash any day. Meanwhile, homelessness festers and roads crumble. Great to see our priorities straight. Repeal this disaster of a plan before it drags us all down. Sincerely, a tax payer.

Response K39-1
An evaluation of property values is not required by CEQA because property values do not have an impact on the natural or physical environment. As stated in Section 15131 of the State CEQA Guidelines, the economic and social effects of a project shall not be treated as significant effects on the environment. Driving under the influence of cannabis is a criminal offense under Vehicle Code 23152(f) and is enforced by the California Highway Patrol for the unincorporated area of the county. The reader is referred to Section 9.1.1.5, "Master Response: Legal Status of Cannabis."

No specific issues related to the content, analysis, or conclusions in the Draft PEIR are raised in this comment. Therefore, no further response is provided.

Letter K40 Armand

March 31, 2025

Comment K40-1
Please note that the list of sensitive uses currently under consideration is extremely broad, encompassing virtually all sensitive uses recognized in any jurisdiction throughout California.

While community protection is a priority, applying this expansive list uniformly across all cannabis business types raises serious concerns.

Under the proposed approach, all cannabis businesses—including manufacturing facilities, distribution centers, and testing laboratories—would be subject to the same sensitive use distance requirements as retail storefront dispensaries. This would be enforced despite the fact that these non-retail operations do not engage with the public, do not display exterior signage, and typically operate discreetly within industrial or commercial areas.

Imposing identical restrictions on these fundamentally different types of operations is not only impractical, but also serves no constructive public safety purpose. It fails to acknowledge the low public visibility and impact of non-retail cannabis businesses and instead treats all cannabis operations as if they present the same risks and community concerns as a storefront dispensary. This blanket policy approach lacks nuance and will have significant negative consequences.

One of the most pressing concerns is the drastic reduction in viable, appropriately zoned land available for cannabis operations. Such expansive sensitive use buffers would severely constrain the ability of cannabis businesses—particularly storefront dispensaries—to secure compliant and commercially feasible sites. This could make it difficult or even impossible for the County to reach its planned goal of permitting 15 retail dispensaries.

Beyond limiting access to real estate, this overly restrictive framework would directly hinder the potential growth of the local cannabis industry. When businesses cannot find viable locations, they either leave the jurisdiction, operate in non-compliance, or never open at all. This leads to missed opportunities for job creation, economic development, and—critically—tax revenue.

Cannabis businesses contribute significantly to local economies through employment, commercial leasing, ancillary services, and direct tax payments. In San Diego County, various cannabis operations are taxed based on their gross receipts. When zoning policies make it harder for these businesses to operate, the County stands to lose substantial revenue that could otherwise support vital public services.

To ensure a balanced and effective approach, I strongly recommend tailoring sensitive use restrictions to the specific nature and impact of each cannabis business type. Retail dispensaries, due to their direct public interaction, could remain subject to more stringent buffer zones. In contrast, non-retail businesses such as manufacturing, testing, and distribution—given their limited public exposure—should be subject to more flexible and practical standards.

This differentiated regulatory approach would allow the County to meet its goals of protecting public safety, promoting responsible business development, and securing meaningful economic benefits for the community. It would also help ensure that the intended 15 dispensaries, along with supporting cannabis infrastructure, have a fair and realistic opportunity to operate legally and successfully within the County.

Response K40-1
This comment expresses concern applying uniform sensitive use buffers to all cannabis business types and recommends a differentiated approach. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K40-2
It is important to recognize the real-world limitations facing many of the parcels currently zoned for cannabis cultivation in the county. A significant number of these properties lack critical infrastructure—specifically, connections to the county's water, power, and sewer grids. These limitations make it virtually impossible to establish indoor or mixed-light cultivation operations, both of which require substantial utilities and capital investment.

Given these constraints, outdoor cultivation stands as the only practical and accessible option for many prospective operators—particularly small-scale, equity applicants and those without access to large sums of startup capital. By eliminating outdoor cultivation, we are not just removing one of several options; we are effectively closing the door on any viable business opportunity for a significant portion of applicants.

This is more than a zoning issue—it's an equity issue. It's a matter of fairness, opportunity, and economic empowerment. Many individuals who are seeking to enter the legal cannabis industry are doing so after years of being excluded from formal economic systems, often from communities that have been disproportionately harmed by past cannabis criminalization. These individuals should not be further disadvantaged by policies that unintentionally favor only the well-resourced.

By removing outdoor cultivation from consideration, Alternative Four effectively creates a system where only those with access to fully developed, infrastructure-rich parcels can participate. This goes against the spirit of inclusivity and fairness that should be guiding cannabis policy in San Diego County.

Furthermore, outdoor cultivation is a legitimate, regulated, and environmentally sound agricultural practice that aligns with California's long-standing agricultural heritage. It provides an entry point for sustainable, sun-grown cannabis production and supports rural economic development. Denying this pathway not only limits individual opportunity, but also weakens the county's ability to build a diverse, resilient, and inclusive cannabis industry.

For these reasons, I strongly recommend removing Alternative Four from consideration. We must remain committed to creating a regulatory environment that does not just allow but

actively supports broad participation and economic opportunity for all applicants—especially those historically left behind. Outdoor cultivation is a cornerstone of that vision and should be preserved, not eliminated.

Response K40-2
The reader is referred to response to Comment K40-1.

Comment K40-3
It is critical that the County's cannabis policy decisions are grounded not only in regulatory intent but also in economic reality. While outdoor cultivation may offer a more accessible entry point for many applicants—particularly those with limited capital—it must also be structured in a way that allows operators to sustain and grow their businesses. Unfortunately, Alternative 5, which restricts outdoor cultivation to under one acre, falls short of this standard and risks setting applicants up for failure.

The hard truth is that outdoor cultivation is not commercially lucrative on a small scale. According to Cannabis Benchmark data from July 2024, the average wholesale price of outdoor-grown cannabis in the United States was approximately $346 per pound. In stark contrast, indoor-grown cannabis fetched an average of $1,252 per pound. This substantial price gap underscores a critical point: outdoor cultivation requires scale to be viable.

Restricting outdoor cultivation to less than one acre significantly undermines an operator's ability to achieve the economies of scale necessary to remain competitive in today’s market. With such slim margins and declining wholesale prices, this limitation would make it exceedingly difficult—if not impossible—for outdoor cultivators to cover basic operating costs, let alone turn a profit or reinvest in their business.

This is not just a technical issue—it’s a matter of sustainability and fairness. By enforcing acreage limits that render outdoor cultivation financially nonviable, Alternative 5 places a disproportionate burden on small operators, equity applicants, and those who were initially drawn to outdoor cultivation due to its lower startup costs and environmental sustainability. It creates the illusion of opportunity while, in practice, blocking a clear path to success.

If we are serious about supporting an inclusive, diverse, and sustainable cannabis industry in San Diego County, we must ensure that policies enable success, not just access. A policy that limits outdoor cultivation to a point of economic infeasibility is counterproductive and contrary to the goals of equity and local economic development.

For these reasons, I strongly recommend that Alternative 5 be rejected. We should be focused on crafting policies that allow for real business viability, especially for those who have historically been shut out of legal markets. Anything less only reinforces the very disparities this program was intended to correct.

Response K40-3
The commenter’s opinion on Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, “Master Response: Range of Alternatives Considered in the Draft PEIR.”

Comment K40-4
While it is true that outdoor cannabis cultivation can produce odors, it is important to recognize that this issue is manageable and should not be viewed as a justification for eliminating or overly restricting outdoor cultivation countywide. Odor concerns can be responsibly addressed through thoughtful regulation—specifically, by implementing increased sensitive use buffers uniquely tailored to outdoor grows, rather than applying blanket restrictions across the board.

Outdoor cultivation should not be held to an unrealistic or punitive standard simply because it is more detectable than indoor operations. Instead, a balanced and evidence-based approach should be taken—one that acknowledges and mitigates concerns without closing the door on viable agricultural practices.

Much of the land zoned for outdoor cultivation in the unincorporated areas of San Diego County is located in remote, rural regions—far removed from residential neighborhoods, schools, and commercial zones. In these locations, the impact of odor would be negligible, particularly when appropriate buffers and best management practices are in place. This includes requirements such as setback distances, windbreak vegetation, and the strategic placement of cultivation areas on large parcels.

Additionally, outdoor cultivation aligns with the county's broader environmental and sustainability goals. It requires significantly less energy than indoor cultivation, resulting in a lower carbon footprint and reduced strain on the local power grid. Eliminating or overly restricting outdoor cultivation due to odor concerns would ignore the substantial environmental advantages it provides.

It is also worth noting that many other types of legal agricultural operations—including livestock farming and composting—produce odors as a natural byproduct of rural industry. Yet these industries are not subject to the same scrutiny or limitations. Cannabis cultivation should be treated as a legitimate agricultural activity, regulated appropriately but not unfairly penalized.

By allowing greater sensitive use buffers for outdoor cultivation, San Diego County can strike the right balance: protecting community standards while enabling sustainable economic development in its rural areas. This approach would ensure that cannabis policy remains rooted in fairness, practicality, and a commitment to supporting diverse paths to entry within the legal market.

In conclusion, odor concerns—while real—can be effectively mitigated without denying opportunity. Outdoor cultivation has a rightful place in San Diego County's cannabis landscape and should be supported through sensible regulation, not exclusion.

Response K40-4
The comment expresses concern about cannabis odors. Draft PEIR Section 2.4, "Air Quality," addresses impacts from odors and identifies significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5 associated with outdoor cannabis cultivation operations. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors."

Comment K40-5
Cannabis dispensaries are often mischaracterized as detractors from community appearance, when in reality, they have consistently demonstrated their ability to enhance the visual character of the areas in which they operate. Unlike many traditional businesses, dispensaries are held to strict regulatory standards, including those tied to administrative permits that mandate thoughtful landscaping, architectural improvements, and comprehensive visual upgrades to the premises.

These requirements are not just cosmetic—they serve a greater purpose in supporting neighborhood revitalization and contributing to the overall aesthetic of commercial corridors. Many dispensary operators invest heavily in exterior improvements, including high-quality signage, well-maintained landscaping, modern building facades, lighting upgrades, and security features that create a safer, more attractive streetscape. In many cases, these improvements have a ripple effect, encouraging neighboring businesses to enhance their own properties and elevating the visual appeal of the entire block.

In communities where disinvestment has left behind vacant storefronts and poorly maintained buildings, licensed cannabis dispensaries can serve as a catalyst for positive change. Rather than being a blight, they bring renewed attention, capital investment, and increased foot traffic to underutilized areas—helping to reverse economic stagnation and support broader community development goals.

Furthermore, because of their highly regulated nature, dispensaries are required to maintain strict operational and cleanliness standards. This contributes to a sense of order and professionalism that benefits the surrounding neighborhood. These businesses take pride in being good neighbors—many employ local residents, engage in community partnerships, and support neighborhood clean-up and beautification efforts.

The County of San Diego has a unique opportunity to lead with a data-driven, evidence-based approach that recognizes cannabis dispensaries not as threats to community character, but as contributors to its improvement. The visual enhancement requirements built into the permitting process are a key part of this, ensuring that cannabis businesses not only meet but exceed the expectations placed on typical commercial tenants.

In short, well-regulated cannabis dispensaries often become anchors of revitalization and community pride. They should be embraced as part of a broader vision for smart, sustainable development—one that uplifts neighborhoods while generating local jobs, tax revenue, and a stronger sense of place.

Response K40-5
The comment provides an opinion regarding the merits or qualities of the proposed program. The reader is referred to Draft PEIR Section 2.2, “Aesthetics,” regarding visual impacts of the proposed program, which identifies significant and unavoidable visual character impacts for Alternatives 2, 3, 4, and 5.

Comment K40-6
Concerns about potential impacts to plant and wildlife species from cannabis cultivation are understandable but must be considered within the broader context of agricultural activity. The environmental impacts associated with cannabis cultivation are fundamentally no different than those associated with the cultivation of any other agricultural crop. As such, these impacts should not be viewed in isolation or treated as uniquely harmful.

Like the cultivation of grapes, avocados, or other regulated crops, cannabis cultivation may involve land disturbance, water use, and the potential for runoff. However, these are common considerations in any form of agriculture and are well understood within the framework of existing environmental regulations. The mitigation measures typically employed—such as erosion control, proper irrigation systems, buffer zones, and habitat preservation—are already standard best practices in agriculture and are readily applicable to cannabis cultivation.

To single out cannabis cultivation as uniquely threatening to plant and wildlife ecosystems not only lacks scientific justification but also reinforces outdated stigmas that have long hindered equitable and fair policy development in the cannabis space. What is needed is consistent regulation that treats cannabis cultivation with the same level of oversight and mitigation planning required of other agricultural industries—not excessive restrictions driven by perception rather than evidence.

It is also important to recognize that the County already has robust environmental review processes in place to evaluate and mitigate potential impacts on sensitive species and habitats. Cannabis cultivation activities that may intersect with environmentally sensitive areas can—and should—be subject to these same assessments and controls. This ensures that environmental stewardship remains a top priority, without unnecessarily prohibiting responsible cultivation practices.

Furthermore, licensed cannabis operators are often highly motivated to comply with environmental standards, both to maintain their permits and to demonstrate their legitimacy as responsible stewards of the land. Many cultivators go above and beyond baseline environmental requirements, adopting water conservation methods, organic practices, and land restoration techniques that benefit the local ecosystem.

In conclusion, the potential environmental impacts of cannabis cultivation should be evaluated through the same lens as all other agricultural practices. The recommended mitigation measures are not only appropriate—they are standard. Cannabis should be recognized as a legitimate agricultural crop and regulated accordingly. Any deviation from this approach risks perpetuating unjustified barriers to entry and undermines the county's efforts to support a fair, balanced, and environmentally responsible cannabis program.

Response K40-6
The comment addresses environmental impacts of cannabis cultivation. The reader is referred to Draft PEIR Section 2.4, "Biological Resources," for specific impact analysis of impacts to special-status species and habitat conditions in the county, and Section 9.1.1.6, "Master Response: Consideration of Environmental Impacts of Cannabis," which discusses the programmatic environmental impacts of cannabis cultivation.

Comment K40-7
The presence of cannabis businesses in a community is frequently associated with visual and structural improvements that enhance the overall aesthetic and vibrancy of the surrounding area. Far from being a detriment, these establishments often serve as catalysts for neighborhood revitalization and economic renewal.

Licensed cannabis businesses are required to meet rigorous standards as part of their permitting and regulatory process—including detailed site plans, architectural upgrades, security enhancements, and carefully maintained landscaping. These requirements are not just formalities—they result in tangible improvements to buildings, facades, parking lots, and outdoor spaces that may have previously been underutilized, blighted, or neglected.

As a result, cannabis businesses often invest heavily in beautifying their storefronts and facilities, leading to a cleaner, more modern, and professional appearance that elevates the visual character of entire commercial corridors. These improvements signal pride of ownership, commitment to compliance, and respect for the surrounding community.

Moreover, the presence of a regulated cannabis business brings a level of attention, care, and accountability that is often absent in other types of businesses. Many operators voluntarily go above and beyond what is required—installing murals, public art, native landscaping, lighting upgrades, and street-facing design elements that contribute to a safer, more inviting public space. This contributes not only to improved aesthetics but also to increased foot traffic and a more positive perception of the area as a whole.

In neighborhoods that have suffered from economic disinvestment, cannabis businesses are frequently among the first to bring in capital investment, local hiring, and structural enhancements. In this way, they often serve as anchors of commercial revitalization, attracting other businesses and encouraging improvements by adjacent property owners.

It is also important to recognize that these businesses are held to a higher standard of maintenance and operation due to ongoing inspections, community expectations, and a commitment to maintaining their hard-earned licenses. As a result, they tend to be clean, secure, and well-managed, further contributing to a sense of order and safety in the areas where they are located.

In conclusion, the presence of cannabis businesses often leads to visible and lasting aesthetic benefits for communities. These businesses should be recognized not just as compliant operators, but as active contributors to the beautification, modernization, and economic health of San Diego County neighborhoods. Rather than being viewed with caution, they should be embraced as partners in building thriving, attractive, and inclusive local economies.

Response K40-7
The reader is referred to response to Comment K40-5.

Comment K40-8
The noise impact associated with the construction of cannabis businesses is comparable to that of constructing any other commercial or industrial business. There is no unique or

heightened noise impact directly attributable to cannabis-related construction that would distinguish it from the development of any similar-sized facility within the county.

All commercial construction projects—regardless of the type of business—typically involve similar phases: grading, infrastructure installation, structural framing, and interior build-out. These activities generate temporary noise, but they are already regulated under existing county ordinances and construction noise standards designed to minimize disruption to surrounding areas. Cannabis businesses are not exempt from these regulations and, in fact, are often subject to additional layers of oversight due to the heightened scrutiny they face.

To single out cannabis businesses as particularly disruptive in terms of noise during construction misrepresents the reality of commercial development and risks unfairly stigmatizing an industry that is already highly regulated. It also diverts attention from the fact that construction-related noise is short-term and well-managed through scheduling restrictions, buffer zones, and sound mitigation measures that are standard in any responsible development process.

It is important to base policy decisions on facts, not perceptions. The construction of a cannabis facility—whether it's a dispensary, cultivation site, or manufacturing space—does not inherently create more noise than the construction of a grocery store, warehouse, or office building. These are standard construction activities governed by uniform building codes and environmental review processes.

Furthermore, the cannabis industry in San Diego County has the potential to generate substantial economic benefits, including job creation, local investment, and increased tax revenue. Delaying or hindering development based on unfounded concerns about temporary construction noise risks undermining these broader benefits without any real gain in community protection.

In summary, the construction of cannabis businesses should be evaluated within the same regulatory and practical framework as any other commercial enterprise. Noise impacts are temporary, manageable, and equivalent to those of any comparable business development. There is no justification for treating cannabis projects differently in this regard, and doing so would only serve to create unnecessary barriers to legal, compliant industry growth in the County of San Diego.

Response K40-8
The reader is referred to Draft PEIR Section 2.13 that identifies significant and unavoidable noise impacts are limited to construction noise for Alternatives 2 through 5.

Comment K40-9
Concerns about potential impacts to plant and wildlife species from cannabis cultivation are understandable but must be considered within the broader context of agricultural activity. The environmental impacts associated with cannabis cultivation are fundamentally no different than those associated with the cultivation of any other agricultural crop. As such, these impacts should not be viewed in isolation or treated as uniquely harmful.

Like the cultivation of grapes, avocados, or other regulated crops, cannabis cultivation may involve land disturbance, water use, and the potential for runoff. However, these are common considerations in any form of agriculture and are well understood within the framework of existing environmental regulations. The mitigation measures typically employed—such as erosion control, proper irrigation systems, buffer zones, and habitat preservation—are already standard best practices in agriculture and are readily applicable to cannabis cultivation.

To single out cannabis cultivation as uniquely threatening to plant and wildlife ecosystems not only lacks scientific justification but also reinforces outdated stigmas that have long hindered equitable and fair policy development in the cannabis space. What is needed is consistent regulation that treats cannabis cultivation with the same level of oversight and mitigation planning required of other agricultural industries—not excessive restrictions driven by perception rather than evidence.

It is also important to recognize that the County already has robust environmental review processes in place to evaluate and mitigate potential impacts on sensitive species and habitats. Cannabis cultivation activities that may intersect with environmentally sensitive areas can—and should—be subject to these same assessments and controls. This ensures that environmental stewardship remains a top priority, without unnecessarily prohibiting responsible cultivation practices.

Furthermore, licensed cannabis operators are often highly motivated to comply with environmental standards, both to maintain their permits and to demonstrate their legitimacy as responsible stewards of the land. Many cultivators go above and beyond baseline environmental requirements, adopting water conservation methods, organic practices, and land restoration techniques that benefit the local ecosystem.

In conclusion, the potential environmental impacts of cannabis cultivation should be evaluated through the same lens as all other agricultural practices. The recommended mitigation measures are not only appropriate—they are standard. Cannabis should be recognized as a legitimate agricultural crop and regulated accordingly. Any deviation from this approach risks perpetuating unjustified barriers to entry and undermines the county's efforts to support a fair, balanced, and environmentally responsible cannabis program.

Response K40-9
The reader is referred to response to Comment K40-6.

Comment K40-10
The potential impact on groundwater supply is a valid consideration in land use planning; however, it must be accurately contextualized. When it comes to cannabis operations, groundwater usage is relevant primarily in the context of cultivation. Importantly, the water demands associated with cannabis cultivation are not fundamentally different from those of cultivating other agricultural crops.

Cannabis is a plant—an agricultural product—and like all crops, it requires water to grow. However, numerous studies and real-world data have demonstrated that the water consumption for cannabis cultivation, particularly when conducted outdoors or in greenhouses,

is comparable to that of other common crops such as tomatoes, lettuce, or ornamental flowers. Claims that cannabis cultivation places an outsized strain on groundwater resources are often overstated and not supported by evidence.

Furthermore, responsible cannabis operators are subject to stringent regulatory oversight at both the state and local levels. Water use is often closely monitored through state programs such as the California Water Boards' Cannabis Cultivation Program, which includes mandatory water reporting, sustainable diversion requirements, and best practices for conservation. Many operators also implement water-efficient technologies such as drip irrigation, rainwater catchment systems, and closed-loop irrigation, further minimizing their environmental footprint.

It is also critical to consider that groundwater use is already regulated through well-established permitting and environmental review processes in San Diego County. Any cultivation—cannabis or otherwise—that relies on groundwater must meet existing water availability, sustainability, and environmental protection standards. There is no compelling reason to treat cannabis cultivation as inherently more threatening to groundwater supplies than any other form of agriculture.

To do so would not only be scientifically unfounded but would risk creating regulatory inconsistencies that unfairly penalize cannabis cultivators while allowing other agricultural operations to proceed under more reasonable standards. Equitable policy demands that all forms of agriculture be treated with the same level of scrutiny and support, guided by facts, not stigma or misinformation.

In conclusion, the impact of cannabis cultivation on groundwater supply is equivalent to the impact posed by the cultivation of any other plant material. It can be responsibly managed through existing water use regulations and sustainable farming practices. Cannabis should be treated as a legitimate agricultural crop and governed accordingly—ensuring that the County of San Diego continues to promote both environmental stewardship and economic opportunity.

Response K40-10
Impacts associated with decreased groundwater supplies or interference with groundwater recharge are discussed in Section 2.11, "Hydrology and Water Quality," under "Issue 2: Substantial Decrease of Groundwater Supplies or Interfere Substantially with Groundwater Recharge." As discussed there, impacts on groundwater supplies or recharge would be less than significant under Alternative 1 and significant and unavoidable under Alternatives 2, 3, 4, and 5. Draft PEIR Table 2.11.7 identifies water demands of cannabis cultivation and associated uses that differ from other agricultural activities.

Letter K41 Christopher Adams

March 31, 2025

Comment K41-1
I'm in favor of alternative #2 included in the EIR report. I believe this is the best option to move forward with the social equity program and what is best for San Diego County. Thank you

Response K41-1
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter K42 Vincent Stalcup

March 31, 2025

Comment K42-1
Alternative 1—the No Project Alternative—effectively halts the advancement of any meaningful cannabis equity framework within the County. By retaining the current regulations and declining to adopt the proposed Cannabis Program and ordinance amendments, this alternative would not only preserve the status quo but actively obstruct the establishment of a Social Equity Program.

This outcome perpetuates structural inequities by continuing to limit participation to a select group of existing operators, many of whom are well-capitalized corporate entities. Meanwhile, individuals from communities disproportionately impacted by historical cannabis enforcement remain excluded from the legal marketplace. The failure to implement a Social Equity Program under this alternative represents a missed opportunity to address past harms and to operationalize the County's stated commitments to equity and restorative justice.

Moreover, without an expanded and inclusive licensing structure, the County cedes economic opportunity to entities that have not borne the brunt of cannabis criminalization. This is not only unjust—it is antithetical to principles of equitable governance. Alternative 1 would result in continued economic disenfranchisement of those formerly criminalized for the very activities that are now generating profits for others under regulatory protection.

Given these critical implications, Alternative 1 should be rejected in favor of a pathway that centers equity, expands access, and ensures that those most harmed by the War on Drugs are given a legitimate opportunity to participate in and benefit from the regulated cannabis industry.

Response K42-1
The commenter's opinion on Alternative 1: No Project—Retention of Current Cannabis Regulations has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR."

Comment K42-2
Alternative 2 is the only regulatory pathway that meaningfully supports both the implementation and sustainability of the County's proposed Social Equity Program. By aligning with California's existing statewide buffer standards under Business and Professions Code Section 26054(b), this alternative ensures regulatory consistency while avoiding unnecessary, duplicative burdens that would disproportionately harm equity applicants.

California's cannabis industry is already among the most heavily taxed, regulated, and scrutinized in the world. Additional restrictions—such as expanded buffer zones or added discretionary permitting layers—would serve only to create further entry barriers for historically marginalized individuals seeking to participate in the legal market. Alternative 2 avoids this outcome by offering a streamlined and standardized framework that balances public safety with economic inclusion.

Furthermore, the state's 600-foot buffer requirement has been implemented across dozens of jurisdictions with no empirical evidence suggesting that larger buffers provide enhanced protection for sensitive uses. On the contrary, expanding buffers or imposing arbitrary distance requirements would significantly reduce the availability of viable properties for equity applicants, particularly in lower-income or mixed-use areas.

If the County is serious about building a Social Equity Program that actually results in operational, sustainable businesses—not just policy talking points—then it must adopt a framework that equity applicants can realistically navigate. Alternative 2 offers this opportunity. It is the most legally defensible, economically rational, and socially equitable option available.

I strongly urge the County to adopt Alternative 2 and reject any alternative that introduces excessive regulation under the guise of public safety but ultimately functions to preserve market control for a select few.

Response K42-2
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. These alternatives consist of variations in setback distances from defined sensitive uses that range from 600 feet (consistent with the requirements of Business and Professional Code Section 26054[b]) to 1,000 feet. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Comment K42-3
Alternative 3 introduces an overregulation framework that would severely undermine the feasibility and intended outcomes of the County's Cannabis Program—particularly its Social

Equity component. The expansion of the "sensitive uses" definition to include a broad array of public and semi-public spaces such as parks, trails, libraries, religious assemblies, and other cannabis facilities, coupled with a 1,000-foot buffer requirement, creates an exclusionary zoning framework that is not supported by empirical evidence and is out of alignment with state guidance.

This alternative would drastically reduce the number of viable commercial properties available for cannabis licensure, especially in unincorporated areas with clustered land uses and limited commercial zoning. Equity applicants, who already face significant structural barriers such as limited capital, historical criminalization, and reduced access to compliant properties, would be effectively zoned out of participation under Alternative 3. The result would be a Social Equity Program in name only, lacking any practical pathway for participation or success.

Furthermore, the expansion of billboard restrictions under Measure 3 adds another unnecessary burden, despite existing state regulations already governing cannabis marketing and advertising with strict limitations. There is no substantiated data suggesting that the proposed expansion would yield additional public safety benefits. Rather, it imposes punitive restrictions that further isolate equity licensees from tools necessary to compete in a highly regulated and saturated market.

Alternative 3 represents a regulatory overreach that undermines the stated goals of equity, access, and economic inclusion. It would entrench market consolidation among a limited set of well-capitalized operators while functionally excluding the very communities the Cannabis Program seeks to uplift. For these reasons, Alternative 3 must be rejected.

Response K42-3
The commenter's opinion on Alternative 3: Cannabis Program with Expanded County Regulations has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to response to Comment K42-2.

Comment K42-4
Alternative 4 presents a prohibitive framework that undermines both the operational viability of the County's Cannabis Program and the core objectives of the Social Equity Program. The proposed prohibition of all outdoor cannabis cultivation, coupled with a 1,000-foot buffer from an expanded list of "sensitive uses," imposes land use restrictions that severely limit access to suitable properties—particularly for equity applicants and small-scale operators.

Outdoor cultivation is a critical entry point for equity participants due to its significantly lower startup and operating costs compared to indoor and mixed-light cultivation. Banning this cultivation method functionally eliminates one of the few accessible avenues into the legal market for individuals with limited capital. This restriction serves no evidence-based public safety rationale and contradicts best practices in other jurisdictions across California where outdoor cultivation is permitted with appropriate oversight and environmental safeguards.

Moreover, the 1,000-foot buffer expansion and broad sensitive use definitions—including parks, trails, libraries, and religious assemblies—mirror the problematic zoning elements in Alternative 3. These criteria result in a de facto exclusion of entire communities from

participation, particularly in unincorporated areas with clustered public amenities and limited commercial zoning. These conditions disproportionately affect equity-eligible individuals, essentially ensuring their inability to find compliant sites or secure land use approvals.

The billboard advertising prohibition compounds the issue by restricting legally licensed operators' ability to conduct outreach and compete in a heavily regulated market. This burden is particularly harmful for equity licensees who lack the brand recognition and marketing resources of larger, well-capitalized companies.

Taken together, Alternative 4 imposes unjustifiable and exclusionary constraints under the guise of public health and environmental regulation. It fails to support economic inclusion, limits equitable access, and undermines the County's stated commitments to restorative justice. This alternative must be rejected in favor of a model that enables—not disables—the communities most impacted by cannabis criminalization.

Response K42-4
The commenter's opinion on Alternative 4: Cannabis Program with Outdoor Cannabis Cultivation Prohibition noting the adverse effects of prohibiting outdoor cultivation and expanding sensitive use buffers on equity applicants is noted. The reader is referred to response to Comment K42-2.

Comment K42-5
Alternative 5 introduces a cultivation framework that is both overly restrictive and economically unviable, particularly for equity applicants seeking to participate in the legal cannabis industry. While this alternative appears to permit outdoor cultivation, the imposition of a 1-acre maximum canopy limit—or 25% of total lot size, whichever is less—combined with the expanded 1,000-foot buffer from an extensive list of "sensitive uses," renders the framework practically inaccessible to the majority of potential operators in the unincorporated County.

The 1-acre canopy cap is inconsistent with agricultural best practices and creates a disproportionate disadvantage for outdoor cultivators relative to other cannabis license types. This limit hinders economies of scale and reduces the financial feasibility of small farms, which are essential to supporting equity applicants with limited access to capital. Such artificial restrictions on cultivation scale further concentrate market viability in the hands of larger indoor operators and out-of-county investors.

Moreover, the expansive buffer zone from a widened definition of sensitive uses—including local parks, public trails, libraries, and religious assembly—further shrinks the pool of eligible parcels. These zoning constraints mirror the flawed exclusionary land use patterns proposed in Alternatives 3 and 4, functionally redlining rural and working-class communities out of cannabis-related economic development. Equity applicants, many of whom reside in or have ties to these impacted areas, would be left without viable property options and unable to operationalize their licenses.

The inclusion of billboard advertising restrictions adds another layer of inequity, further limiting the ability of new operators—particularly equity licensees—to build brand visibility in a saturated and competitive market already dominated by incumbent operators.

Alternative 5 may appear to offer a compromise, but in practice, it codifies structural barriers under the guise of public health and land use protections. The County must reject this alternative in favor of a policy that centers accessibility, sustainability, and restorative economic opportunity.

Response K42-5
The commenter's opinion on Alternative 5: Cannabis Program with Maximum 1 Acre of Outdoor Cannabis Cultivation Canopy has been noted and will be reviewed by the Board during future decision-making activities. The reader is referred to response to Comment K42-2.

Letter K43 Jerome Edwards

March 31, 2025

Comment K43-1
I think #2 us the only way to go in the interest of making the cannabis business equal to all participants in the social equity program. We know first hand the consequences and repercussions of the unfair regulations of cannabis. And deregulation is the only thing that will level the playing field.

Response K43-1
The commenter's preference for Alternative 2: Proposed Project—Cannabis Program Consistent with State Requirements has been noted and will be reviewed by the Board during future decision-making activities. As discussed in Section 9.1.1.2, "Master Response: Range of Alternatives Considered in the Draft PEIR," the Draft PEIR presents a reasonable range of alternatives at an equal level of detail of analysis that evaluates their potential to achieve most of the basic project objectives, and evaluates whether the respective alternative would avoid or reduce the potentially significant environmental impacts of the Cannabis Program in compliance with CEQA requirements. The reader is referred to Section 9.1.1.3, "Master Response: Board of Supervisors Direction and Future Decision-Making," regarding Board direction and future decision-making for a discussion on the next steps in the approval process.

Letter K44 Dawn Apsley

March 31, 2025

Comment K44-1
* I disagree with more cannabis locations in San Diego County.

* Population is increasing quickly, and we are attempting to provide more residences, which means using more land where people would live. As such, more cannabis locations is a safety issue.

* Cannabis air pollution is a safety concern for people, animals, and agriculture. The cannabis pollution gets into the air and soil. People and animals breathe the air and eat items grown. People who buy food cultivated in SD County will be affected also.

Response K44-1
The comment expresses concerns about community safety, air quality, and public health. The reader is referred to Section 9.1.1.4. “Master Response: Code Enforcement and Crime,” in regard to community safety caused by the proposed program. Draft PEIR Section 2.4, “Air Quality,” addresses impacts from both criteria air pollutant emissions and odors. No significant air pollution impacts were identified, but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, “Master Response: Cannabis Odors.” It should be noted that the Draft PEIR did not identify any health impacts from exposure to cannabis odors.

Letter K45 Jeff Apsley

March 31, 2025

Comment K45-1
I am against Cannabis Programs that expand the public and/or private use of Cannabis. The short, and long-term use of this substance has negative behavior, social and health impact. Money would be better spent in research and corrective programs that appropriately and respectively address the root causes that lead to so many turning to cannabis for relief, trading short term relief for long term consequences.

Response K45-1
The comment provides an opinion regarding the merits or qualities of the proposed program. The Board will take the commenter’s opinions into consideration when making decisions regarding the Cannabis Program.

Letter K46 Nancy McRae

April 1, 2025

Comment K46-1
There are so many concerns with this EIR and cannabis cultivation's effect on the environments that I am against the cultivation of any cannibis in the unincorporated areas of San Diego County. For example, I disagree with the conclusions in S-1 that Change or Obstruct Scenic Vistas is a "less than significant" impact unless land that is currently under cultivation is being used; that "adversely affect views due to new light and light" is less than significant - are the writers of this EIR not aware of Dark Sky Community status?; "conflict with air quality plans" less than significant- there is proven evidence and experience that cultivation very adversely impacts not only air quality but also quality of life. While I believe the people who worked on this document gave it their best effort, it is clear that they were skewing the document result to fit with what they believe the County BOS wants, and not align with the reality of the environmental impacts.

Response K46-1
The comment expresses concerns about scenic vistas from lighting impacts and disagrees with the conclusions of the Draft PEIR. The potential for new sources of light to affect nighttime views and dark skies is addressed in Draft PEIR Section 2.2, “Aesthetics,” Section 2.2.3.6, “Issue 3: Adversely Affect View due to New Light and Glare.” As discussed in this section, cannabis cultivation facilities would be subject to the California Energy Commission’s Building

Energy Efficiency Standards (CCR Title 24, Parts 1 and 2) and DCC regulations (CCR Title 4, Division 19, Section 16304) adopted for the purpose of reducing light and glare, as well as regulations in Section 51.201 et seq. of the Regulatory Code that were adopted for the purposes of minimizing light pollution in San Diego County and of protecting astronomical research at the Palomar and Mount Laguna Observatories from its detrimental effects. The Cannabis Program proposes amendments to the Zoning Ordinance that would further reduce light and glare from new cannabis uses. Section 6995(f)(1) specifies exterior lighting requirements to reduce light pollution and prevent spillover light, such as the use of motion sensors; LED bulbs; and luminaries that are cut-off, shielded, and downward facing. Section 6995(g)(2) would prohibit lighting in agricultural shade and crop structures and require the use of blackout curtains to prevent light escape from mixed-light cannabis cultivation. Section 6995(g)(2) specifies setback requirements for cultivation uses, which would prevent the spillover of light onto adjacent properties. Compliance with these regulations would ensure consistency with the General Plan policies that restrict outdoor light and glare in semirural and rural areas (Policy COS-13.1) and maintain dark skies, particularly surrounding the Palomar and Mount Laguna Observatories (Policy COS-13.2 and Policy COS-13.3). Proposed commercial cannabis facilities would be subject to site-specific review during the application process to ensure compliance with the County's development standards. The comment provides no data or technical analysis demonstrating why compliance with these standards would not address lighting impacts.

Draft PEIR Section 2.4, "Air Quality," addresses impacts from both criteria air pollutant emissions and odors. No significant air pollution impacts were identified, but significant and unavoidable odor impacts were identified for Alternatives 2, 3, and 5. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," for a further discussion of this impact. The comment provides no data or technical analysis demonstrating that the Draft PEIR air quality impact analysis is incorrect.

Letter K47 Kristen Friend

April 1, 2025

Comment K47-1

I strongly oppose the proposed San Diego County Socially Equitable Cannabis Program due to its severe environmental, public safety, and community impacts. The program will strain our water supply, degrade air quality, increase wildfire risks, and negatively impact local communities. Please research the negative impact this has had on local communities in Santa Barbara County. Additionally this plan fails to address increased crime, traffic congestion, and exposure to youth. Furthermore, the decision-making process has lacked sufficient community input.

This program is unacceptable and must be fully rejected. There is no justification for proceeding with a plan that will bring irreversible harm to our environment and neighborhoods. I strongly suggest that the County abandon this initiative entirely and focus on policies that truly protect and serve the residents of San Diego County.

Response K47-1
The comment expresses concern regarding water supply issues, air quality issues, increased wildfire risks, impacts on local communities, increased crime, and traffic. The program's potential environmental impacts, including those noted by the commenter, are addressed in the Draft PEIR and the master responses in this Final PEIR. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime." Furthermore, the reader is referred to Draft PEIR Section 2.4, "Air Quality," 2.11, "Hydrology and Water Quality, Section 2.19, "Wildfire," and Section 2.13, "Noise," in the Draft PEIR.

Letter K48 Aldo Alvidres

April 1, 2025

Comment K48-1
It is imperative that Cannabis and hemp/marijuana NOT be allowed to be grown in mass quantities in our area. The odor, contamination to our water, and proper disposal of harmful chemicals/solvents will be IMPOSSIBLE to supervise by the county and government officials. As far as the social equity aspect; how will you expect individuals that DID NOT follow the law to now follow environmental safety guidelines and be lawful when they could not follow the laws previously?

Response K48-1
The comment expresses concern about odors, water contamination, hazards, and crime and code enforcement related to cannabis. The reader is referred to Section 9.1.1.1, "Master Response: Cannabis Odors," for a discussion related to the potential for odors. Impacts associated with interference with water quality are discussed in Section 2.11, "Hydrology and Water Quality," in the Draft PEIR. The comment also expresses concerns about potential crime and code enforcement related impacts associated with cannabis. The reader is referred to Section 9.1.1.4, "Master Response: Code Enforcement and Crime."

9.2 Staff Initiated Text Changes to the Draft PEIR Outside of Comments Received

9.2.1 Description of Alternative 1

The County has made the following edits to the description of Alternative 1: No Project—Retention of Current Cannabis Regulations provided in Draft PEIR Chapter 1, "Project Description, Location, and Environmental Setting." Specifically, the edits are intended to clarify that expansion of the existing five cannabis operations in the county are allowed to expand up to 10,000 square feet without any additional discretionary approvals by the County. Specifically, Zoning Ordinance Section 6861 (dated October 6, 2021) authorizes the five existing cannabis facilities to engage in the following activities: medical cannabis collective, commercial cannabis microbusiness, or commercial cannabis retailer activities. Under the ordinance, the existing facilities are allowed to continue operation, as well as make repairs to existing facilities and improvements to existing structures up to a cumulative total of 10,000 square feet.

The text as presented in the Draft PEIR page 1-19:

Alternative 1: No Project—Retention of Current Cannabis Regulations

This alternative would consist of not adopting the proposed Cannabis Program and ordinance amendments. The existing 5 commercial cannabis facilities in the unincorporated areas of El Cajon, Escondido, and Ramona would be allowed to continue to operate under the existing ordinances, which allow expansion of their existing facilities and operations to a total of 10,000 square feet of building area. However, no new commercial cannabis operations would be allowed.

The text as presented in the Final PEIR:

Alternative 1: No Project—Retention of Current Cannabis Regulations

This alternative would consist of not adopting the proposed Cannabis Program and ordinance amendments. The existing 5 commercial cannabis facilities in the unincorporated areas of El Cajon, Escondido, and Ramona would be allowed to continue to operate under the existing ordinances, which allow expansion of their existing facilities and operations to a total of 10,000 square feet of building area without any additional discretionary approval. However, no new commercial cannabis operations would be allowed.

9.2.2 Mitigation Measure M-AE.2-1 Edits in Section 2.2, "Aesthetics"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.2-39:

M-AE.2-1: Conduct Project-Level Visual Analysis for Cannabis Facilities

Each cannabis facility application shall include a visual analysis, to evaluate the potential for a proposed cannabis cultivation facility to substantially degrade the visual character or quality of public views. Potential visual impacts shall be addressed by siting outdoor and mixed-light cultivation facilities outside of public views. If this cannot be achieved, the applicant shall provide the reasoning in writing (e.g., all sites within the property are within public views, the site was previously farmed and selecting a new site would require additional grading, other sites contain sensitive resources, other sites do not contain fertile soils or other suitable conditions for growing cannabis). The siting of outdoor and mixed-light cultivation facilities will be subject to the County's review and approval during the permit application process.

The text as presented in the Final PEIR:

M-AE.2-1: Conduct Project-Level Visual Analysis for Cannabis Facilities

Each outdoor and mixed-light cannabis facility application that is located within public viewpoints (visible from public roads or other public viewpoints such as parks) shall include a visual analysis photo simulation, or other appropriate level of review consistent

with the *County of San Diego Guidelines for Determining Significance and Report Format and Content Requirement–Visual Resources* to evaluate the potential for a proposed cannabis cultivation facility to substantially degrade the visual character or quality of public views. If the project site can be demonstrated to be outside of a public view, no further action is required. Potential visual impacts shall be addressed by siting outdoor and mixed-light cultivation facilities outside of public views. If this cannot be achieved, the applicant shall provide the reasoning in writing (e.g., all sites within the property are within public views, the site was previously farmed and selecting a new site would require additional grading, other sites contain sensitive resources, other sites do not contain fertile soils or other suitable conditions for growing cannabis). The siting of outdoor and mixed-light cultivation facilities will be subject to the County's review and approval during the permit application process.

9.2.3 Edits to Section 2.3, "Agricultural and Forest Resources"

The following text changes reflect updates to the California Code of Regulations.

The following text is removed on Draft PEIR page 2.3-9:

CCR, Title 4, Section 16310: Pest Management Plan

Licensed cultivators are required to develop a pest management plan that includes the product name and active ingredient(s) of all pesticides to be applied to cannabis, as well as any integrated pest management protocols, including chemical, biological, and cultural methods, that will be used to prevent and control pests on the cultivation site.

9.2.4 Edits to Section 2.4, "Air Quality"

The following corrections are made to the references to California Code of Regulations.

The text as presented in the Draft PEIR on page 2.4-10:

California Code of Regulations

The following requirements are included in the Department of Cannabis Control regulations, CCR, Title 3, Division 8, Chapter 1 and pertain to cultivation sites.

Section 8306: Generator Requirements

The text as presented in the Final PEIR:

California Code of Regulations

The following requirements are included in the Department of Cannabis Control regulations, CCR, Title 4, Division 19, Chapter 9 and pertain to cultivation sites.

Section 16306: Generator Requirements

9.2.5 Mitigation Measure M-BI.1-1 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.5-65 through 2.5-67:

M-BI.1-1: Conduct Preapproval Reconnaissance-Level Surveys for Biological Resources

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County under the program. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ:

Reconnaissance-Level Survey

- A reconnaissance-level survey for biological resources shall be conducted on the parcel of the cannabis use by a qualified biologist (i.e., familiar with wildlife, plants, and habitats in San Diego County) and approved by the County (i.e., on the County of San Diego's CEQA Consultants List for Privately Initiated Projects) prior to any staging or development activities. A qualified biologist would:
  - hold a wildlife biology, botany, ecology, forestry, or other relevant degree from an accredited university;
  - be knowledgeable in relevant species life histories and ecology;
  - be able to correctly identify relevant species and habitats;
  - be knowledgeable about survey protocols;
  - be knowledgeable about state and federal laws regarding the protection of special-status species; and
  - have experience with CDFW's CNDDB and Biogeographic Information and Observation System (BIOS).

The reconnaissance-level survey shall include the following elements:

- Prior to the reconnaissance-level survey, the qualified biologist shall conduct a data review to determine the special-status plants; special-status wildlife; rare, narrow endemic plant and animal species; critical populations of sensitive plant species; sensitive habitats (e.g., federally protected wetlands, waters of the state, riparian habitat, sensitive natural communities); and regional linkages/wildlife movement corridors that have the potential to occur within the proposed activity footprint of the cannabis use. This will include review of the best available, current data, including vegetation mapping data, the San Diego MSCP, the BMO, and database searches

of the CNDDB, the CNPS Inventory of Rare and Endangered Plants of California, and the USFWS Inventory for Planning and Consultation.

- Prior to the reconnaissance-level survey, the qualified biologist shall determine whether the project constitutes an agricultural activity (i.e., cultivation) that would be exempt under the San Diego County MSCP, whether the project site is located within a PAMA or a Biological Resource Core Area as defined in the San Diego MSCP and BMO, and the tier level of vegetation on the project site ("List of San Diego County Vegetation Communities and Tier Levels within the San Diego MSCP").
- The qualified biologist shall map land cover, identify natural communities, and assess the habitat suitability of the proposed activity footprint of the cannabis use for special-status plants, special-status wildlife, and sensitive habitats identified as having potential to occur, consistent with the requirements of the San Diego MSCP and BMO for species covered by the plan, and consistent with Term 10 under Attachment A (General Requirements and Prohibitions) of SWRCB Order WQ 2023-0102-DWQ and Section 86.504 (Administrative Process and Evaluations; Environmental Initial Study) of the BMO.
- The biologist shall provide a report to the applicant and San Diego County Planning & Development Services with evidence to support a conclusion as to whether special-status species and sensitive habitats are present or are likely to occur within the proposed activity footprint of the cannabis use. The type of report will depend on the type of permit (i.e., ministerial, discretionary) and the size of the project, at the discretion of the County.
- If the reconnaissance-level survey identifies no potential for special-status plants, special-status wildlife, or sensitive habitats to occur, the applicant shall not be subject to additional biological resources protection measures.
- If special-status plants, special-status wildlife, habitat suitable for these species, or sensitive habitats are identified within or adjacent to the proposed activity footprint of the cannabis use, then additional mitigation measures would apply.

Text as presented in the Final PEIR:

M-BI.1-1: Conduct Preapproval Reconnaissance-Level Surveys for Biological Resources

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County under the program if the application includes ground disturbance, vegetation removal, and/or grading. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ:

Reconnaissance-Level Survey

- A reconnaissance-level survey for biological resources shall be conducted by a qualified biologist (i.e., familiar with wildlife, plants, and habitats in San Diego County) and approved by the County (i.e., on the County of San Diego's CEQA Consultants List for Privately Initiated Projects) prior to any staging or development activities. The survey area shall include the proposed development area, including areas of anticipated construction and ground disturbance, as well as staging areas, areas of anticipated light or noise impact, ingress and egress routes, and utility routes. The survey area shall be large enough to encompass areas subject to both direct and indirect impacts. A qualified biologist would:
    - hold a wildlife biology, botany, ecology, forestry, or other relevant degree from an accredited university;
    - be knowledgeable in relevant species life histories and ecology;
    - be able to correctly identify relevant species and habitats;
    - be knowledgeable about survey protocols;
    - be knowledgeable about state and federal laws regarding the protection of special-status species; and
    - have experience with CDFW's CNDDB and Biogeographic Information and Observation System (BIOS).

The reconnaissance-level survey shall include the following elements:

- Prior to the reconnaissance-level survey, the qualified biologist shall conduct a data review to determine the special-status plants; special-status wildlife; rare, narrow endemic plant and animal species; critical populations of sensitive plant species; sensitive habitats (e.g., federally protected wetlands, waters of the state, riparian habitat, sensitive natural communities); invasive species; and regional linkages/wildlife movement corridors that have the potential to occur within the proposed activity footprint of the cannabis use. This will include review of the best available, current data, including vegetation mapping data, the San Diego MSCP, the BMO, and database searches of the CNDDB, the CNPS Inventory of Rare and Endangered Plants of California, and the USFWS Inventory for Planning and Consultation.
- Prior to the reconnaissance-level survey, the qualified biologist shall determine whether the project constitutes an agricultural activity (i.e., cultivation) that would be exempt under the San Diego County MSCP, whether the project site is located within a PAMA or a Biological Resource Core Area as defined in the San Diego MSCP and BMO, and the tier level of vegetation on the project site ("List of San Diego County Vegetation Communities and Tier Levels within the San Diego MSCP").
- The qualified biologist shall map land cover, identify natural communities, and assess the habitat suitability of the proposed activity footprint of the cannabis use for special-status plants, special-status wildlife, and sensitive habitats identified as

having potential to occur, consistent with the requirements of the San Diego MSCP and BMO for species covered by the plan, and consistent with Term 10 under Attachment A (General Requirements and Prohibitions) of SWRCB Order WQ 2023-0102-DWQ and Section 86.504 (Administrative Process and Evaluations; Environmental Initial Study) of the BMO.

- The biologist shall provide a report to the applicant and San Diego County Planning & Development Services with evidence to support a conclusion as to whether special-status species and sensitive habitats are present or are likely to occur within the proposed activity footprint of the cannabis use. The type of report will depend on the type of permit (i.e., ministerial, discretionary) and the size of the project, at the discretion of the County.
- If the reconnaissance-level survey identifies no potential for special-status plants, special-status wildlife, or sensitive habitats to occur, the applicant shall not be subject to additional biological resources protection measures.
- If special-status plants, special-status wildlife, habitat suitable for these species, or sensitive habitats are identified within or adjacent to the proposed activity footprint of the cannabis use, then additional mitigation measures would apply.

9.2.6 Mitigation Measure M-BI.1-2 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-67:

M-BI.1-2: Participate in the San Diego MSCP Including Payment of Fees and Implementation of Mitigation Measures for Covered Species

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with the following required compliance with SWRCB Order WQ 2023-0102-DWQ.

Species Covered under the San Diego MSCP

If species covered under the San Diego MSCP are determined to be present or likely to be present within the proposed activity footprint of the cannabis use, the applicant shall assume presence of these species and satisfy the requirements of the San Diego MSCP, and the BMO. This measure applies to species currently covered under the South County Subarea Plan and species covered in the future under the North County Plan, East County Plan, and Butterfly HCP. This measure applies to cultivation and noncultivation activities that are not exempt from participation in the MSCP.

- If species covered under the San Diego MSCP that are not listed under CESA or ESA or are only listed under CESA could occur within the proposed activity

footprint of the cannabis use, payment of HCP/NCCP mitigation fees, dependent on the habitat on the project site that will be converted, and implementation of applicable MSCP and BMO habitat-based and species-based mitigation measures are required.

- If species covered under the San Diego MSCP that are listed under ESA could occur within the proposed activity footprint of the cannabis use, the applicant must avoid impacts by implementing no-disturbance buffers or redesigning the project until such time as federal permits, authorizations, and procedures/ protocols under the HCP portion of the San Diego MSCP can be applied.
- Because some outdoor cultivation activities may be exempt from participation in the MSCP, potential impacts on species covered under the MSCP shall be addressed outside of the mitigation structure of the MSCP and through implementation of the measures described below.

Special-Status Species Not Covered under the San Diego County MSCP

If species not covered under the San Diego MSCP are determined to be present or likely to be present within the proposed activity footprint of the cannabis use that is not exempt from participation in the MSCP, the applicant shall apply additional mitigation measures consistent with state and local requirements. This measure applies to all species not currently covered under the South County Subarea Plan. Should any of these species become subsequently covered under the North County Plan, East County Plan, or Butterfly HCP, the previous measure shall apply.

The text as presented in the Final PEIR:

M-BI.1-2: Participate in the San Diego MSCP Including Payment of Fees and Implementation of Mitigation Measures for Covered Species

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with the following required compliance with SWRCB Order WQ 2023-0102-DWQ. County staff will review each project application and determine whether the project is in conformance with the MSCP and South County Subarea Plan and what is necessary (e.g., revisions, mitigation) for conformance with the MSCP plan and South County Subarea Plan.

Species Covered under the San Diego MSCP

If species covered under the San Diego MSCP are determined to be present or likely to be present within the proposed activity footprint of the cannabis use (during the initial biological survey described in M-BI.1-1) and the biologist determines that project activities may result in adverse effects on these species, the applicant shall assume presence of these species and satisfy the requirements of the San Diego MSCP, South County Subarea Plan, and the BMO. This measure applies to species currently covered under

the South County Subarea Plan and species covered in the future under the North County Plan, East County Plan, and Butterflies HCP. This measure applies to cultivation and noncultivation activities that are not exempt from participation in the MSCP.

- If species covered under the San Diego MSCP or South County Subarea Plan that are not listed under CESA or ESA or are only listed under CESA could occur within the proposed activity footprint of the cannabis use, payment of HCP/NCCP mitigation fees through purchase of mitigation credits, dependent on the habitat on the project site that will be converted, and implementation of applicable MSCP and BMO habitat-based and species-based mitigation measures are required.
- If species covered under the San Diego MSCP or South County Subarea Plan that are listed under ESA could occur within the proposed activity footprint of the cannabis use, the applicant must avoid impacts by implementing no-disturbance buffers or redesigning the project until such time as federal permits, authorizations, and procedures/protocols under the HCP portion of the San Diego MSCP and South County Subarea Plan can be applied.
- Because some outdoor cultivation activities may be exempt from participation in the South County Subarea Plan, potential impacts on species covered under the South County Subarea Plan shall be addressed outside of the mitigation structure of the South County Subarea Plan and through implementation of the measures described below.

Special-Status Species Not Covered under the San Diego County MSCP

If species not covered under the San Diego MSCP or South County Subarea Plan are determined to be present or likely to be present within the proposed activity footprint of the cannabis use that is not exempt from participation in the MSCP, the applicant shall apply additional mitigation measures consistent with state and local requirements. This measure applies to all species not currently covered under the South County Subarea Plan. Should any of these species become subsequently covered under the North County Plan, East County Plan, or Butterflies HCP, the previous measure shall apply.

9.2.7 Mitigation Measure M.BI.1-3 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.5-68 through 2.5-69:

M-BI.1-3: Conduct Special-Status Plant Surveys and Implement Avoidance Measures and Mitigation for Plant Species Not Covered under the San Diego MSCP

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application

materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- Prior to commencement of development activities associated with cultivation and noncultivation activities and during the blooming period for the special-status plant species with potential to occur on the site, a qualified botanist approved by the County shall conduct protocol-level surveys for special-status plants in all proposed disturbance areas following the survey methods from CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018).

  A qualified botanist would:

  - be knowledgeable about plant taxonomy;
  - be familiar with plants of the region, including special-status plants and sensitive natural communities;
  - have experience conducting floristic botanical field surveys as described in the CDFW *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*, or experience conducting such botanical field surveys under the direction of an experienced botanical field surveyor;
  - be familiar with the *California Manual of Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/); and
  - be familiar with federal, state, and local statutes and regulations related to plants and plant collecting.

- If special-status plants are not found, the botanist shall document the findings in a report to CDFW, USFWS, the County, and the applicant, and no further mitigation will be required.
- If special-status plant species are found, the qualified botanist shall consult with CDFW to designate a no-disturbance buffer and/or redesign of the commercial cannabis cultivation site improvements that shall be reflected in application materials to the County. If special-status plants cannot be avoided, then the applicant shall consult with CDFW to determine if an incidental take permit should be obtained (i.e., for special-status species listed under CESA) or if compensatory mitigation would be required (for special-status plants with a CRPR of 1 or 2, and/or on the County of San Diego sensitive plant List A or List B). Impacts on these special-status plant species would be mitigated such that there would be no net loss of occupied habitat or individuals. Mitigation measures shall include, at a minimum, preserving and enhancing existing populations, establishing populations through seed collection or transplantation from the site that is to be affected, and/or restoring or creating habitat in sufficient quantities to achieve no net loss of occupied habitat or individuals. Habitat and individual plants lost shall be mitigated at a minimum 1:1 ratio (up to a 3:1 ratio), considering acreage as well as function and value. Success criteria for preserved and compensatory populations will include the following requirements:

- The extent of occupied area and plant density (number of plants per unit area) in compensatory populations will be equal to or greater than the affected occupied habitat.
- Compensatory and preserved populations will be self-producing. Populations will be considered self-producing when:
  - plants reestablish annually for a minimum of 5 years with no human intervention such as supplemental seeding; and
  - reestablished and preserved habitats contain an occupied area and flower density comparable to existing occupied habitat areas in similar habitat types in the project vicinity.
- If off-site mitigation includes dedication of conservation easements, purchase of mitigation credits, or other off-site conservation measures, the details of these measures will be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, success criteria such as those listed above and other details, as appropriate to target the preservation of long-term viable populations.
- Any mitigation plan for unavoidable impacts on special-status plants must be reviewed and approved by the County, USFWS, and CDFW.

- If special-status plant species are found that have a CRPR of 3 or 4 and/or are on the County of San Diego sensitive plant List C or List D, the qualified botanist shall determine whether implementation of cultivation and noncultivation activities on the site would threaten the local long-term survival of these plant species and shall prepare a report that contains evidence supporting the conclusion.
  - If the qualified botanist determines that implementation of cultivation and noncultivation activities on the site would not threaten the local long-term survival of these plant species, the botanist shall submit the report documenting this conclusion to the County and CDFW for approval. If the County and CDFW concur with the conclusion, then further mitigation for impacts on these special-status species would not be required.

  If the qualified botanist determines that implementation of cultivation and noncultivation activities on the site would threaten the local long-term survival of these plant species, the botanist shall consult with CDFW to designate a no-disturbance buffer and/or redesign of the commercial cannabis cultivation site improvements that shall be reflected in application materials to the County. Impacts on these special-status plant species may need to be mitigated such that there would be no net loss of occupied habitat or individuals, as determined by the qualified biologist in consultation with the County and CDFW.

The text as presented in the Final PEIR:

M-BI.1-3: Conduct Special-Status Plant Surveys and Implement Avoidance Measures and Mitigation for Plant Species Not Covered under the San Diego MSCP

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status plants are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- Prior to commencement of development activities associated with cultivation and noncultivation activities and during the blooming period for the special-status plant species with potential to occur on the site, a qualified botanist approved by the County shall conduct protocol-level surveys for special-status plants in all proposed disturbance areas following the survey methods from CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018).

  A qualified botanist would:

  - be knowledgeable about plant taxonomy;
  - be familiar with plants of the region, including special-status plants and sensitive natural communities;
  - have experience conducting floristic botanical field surveys as described in the CDFW *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*, or experience conducting such botanical field surveys under the direction of an experienced botanical field surveyor;
  - be familiar with the *California Manual of Vegetation* (Sawyer et al. 2009 or current version, including updated natural communities data at http://vegetation.cnps.org/); and
  - be familiar with federal, state, and local statutes and regulations related to plants and plant collecting.
- If special-status plants are not found, the botanist shall document the findings in a report to CDFW, USFWS, the County, and the applicant, and no further mitigation will be required.
- If special-status plant species are found, the qualified botanist shall consult with CDFW to designate a no-disturbance buffer and/or redesign of the commercial cannabis cultivation site improvements that shall be reflected in application materials to the County. If special-status plants cannot be avoided, then the applicant shall consult with CDFW to determine if an incidental take permit should be obtained (i.e., for special-status species listed under CESA) or if compensatory mitigation would be

required (for special-status plants with a CRPR of 1 or 2, and/or on the County of San Diego sensitive plant List A or List B). Impacts on these special-status plant species would be mitigated such that there would be no net loss of occupied habitat or individuals. Mitigation measures shall include, at a minimum, preserving and enhancing existing populations, establishing populations through seed collection or transplantation from the site that is to be affected, and/or restoring or creating habitat in sufficient quantities to achieve no net loss of occupied habitat or individuals. Habitat and individual plants lost shall be mitigated at a minimum 1:1 ratio (up to a 3:1 ratio), considering acreage as well as function and value. Success criteria for preserved and compensatory populations will include the following requirements:

- The extent of occupied area and plant density (number of plants per unit area) in compensatory populations will be equal to or greater than the affected occupied habitat.
- Compensatory and preserved populations will be self-producing. Populations will be considered self-producing when:
    - plants reestablish annually for a minimum of 5 years with no human intervention such as supplemental seeding; and
    - reestablished and preserved habitats contain an occupied area and flower density comparable to existing occupied habitat areas in similar habitat types in the project vicinity.
- If off-site mitigation includes dedication of conservation easements, purchase of mitigation credits, or other off-site conservation measures, the details of these measures will be included in the mitigation plan, including information on responsible parties for long-term management, conservation easement holders, long-term management requirements, success criteria such as those listed above and other details, as appropriate to target the preservation of long-term viable populations.
- Any mitigation plan for unavoidable impacts on special-status plants must be reviewed and approved by the County and CDFW.

- If special-status plant species are found that have a CRPR of 3 or 4 and/or are on the County of San Diego sensitive plant List C or List D, the qualified botanist shall determine whether implementation of cultivation and noncultivation activities on the site would threaten the local long-term survival of these plant species and shall prepare a report that contains evidence supporting the conclusion.
    - If the qualified botanist determines that implementation of cultivation and noncultivation activities on the site would not threaten the local long-term survival of these plant species, the botanist shall submit the report documenting this conclusion to the County and CDFW for approval. If the County and CDFW concur with the conclusion, then further mitigation for impacts on these special-status species would not be required.

  If the qualified botanist determines that implementation of cultivation and noncultivation activities on the site would threaten the local long-term survival of

these plant species, the botanist shall consult with CDFW to designate a no-disturbance buffer and/or redesign of the commercial cannabis cultivation site improvements that shall be reflected in application materials to the County. Impacts on these special-status plant species may need to be mitigated such that there would be no net loss of occupied habitat or individuals, as determined by the qualified biologist in consultation with the County and CDFW.

9.2.8 Mitigation Measure M-BI.1-4 Edits in Section 2.5, "Biological Resources"

This following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.5-69 and 2.5-70:

M-BI.1-4: Implement Measures to Avoid Introduction or Spread of Invasive Plant Species

This measure shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation shall be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ to avoid the introduction or spread of plants classified as invasive plant species by the California Invasive Plant Council.

- The application will include identification of invasive plant species that occur on the site and where they are located. The application will identify specific measures to be employed for the removal of invasive species and on-site management practices.
- All invasive plant species shall be removed from the site using measures appropriate to the species. For example, species that cannot easily reroot, resprout, or disperse seeds may be left on site in a debris pile. Species that resprout readily or disperse seeds (e.g., Pampas grass) should be hauled off-site and disposed of appropriately at a landfill site.
- Heavy equipment and other machinery shall be inspected for the presence of invasive species before on-site use and shall be cleaned before entering the site to reduce the risk of introducing invasive plant species.

The text as presented in the Final PEIR:

M-BI.1-4: Implement Measures to Avoid Introduction or Spread of Invasive Plant Species

This measure shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status plants are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation shall be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ to avoid the introduction or

spread of plants classified as invasive plant species by the California Invasive Plant Council.

- The application will include identification of invasive plant species that occur on the site and where they are located. The application will identify specific measures to be employed for the removal of invasive species and on-site management practices.
- All invasive plant species shall be removed from the site to the extent practicable using measures appropriate to the species. For example, species that cannot easily reroot, resprout, or disperse seeds may be left on site in a debris pile. Species that resprout readily or disperse seeds (e.g., Pampas grass) should be hauled off-site and disposed of appropriately at a landfill site.
- Heavy equipment and other machinery shall be inspected for the presence of invasive species before on-site use and shall be cleaned before entering the site to reduce the risk of introducing invasive plant species.

9.2.9 Mitigation Measure M-BI.1-5 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.5-70 through 2.5-71:

M-BI.1-5: Conduct Preconstruction Surveys for Special-Status Amphibians

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- If arroyo toads or California red-legged frogs are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site), then it shall be assumed that cultivation and noncultivation activities could result in take of these federally listed species, and the application shall be denied.
- If western spadefoot toads are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site) and this species (which is currently proposed for listing) is listed under ESA at the time of the survey, then it shall be assumed that cultivation and noncultivation activities could result in take of the species, and the application shall be denied.
- If special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur, consultation with CDFW shall be initiated to determine whether mitigation measures,

such as project design modifications, relocation of the site, relocation of individual animals, or installation of exclusionary fencing, shall be necessary and appropriate.

- Regardless of detection during the initial biological survey, if habitat suitable for special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) is present in the proposed development area, a qualified biologist familiar with the life cycle of these species (i.e., coast range newt, western spadefoot [if not listed under ESA at the time of the survey]) shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status amphibian species shall be conducted throughout the proposed construction area and a minimum 400-foot buffer around the proposed development area or other buffer size as recommended by CDFW. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for salamanders and visual searches for frogs. Preconstruction surveys shall be conducted during the appropriate season to maximize potential for observation for each species, and appropriate surveys shall be conducted for the applicable life stages (i.e., eggs, larvae, adults).
- If special-status amphibians are not detected during the preconstruction survey and, for arroyo toad, California red-legged frog, or western spadefoot (if listed under ESA at the time of the survey), the species is determined to be unlikely to occur, then further mitigation is not required.
- If special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status amphibians shall be avoided by modifying project design, relocating the site, or relocating individual.

The text as presented in the Final PEIR:

M-BI.1-5: Conduct Preconstruction Surveys for Special-Status Amphibians

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status amphibians are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- If arroyo toads or California red-legged frogs are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site), then it shall be assumed that cultivation and noncultivation activities could result in take of these federally listed species, and the application shall be denied.

- If western spadefoot toads are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site) and this species (which is currently proposed for listing) is listed under ESA at the time of the survey, then it shall be assumed that cultivation and noncultivation activities could result in take of the species, and the application shall be denied.
- If special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications, relocation of the site, relocation of individual animals by a biologist with an appropriate CDFW scientific collecting permit, or installation of exclusionary fencing, shall be necessary and appropriate.
- Regardless of detection during the initial biological survey, if habitat suitable for special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) is present in the proposed development area as determined during the initial biological survey (see M-BI.1-1), a qualified biologist familiar with the life cycle of these species (i.e., coast range newt, western spadefoot [if not listed under ESA at the time of the survey]) shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status amphibian species shall be conducted throughout the proposed construction area and a minimum 400-foot buffer around the proposed development area or other buffer size as recommended by CDFW. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for salamanders and visual searches for frogs. Preconstruction surveys shall be conducted during the appropriate season to maximize potential for observation for each species, and appropriate surveys shall be conducted for the applicable life stages (i.e., eggs, larvae, adults).
- If special-status amphibians are not detected during the preconstruction survey and, for arroyo toad, California red-legged frog, or western spadefoot (if listed under ESA at the time of the survey), the species is determined to be unlikely to occur, then further mitigation is not required.
- If special-status amphibians other than arroyo toad, California red-legged frog, and western spadefoot (if listed under ESA at the time of the survey) are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status amphibians shall be avoided by modifying project design, relocating the site, or relocating individual animals by a biologist with an appropriate CDFW scientific collecting permit.

9.2.10 Mitigation Measure M-BI.1-6 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.5-71 and 2.5-72:

M-BI.1-6: Conduct Surveys for Special-Status Reptiles and Implement Avoidance Measures

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- If southwestern pond turtles are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site) and this species (which is currently proposed for listing) is listed under ESA at the time of the survey, then it shall be assumed that cultivation and noncultivation activities could result in take of the species, and the application shall be denied.
- If special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications, relocation of the site, relocation of individual animals, or installation of exclusionary fencing, shall be necessary and appropriate.
- Regardless of detection during the initial biological survey, if habitat suitable for special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) and including southwestern pond turtle (if not listed under ESA at the time of the survey) is present in the proposed development area, a qualified biologist familiar with the life cycle of these species shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status reptile species shall be conducted throughout the proposed construction area, and a minimum 400-foot buffer, or other buffer size as recommended by CDFW, shall be established around the proposed development area. Surveys shall consist of "walk and turn" surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for reptiles and visual searches for southwestern pond turtles in aquatic habitat and potential burrows.
- If special-status reptiles are not detected during the preconstruction survey and, for southwestern pond turtle (if listed under ESA at the time of the survey), the species is determined to be unlikely to occur, then further mitigation is not required.

- If special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status reptiles shall be avoided by modifying project design, relocating the site, or relocating individual animals.

The text as presented in the Final PEIR:

M-BI.1-6: Conduct Surveys for Special-Status Reptiles and Implement Avoidance Measures

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status reptiles are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- If southwestern pond turtles are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur (i.e., aquatic or upland habitats potentially suitable for the species are present on the site) and this species (which is currently proposed for listing) is listed under ESA at the time of the survey, then it shall be assumed that cultivation and noncultivation activities could result in take of the species, and the application shall be denied.
- If special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) are detected during the initial biological survey (see M-BI.1-1) or are determined to be likely to occur, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications, relocation of the site, relocation of individual animals by a biologist with an appropriate CDFW scientific collecting permit, or installation of exclusionary fencing, shall be necessary and appropriate.
- Regardless of detection during the initial biological survey, if habitat suitable for special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) and including southwestern pond turtle (if not listed under ESA at the time of the survey) is present in the proposed development area, as determined during the initial biological survey (see M-BI.1-1), a qualified biologist familiar with the life cycle of these species shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status reptile species shall be conducted throughout the proposed construction area, and a minimum 400-foot buffer, or other buffer size as recommended by CDFW, shall be established around the proposed development area. Surveys shall consist of “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for reptiles and visual searches for southwestern pond turtles in aquatic habitat and potential burrows.

- If special-status reptiles are not detected during the preconstruction survey and, for southwestern pond turtle (if listed under ESA at the time of the survey), the species is determined to be unlikely to occur, then further mitigation is not required.
- If special-status reptiles other than southwestern pond turtle (if listed under ESA at the time of the survey) are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status reptiles shall be avoided by modifying project design, relocating the site, or relocating individual animals by a biologist with an appropriate CDFW scientific collecting permit.

9.2.11 Mitigation Measure M-BI.1-7 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-72:

M-BI.1-7: Conduct Preconstruction California Spotted Owl Surveys and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- If a qualified biologist determines that the project site contains or is adjacent to habitat suitable for California spotted owls during the initial biological survey (see M-BI.1-1), the qualified biologist will determine whether a documented California spotted owl nesting occurrence is present within 0.25 miles of a project site by reviewing California spotted owl occurrence data in the CNDDB and contacting biologists from adjacent public lands (e.g., US Forest Service land), as applicable, to obtain any recent survey and occurrence data for California spotted owl that have not been made publicly available (e.g., in the CNDDB).
- If a nesting occurrence is determined to be present or if nesting habitat suitable for California spotted owl as determined by a biologist during the initial biological survey (see M-BI.1-1) is present within or within 0.25 miles of a project site, then the following measures will be followed:
    - Protocol-level surveys for California spotted owl will be conducted by a qualified biologist within a 0.25-mile radius surrounding the project site prior to any construction or staging activities where a documented nest or nesting habitat is present within 0.25 miles of the project site. Surveys for California spotted owl will be conducted pursuant to the *Protocol for Surveying for Spotted Owls in Proposed Management Activity Areas and Habitat Conservation Areas* (US

Forest Service 1993) or any protocol subsequently developed by USFWS should the species be listed.

- If California spotted owls are determined to be absent within 0.25 miles from the site, then further mitigation is not required.
- If nesting California spotted owls are identified during protocol-level surveys and determined to be present within 0.25 miles of the project site, then it is presumed that cultivation and noncultivation activities, including development and operation, could result in take of California spotted owls through habitat modification or disturbance. Therefore, if California spotted owls are determined to be present within 0.25 miles of the project site, proposed cultivation and noncultivation activities will not be permitted.

The text as presented in the Final EIR:

M-BI.1-7: Conduct Preconstruction California Spotted Owl Surveys and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if California spotted owls are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- If a qualified biologist determines that the project site contains or is adjacent to habitat suitable for California spotted owls during the initial biological survey (see M-BI.1-1), the qualified biologist will determine whether a documented California spotted owl nesting occurrence is present within 0.25 miles of a project site by reviewing California spotted owl occurrence data in the CNDDB and contacting biologists from adjacent public lands (e.g., US Forest Service land), as applicable, to obtain any recent survey and occurrence data for California spotted owl that have not been made publicly available (e.g., in the CNDDB).
- If a nesting occurrence is determined to be present or if nesting habitat suitable for California spotted owl as determined by a biologist during the initial biological survey (see M-BI.1-1) is present within or within 0.25 miles of a project site, then the following measures will be followed:
  - Protocol-level surveys for California spotted owl will be conducted by a qualified biologist within a 0.25-mile radius surrounding the project site prior to any construction or staging activities where a documented nest or nesting habitat is present within 0.25 miles of the project site. Surveys for California spotted owl will be conducted pursuant to the *Protocol for Surveying for Spotted Owls in Proposed Management Activity Areas and Habitat Conservation Areas* (US Forest Service 1993) or any protocol subsequently developed by USFWS should the species be listed.

- If California spotted owls are determined to be absent within 0.25 miles from the site, then further mitigation is not required.
- If nesting California spotted owls are identified during protocol-level surveys and determined to be present within 0.25 miles of the project site, then it is presumed that cultivation and noncultivation activities, including development and operation, could result in take of California spotted owls through habitat modification or disturbance. Therefore, if California spotted owls are determined to be present within 0.25 miles of the project site, proposed cultivation and noncultivation activities will not be permitted.

9.2.12 Mitigation Measure M-BI.1-8 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-73:

M-BI.1-8: Conduct Take Avoidance Survey for Burrowing Owl and Implement Avoidance Measures

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- If habitat suitable for burrowing owls is determined to be present on the site during the initial biological survey (see M-BI.1-1), a qualified biologist shall conduct a focused survey for burrowing owls in areas of habitat suitable for the species (e.g., grasslands, agricultural areas) on and within a minimum of 1,640 feet (500 meters) of the cultivation or noncultivation site using survey methods described in Appendix D of the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). Inaccessible areas (e.g., adjacent private property) will not be surveyed directly, but the biologist may use binoculars or a spotting scope to survey these areas. A minimum of 4 surveys shall be conducted to determine whether burrowing owls occupy the site. If feasible, at least 1 survey should be conducted between February 15 and April 15, and the remaining surveys should be conducted between April 15 and July 15 and at least 3 weeks apart. Because burrowing owls may recolonize a site after only a few days, 1 of the surveys, or an additional survey, shall be conducted no less than 14 days before initiating ground disturbance activities to verify that take of burrowing owl would not occur.
- If no occupied burrows are found, the qualified biologist shall submit a report documenting the survey methods and results to the applicant, the County, and CDFW, and no further mitigation shall be required.

- If an active burrow is found within a minimum of 1,640 feet of ground-disturbing activities that would occur during the nonbreeding season (September 1 through January 31), the applicant shall establish and maintain a minimum protection buffer of 164 feet (50 meters) around the occupied burrow throughout construction. The actual buffer size shall be determined by the qualified biologist based on the time of year and level of disturbance in accordance with guidance provided in the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). The protection buffer shall be adjusted if, during consultation with the County and CDFW, a qualified biologist determines that an alternative buffer would not disturb burrowing owl use of the burrow because of particular site features or other buffering measures.
- If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and shall be provided with a protective buffer at a minimum of 1,640 feet (500 meters). There is an option for the size of the buffer to be adjusted depending on the time of year and level of disturbance as outlined in the burrowing owl staff report. The size of the buffer shall be reduced if a broad-scale, long-term monitoring program acceptable to the County and CDFW is implemented so that burrowing owls are not adversely affected.

The text as presented in the Final PEIR:

M-BI.1-8: Conduct Take Avoidance Survey for Burrowing Owl and Implement Avoidance Measures

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if burrowing owls are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- If habitat suitable for burrowing owls is determined to be present on the site during the initial biological survey (see M-BI.1-1), a qualified biologist shall conduct a focused survey for burrowing owls in areas of habitat suitable for the species (e.g., grasslands, agricultural areas) on and within a minimum of 1,640 feet (500 meters) of the cultivation or noncultivation site using survey methods described in Appendix D of the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). Inaccessible areas (e.g., adjacent private property) will not be surveyed directly, but the biologist may use binoculars or a spotting scope to survey these areas. A minimum of 4 surveys shall be conducted to determine whether burrowing owls occupy the site. If feasible, at least 1 survey should be conducted between February 15 and April 15, and the remaining surveys should be conducted between April 15 and July 15 and at least 3 weeks apart. Because burrowing owls may recolonize a site after only a few days, 1 of the surveys, or an additional survey, shall be conducted no less than 14 days before initiating ground disturbance activities to verify that take of burrowing owl would not occur.

- If no occupied burrows are found, the qualified biologist shall submit a report documenting the survey methods and results to the applicant, the County, and CDFW, and no further mitigation shall be required.
- If an active burrow is found within a minimum of 1,640 feet of ground-disturbing activities that would occur during the nonbreeding season (September 1 through January 31), the applicant shall establish and maintain a minimum protection buffer of 164 feet (50 meters) around the occupied burrow throughout construction. The actual buffer size shall be determined by the qualified biologist based on the time of year and level of disturbance in accordance with guidance provided in the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). The protection buffer shall be adjusted if, during consultation with the County and CDFW, a qualified biologist determines that an alternative buffer would not disturb burrowing owl use of the burrow because of particular site features or other buffering measures.
- If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and shall be provided with a protective buffer at a minimum of 1,640 feet (500 meters). There is an option for the size of the buffer to be adjusted depending on the time of year and level of disturbance as outlined in the burrowing owl staff report. The size of the buffer shall be reduced if a broad-scale, long-term monitoring program acceptable to the County and CDFW is implemented so that burrowing owls are not adversely affected.

9.2.13 Mitigation Measure M-BI.1-9 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.5-73 and 2.5-74:

M-BI.1-9: Conduct Preconstruction Special-Status Nesting Raptor Surveys and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- To minimize the potential for loss of nesting raptors, tree and other vegetation removal activities shall occur only during the nonbreeding season (September 1 through January 31), if feasible.
- If removal of trees and other vegetation cannot be avoided during the breeding season, before removal of any trees or ground-disturbing activities between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors and shall identify active nests within a certain distance, depending on the species that are known or have potential to be present. The

survey radius for American peregrine falcon (*Falco peregrinus anatum*), bald eagle, and golden eagle shall be a minimum of 0.5 miles from the proposed development area boundary. The survey radius for Swainson's hawk (*Falco peregrinus anatum*) and white-tailed kite (*Elanus leucurus*) shall be a minimum of 0.25 miles from the proposed development area boundary. The survey radius for all other raptor species shall be a minimum of 500 feet from the proposed development area boundary. The surveys shall be conducted between February 1 and August 31.

- If nesting special-status raptors are determined to be absent, then further mitigation is not required.
- If active nests are identified during preconstruction raptor surveys, then impacts on nesting raptors shall be avoided by establishing appropriate buffers around the nests. Factors to be considered for determining buffer size shall include the presence of natural buffers provided by vegetation or topography, nest height, locations of foraging territory, and baseline levels of noise and human activity. Buffer size may be adjusted if the qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Typical buffer sizes are 0.5 miles for American peregrine falcon, bald eagle, and golden eagle; 0.25 miles for Swainson's hawk and white-tailed kite; and 500 feet for other raptor species. No activity shall occur within the buffer areas until the qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. Monitoring of the nest by a qualified biologist during and after construction activities (e.g., ground disturbance, vegetation removal) shall be required if the activity has potential to adversely affect the nest.
- Removal of bald and golden eagle nests is prohibited regardless of their occupancy status under the federal Bald and Golden Eagle Protection Act. If bald or golden eagle nests are found during preconstruction surveys, then the nest tree shall not be removed.
- Trees shall not be removed during the breeding season for nesting raptors unless a survey by the qualified biologist verifies that there is not an active nest in the tree.

The text as presented in the Final EIR:

M-BI.1-9: Conduct Preconstruction Special-Status Nesting Raptor Surveys and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status raptors are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur based on the presence of habitat. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- To minimize the potential for loss of nesting raptors, tree and other vegetation removal activities shall occur only during the nonbreeding season (September 1 through January 31), if feasible.
- If removal of trees and other vegetation cannot be avoided during the breeding season, before removal of any trees or ground-disturbing activities between February 1 and August 31, a qualified biologist shall conduct preconstruction surveys for nesting raptors and shall identify active nests within a certain distance, depending on the species that are known or have potential to be present. The survey radius for American peregrine falcon, bald eagle, and golden eagle shall be a minimum of 0.5 miles from the proposed development area boundary. The survey radius for Swainson's hawk and white-tailed kite shall be a minimum of 0.25 miles from the proposed development area boundary. The survey radius for all other raptor species shall be a minimum of 500 feet from the proposed development area boundary. The surveys shall be conducted between February 1 and August 31.
- If nesting special-status raptors are determined to be absent, then further mitigation is not required.
- If active nests are identified during preconstruction raptor surveys, then impacts on nesting raptors shall be avoided by establishing appropriate buffers around the nests. Factors to be considered for determining buffer size shall include the presence of natural buffers provided by vegetation or topography, nest height, locations of foraging territory, and baseline levels of noise and human activity. Buffer size may be adjusted if the qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. Typical buffer sizes are 0.5 miles for American peregrine falcon, bald eagle, and golden eagle; 0.25 miles for Swainson's hawk and white-tailed kite; and 500 feet for other raptor species. No activity shall occur within the buffer areas until the qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. Monitoring of the nest by a qualified biologist during and after construction activities (e.g., ground disturbance, vegetation removal) shall be required if the activity has potential to adversely affect the nest.
- Removal of bald and golden eagle nests is prohibited regardless of their occupancy status under the federal Bald and Golden Eagle Protection Act. If bald or golden eagle nests are found during preconstruction surveys, then the nest tree shall not be removed.
- Trees shall not be removed during the breeding season for nesting raptors unless a survey by the qualified biologist verifies that there is not an active nest in the tree.

9.2.14 Mitigation Measure M-BI.1-10 Edits in Section 2.5, "Biological Resources"

The following clarifications were made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-74.

> **M-BI.1-10: Conduct Preconstruction Special-Status Nesting Bird Surveys and Establish Protective Buffers**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR.

> **M-BI.1-10: Conduct Preconstruction Special-Status Nesting Bird Surveys and Establish Protective Buffers**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status birds are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur based on the presence of habitat. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.15 Mitigation Measure M-BI.1-11 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-76:

> **M-BI.1-11: Conduct Preconstruction Crotch's Bumble Bee Habitat Suitability Surveys and Focused Surveys**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

> **M-BI.1-11: Conduct Preconstruction Crotch's Bumble Bee Habitat Suitability Surveys and Focused Surveys**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if bumble bees are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as

part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.16 Mitigation Measure M-BI.1-12 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-76:

> **M-BI.1-12: Conduct Preconstruction Special-Status Butterfly Habitat Suitability Surveys and Focused Surveys**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

> **M-BI.1-12: Conduct Preconstruction Special-Status Butterfly Habitat Suitability Surveys and Focused Surveys**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status butterflies are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.17 Mitigation Measure M-BI.1-13 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-78:

> **M-BI.1-13: Conduct Habitat Assessment for Special-Status Terrestrial Invertebrates and Implement Avoidance Measures**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

M-BI.1-13: Conduct Habitat Assessment for Special-Status Terrestrial Invertebrates and Implement Avoidance Measures

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status terrestrial invertebrates are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.18 Mitigation Measure M-BI.1-14 Edits in Section 2.5, "Biological Resources

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-79:

M-BI.1-14: Avoid Special-Status Fairy Shrimp Habitat

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

M-BI.1-14: Avoid Special-Status Fairy Shrimp Habitat

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status fairy shrimp are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.19 Mitigation Measure M-BI.1-15 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-79:

M-BI.1-15: Conduct Preconstruction Bat Survey and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

M-BI.1-15: Conduct Preconstruction Bat Survey and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status bats are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.20 Mitigation Measure M-BI.1-16 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-79:

M-BI.1-16: Conduct Preconstruction Survey for Special-Status Rodents and Rabbits and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

M-BI.1-16: Conduct Preconstruction Survey for Special-Status Rodents and Rabbits and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if special-status rodents and rabbits are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.21 Mitigation Measure M-BI.1-17 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-80:

> **M-BI.1-17: Conduct Preconstruction American Badger Survey and Establish Protective Buffers**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

> **M-BI.1-17: Conduct Preconstruction American Badger Survey and Establish Protective Buffers**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if American badgers are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.22 Mitigation Measure M-BI.1-18 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-80

> **M-BI.1-18: Conduct Preconstruction Southern California Ringtail Survey and Establish Protective Buffers**
>
> The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

M-BI.1-18: Conduct Preconstruction Southern California Ringtail Survey and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if southern California ringtails are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.23 Mitigation Measure M-BI.1-19 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.5-81:

M-BI.1-19: Conduct Preconstruction Mountain Lion Survey and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

The text as presented in the Final PEIR:

M-BI.1-19: Conduct Preconstruction Mountain Lion Survey and Establish Protective Buffers

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County if mountain lions or signs of mountain lions (e.g., scat, prints) are detected during the initial biological survey (see M-BI.1-1) or are determined to have potential to occur. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

9.2.24 Mitigation Measure M-BI.2-1 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR in the first bullet on page 2.5-83:

- If the report documents that site development would affect the bed, bank, channel, or associated riparian habitat subject to CDFW jurisdiction under Fish and Game Code Section 1602, a Streambed Alteration Notification shall be submitted to CDFW, pursuant to Section 1600 et seq. of the Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction, the applicant shall abide by the conditions of any executed agreement before any ground disturbance.

The text as presented in the Final PEIR:

- If the report documents that site development would affect the bed, bank, channel, or associated riparian habitat subject to CDFW jurisdiction under Fish and Game Code Section 1602, a Streambed Alteration Notification shall be submitted to CDFW, pursuant to Section 1600 et seq. of the Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction by CDFW, the applicant shall abide by the conditions of any executed agreement before any ground disturbance.

9.2.25 Mitigation Measure M-BI.4-1 Edits in Section 2.5, "Biological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.5-85 and 2.5-86:

M-BI.4-1: Utilize Wildlife-Friendly Building and Fencing Designs

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- Buildings and other permanent structures that would be constructed for cultivation and noncultivation activities associated with the project shall be designed to minimize impacts on wildlife, including disruption to wildlife movement, bird strikes, and wildlife entanglement.
    - Building design shall utilize guidelines regarding building height, materials, external lighting, and landscaping provided in the American Bird Conservancy's Bird-Friendly Building Design (American Bird Conservancy 2015). The County shall require review of the design plans by a qualified biologist, who will determine whether the plans are sufficient to reduce the likelihood of bird strikes or recommend additional measures.
        - Fencing associated with cultivation and noncultivation activities associated with the project will utilize wildlife-friendly fencing design to minimize the risk

of entanglement, entrapment, or impalement of wildlife. The County shall require the review of fencing design by a qualified biologist prior to installation. The fencing design shall meet, but not be limited to the following standards:

- Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale, snag, or entrap a leaping animal (e.g., wrought iron fencing with spikes).
- Allow wildlife to jump over easily without injury. Typically, fences should be no more than 40 inches high on flat ground to allow adult deer to jump over. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. If fencing is required to be greater than 40 inches high for security or logistical purposes, then the fencing shall be high enough to deter wildlife from attempting to jump over (i.e., greater than ~~8~~ 6 feet tall).
- Allow smaller wildlife to pass under easily without injury or entrapment.

- Polyethylene plastic used for agricultural shade or crop structures shall be properly fastened, maintained in good condition, and regularly inspected for degradation from weather to prevent introduction of plastic into the natural environment, including waterways.

The text as presented in the Final PEIR:

M-BI.4-1: Utilize Wildlife-Friendly Building and Fencing Designs

The following shall be included as a performance standard for the licensing of new cultivation and noncultivation activities in unincorporated San Diego County. Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2023-0102-DWQ.

- Buildings and other permanent structures that would be constructed for cultivation and noncultivation activities associated with the project shall be designed to minimize impacts on wildlife, including disruption to wildlife movement, bird strikes, and wildlife entanglement.
  - Building design shall utilize guidelines regarding building height, materials, external lighting, and landscaping provided in the American Bird Conservancy's Bird-Friendly Building Design (American Bird Conservancy 2015). The County shall require review of the design plans by a qualified biologist, who will determine whether the plans are sufficient to reduce the likelihood of bird strikes or recommend additional measures.
    - Fencing associated with cultivation and noncultivation activities associated with the project will utilize wildlife-friendly fencing design to minimize the risk of entanglement, entrapment, or impalement of wildlife, as well as interruption of wildlife movement corridors. The County shall require the review of fencing

design by a qualified biologist prior to installation. The fencing design shall meet, but not be limited to the following standards:

- Minimize interruption of wildlife movement corridors by limiting fencing to the shortest length necessary, and properly siting fencing location such that established wildlife movement corridors are avoided.
- Minimize the chance of wildlife entanglement by avoiding barbed wire, loose or broken wires, or any material that could impale, snag, or entrap a leaping animal (e.g., wrought iron fencing with spikes).
- Allow wildlife to jump over easily without injury. Typically, fences should be no more than 40 inches high on flat ground to allow adult deer to jump over. The determination of appropriate fence height will consider slope, as steep slopes are more difficult for wildlife to pass. If fencing is required to be greater than 40 inches high for security or logistical purposes, then the fencing shall be high enough to deter wildlife from attempting to jump over (i.e., greater than ~~8~~ 6 feet tall).
- Allow smaller wildlife to pass under easily without injury or entrapment.

- Upon review of project-specific fencing design, the County and qualified biologist will require revisions to site plans if the proposed fencing design and/or location would result in impacts on wildlife movement.
- Polyethylene plastic used for agricultural shade or crop structures shall be properly fastened, maintained in good condition, and regularly inspected for degradation from weather to prevent introduction of plastic into the natural environment, including waterways.

9.2.26 Mitigation Measure M-CR.1-1 Edits in Section 2.6, "Cultural and Paleontological Resources"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.6-46 and 2.6-47:

M-CR.1-1: Identify and Evaluate Historical Structures

- As part of compliance with SWRCB Order WQ 2023-0102-DWQ (Attachment A, Section 1 - Term 21) and County General Plan Policy COS-8.1, commercial cannabis cultivation and noncultivation sites in San Diego County would be required to identify and evaluate all historical (over 50 years in age) buildings and structures that are proposed to be removed or modified as part of commercial cannabis site operations. For discretionary projects, the County shall determine the appropriate level of investigation. The evaluation shall be prepared by an architectural historian or historical architect who meets the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards and is listed on the County of San Diego CEQA Consultant's List. The evaluation shall comply with State CEQA Guidelines Section 15064.5(b).

- For ministerial projects, this shall include the preparation of a historic structure report and evaluation of resources to determine their eligibility for recognition under federal, state, or County local official register of historic resources criteria.

- If resources eligible for inclusion in the NRHP, CRHR, or local official register of historic resources are identified, an assessment of impacts on these resources shall be included in the report, as well as detailed measures to avoid impacts. If avoidance of a significant architectural or built-environment resource is not feasible, additional mitigation options include specific design plans for historic districts and plans for alteration or adaptive reuse of a historical resource that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings.

The text as presented in the Final PEIR:

M-CR.1-1: Identify and Evaluate Historical Structures

- As part of compliance with SWRCB Order WQ 2023-0102-DWQ (Attachment A, Section 1 - Term 21) and County General Plan Policy COS-8.1, commercial cannabis cultivation and noncultivation sites in San Diego County would be required to identify and evaluate all historical (over 50 years in age) buildings and structures that are proposed to be removed or modified as part of commercial cannabis site operations.
- The applicant shall identify structures that are proposed to be removed or modified as part of the commercial cannabis site operations and the age of these structures. For all historic-age (over 45-years in age) buildings and structures, projects involving interior alterations, the addition of rooftop solar, or routine maintenance work, do not need evaluation of eligibility by an architectural historian in a historic report.
- For projects that involve modifications to structures over 45 years, excluding interior alterations, the addition of rooftop solar, or routine maintenance work, the applicant shall have the structure evaluated to determine their eligibility for listing on the National Register of Historic Places, California Register of Historical Resources, or County local official register of historic resources. The evaluation shall be prepared by an architectural historian or historical architect who meets the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards and is listed on the *County of San Diego's CEQA Consultants List for Privately Initiated Projects*. The evaluation shall comply with State CEQA Guidelines Section 15064.5(b). To qualify as a ministerial project, the evaluation must conclude that no historical resources are present or that the project would not result in a substantial adverse change to the significance of historical resources.
- If resources eligible for inclusion in the NRHP, CRHR, or local official register of historic resources are identified, an assessment of impacts on these resources shall be included in the report, as well as detailed measures to avoid impacts. If

avoidance of a significant architectural or built-environment resource is not feasible, additional mitigation options include specific design plans for historic districts and plans for alteration or adaptive reuse of a historical resource that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings.

9.2.27 Mitigation Measure M-EN.2-1 Edits in Section 2.7, "Energy"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.7-19:

M-EN.2-1: Implement the requirements of the County's Climate Action Checklist.

Each cannabis facility application shall include measures enumerated in the County's CAP Checklist as applicable.

The text as presented in the Final PEIR:

M-EN.2-1: Implement the requirements of the County's Climate Action Checklist.

Each cannabis facility application shall include measures enumerated in the County's CAP Checklist as applicable (i.e., subject to a discretionary permit).

9.2.28 Mitigation Measure M-GC.1-1 Edits in Section 2.9, "Greenhouse Gas Emissions and Climate Change"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.9-18:

M-GC.1-1: Implement the requirements of the County's Climate Action Checklist.

Commercial cannabis facilities shall implement the measures enumerated in the County's Climate Action Plan Checklist as applicable.

The text as presented in the Final PEIR:

M-GC.1-1: Implement the requirements of the County's Climate Action Checklist.

Each cannabis facility application shall include measures enumerated in the County's CAP Checklist as applicable (i.e., subject to a discretionary permit).

9.2.29 Mitigation Measure M-HYD.2-1 Edits in Section 2.11, "Hydrology and Water Quality"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.11-53:

M-HYD.2-1: Establish No Net Increase in Groundwater Use

If it can be demonstrated to the satisfaction of the County that the project would not have a net increase in groundwater production from existing baseline groundwater use in accordance with CEQA, no further action is needed. This documentation shall take the form of a groundwater analysis or memorandum.

The text as presented in the Final EIR:

M-HYD.2-1: Establish No Net Increase in Groundwater Use

If it can be demonstrated to the satisfaction of the County that the project would not have a net increase in groundwater production from existing baseline groundwater use in accordance with CEQA, no further action is needed. This documentation shall take the form of a groundwater analysis or memorandum prepared by a California Professional Geologist from the County of San Diego's CEQA Consultants List for Privately Initiated Projects.

9.2.30 Mitigation Measure M-HYD.2-2 Edits in Section 2.11, "Hydrology and Water Quality"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on pages 2.11-53 and 2.11.54:

M-HYD.2-2: Additional Groundwater Use

If a new or additional groundwater supplies are needed to support a project, a groundwater analysis shall be prepared by a California Professional Geologist and provided with the cannabis facility application that is consistent with the *County's Guidelines for Determining Significance and Report Format and Content Requirements - Groundwater Resources*. The analysis shall identify whether groundwater use would be sustainable in accordance with County guidelines and if needed, provide mitigation measures to the extent feasible to reduce potential adverse effects on groundwater. This could include design modifications, such as limiting cultivation or using imported water if available. The groundwater analysis shall be submitted to the County for review and approval as part of the application process.

The text as presented in the Final PEIR:

M-HYD.2-2: Additional Groundwater Use

If a new or additional groundwater supplies are needed to support a project, a groundwater analysis shall be prepared by a California Professional Geologist on the *County of San Diego's CEQA Consultants List for Privately Initiated Projects* and provided with the cannabis facility application that is consistent with the *County's*

Guidelines for Determining Significance and Report Format and Content Requirements - Groundwater Resources. The analysis shall identify whether groundwater use would be sustainable in accordance with County guidelines and if needed, provide mitigation measures to the extent feasible to reduce potential adverse effects on groundwater. This could include design modifications, such as limiting cultivation or using imported water if available. The groundwater analysis shall be submitted to the County for review and approval as part of the application process.

9.2.31 Mitigation Measure M-N.2-1 Edits in Section 2.13, "Noise"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.13-44:

M-N.2-1: Implement Noise Reduction Measures to Reduce Operational Noise Impacts at Distribution Facilities

Whenever a cannabis distribution facility is proposed on a parcel within 30 feet (i.e., the distance at which loading activities could exceed county noise standards) of a land use, a noise analysis shall be required and submitted with the permit application. The noise analysis shall be prepared in accordance with *County of San Diego Guidelines for Determining Significance: Noise* and will evaluate the effect of project implementation on nearby land uses and shall identify appropriate measures (e.g., equipment enclosures, equipment location, noise barriers) that reduce noise to acceptable levels as presented in Section 36.401 et seq. of the San Diego County Code of Regulatory Ordinances relating to Noise Abatement and Control and General Plan Noise Element Tables N-1 and N-2.

The text as presented in the Final PEIR:

M-N.2-1: Implement Noise Reduction Measures to Reduce Operational Noise Impacts at Distribution Facilities

Whenever a cannabis distribution facility is proposed on a parcel within 30 feet (i.e., the distance at which loading activities could exceed county noise standards) of a noise-sensitive land use (residential uses, public and private educational facilities, hospitals, convalescent homes, hotels/motels, daycare facilities, passive recreational parks, libraries, or other similar facilities where quiet is an important attribute of the environment, as defined by the *County of San Diego General Plan* and the *County of San Diego Guidelines for Determining Significance - Noise*), a noise analysis shall be prepared by a consultant listed on the *County of San Diego's CEQA Consultants List for Privately Initiated Projects* and submitted with the permit application. The noise analysis shall be prepared in accordance with *County of San Diego Guidelines for Determining Significance - Noise* and will evaluate the effect of project implementation on nearby land uses and shall identify appropriate measures (e.g., equipment enclosures, equipment location, noise barriers) that reduce noise to acceptable levels as presented in Section 36.401 et seq. of the San Diego County Code of Regulatory Ordinances

relating to Noise Abatement and Control and General Plan Noise Element Tables N-1 and N-2. To meet these standards, noise levels will be modeled from the location of the loading activities to the parcel with the noise-sensitive land use.

9.2.32 Vehicle Miles Traveled Discussion in Section 2.16, "Transportation"

The County has made the following text changes to the Draft PEIR to address the *Cleveland National Forest Foundation et al. v. County of San Diego* (Cal. Ct App., March 27, 2025, No. D083555) decision that the San Diego County's adoption of two screening thresholds related to analysis of vehicle miles traveled (VMT) under the CEQA was not supported by substantial evidence. This decision specifically addressed the County's Transportation Study Guide (TSG) VMT screening thresholds: the infill threshold, which applied to projects proposed in designated infill village areas within the unincorporated county, and the small project threshold, which exempted projects expected to generate fewer than 110 automobile trips per day.

The text as presented in the Draft PEIR on page 2.16-9:

Section 3.3.1 of the *County of San Diego Transportation Study Guidelines* provides the following thresholds to determine whether a project could be presumed to result in a less-than-significant VMT impact:

- **Projects Located in a VMT Efficient Area**: Projects located in a VMT efficient area with an average VMT per Resident, VMT per Employee, or VMT per Service Population of 15 percent below the baseline average for the entire San Diego County region, including the incorporated cities.
- **Project's Located in Infill Village Area:** Projects located in an Infill Village Area, as defined within Appendix D of the *County of San Diego Transportation Study Guidelines.*
- **Small Residential and Employment Projects**: Projects that generate less than 110 daily trips.
- **Projects Located in a Transit Accessible Area**: Projects located within a half mile of an existing major transit stop or an existing stop along a high-quality transit corridor.[1]
- **Locally Serving Retail/Service Projects**: Retail projects with less than 50,000 square feet of building area.
- **Locally Serving Public Facilities and Other Uses:** Public facilities that serve the surrounding community or public facilities that are passive use.
- **Redevelopment Projects with Greater VMT Efficiency:** Redevelopment projects where the proposed project's total project VMT is less than the existing land use's total VMT.

[1] Major transit stop: A site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (PRC Section 21064.3). High quality transit corridor: A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute periods (PRC Section 21155).

- **Affordable Housing:** An affordable housing project with 100 percent of units that are affordable.

The text as presented in the Final PEIR:

Section 3.3.1 of the *County of San Diego Transportation Study Guidelines* provides the following thresholds to determine whether a project could be presumed to result in a less-than-significant VMT impact:

- **Projects Located in a VMT Efficient Area**: Projects located in a VMT efficient area with an average VMT per Resident, VMT per Employee, or VMT per Service Population of 15 percent below the baseline average for the entire San Diego County region, including the incorporated cities.
- **Projects Located in a Transit Accessible Area**: Projects located within a half mile of an existing major transit stop or an existing stop along a high-quality transit corridor.[2]
- **Locally Serving Retail/Service Projects**: Retail projects with less than 50,000 square feet of building area.
- **Locally Serving Public Facilities and Other Uses:** Public facilities that serve the surrounding community or public facilities that are passive use.
- **Redevelopment Projects with Greater VMT Efficiency:** Redevelopment projects where the proposed project's total project VMT is less than the existing land use's total VMT.
- **Affordable Housing:** An affordable housing project with 100 percent of units that are affordable.

The text as presented in the Draft PEIR on pages 2.16-13 and 2.16-14:

Impact Analysis

The County of San Diego Transportation Study Guidelines (adopted on September 2022) include a list of screening criteria for land use and transportation projects that are presumed to generate a less-than-significant VMT impact (described in Section 2.16.3.3).

Different VMT screening criteria would apply depending on the subsequent project's different land use types, locations, and size. The Cannabis Program would allow cannabis facilities to be permitted within the unincorporated county. Individual future commercial cannabis sites under the Cannabis Program are yet to be defined, so the location and size of the type of cannabis development is currently unknown. However, the following screening criteria could apply to commercial cannabis sites under the Cannabis Program:

- Projects Located in a VMT Efficient Area

[2] Major transit stop: A site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (PRC Section 21064.3). High quality transit corridor: A corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute periods (PRC Section 21155).

- Projects Located in Infill Village Area
- Projects Located in a Transit Accessible Area
- Small Employment Projects
- Locally Serving Retail/Service Projects

These criteria and how they apply to individual commercial cannabis facilities are discussed below:

Projects Located in a VMT-Efficient Area, Infill-Village Area, or Transit-Accessible Area

As discussed in Section 2.16.3.3, a project located in a VMT-efficient area, an infill-village area, or a transit-accessible area can be presumed to have a less-than-significant VMT-related transportation impact. The Cannabis Program would allow cannabis facilities to be developed in certain areas with agricultural, commercial, or industrial zoning in the unincorporated areas. The majority of the agricultural, commercial, and industrial zoning areas on the eastern side of the county are not located in a VMT-efficient, infill-village, or transit-accessible area based on the screening criteria. The number of zones that would permit cannabis development and that are located within a screening criteria area (i.e., VMT-efficient, infill-village, or transit-accessible area) is significantly reduced compared to the full geographical scope of the Cannabis Program. For cannabis facilities located outside of a VMT-efficient area, infill-village area, or transit-accessible area, the VMT could exceed the allowable thresholds identified by the County and could potentially result in a significant VMT-related impact. However, cannabis projects that are not within a location-based screening criterion could still potentially be screened out via the Small Employment Project or the Locally Serving Retail Projects criteria, which are described in the subsequent sections.

Small Employment Projects

Small projects that are estimated to generate less than 110 average daily vehicle trips (ADT) can be presumed to result in a less-than-significant VMT impact. Daily vehicle trip estimates were calculated using trip rates from the Institute Transportation of Engineers' (ITE's) *Trip Generation Manual (11th Edition), SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region,* and the County of Santa Barbara's *Cannabis Land Use Ordinance and Licensing Program Final Environmental Impact Report (FEIR), December 2017.*

The following trip rates were used to calculate the project components' trip generation:

- Cultivation operations: ITE Trip Generation Manual "Marijuana Cultivation and Processing Facility" (Land Use 190) trip rate of 0.69 ADT per 1,000 square feet (sf) of gross area, and SANDAG's (Not So) Brief Guide of Vehicular Traffic Generation Rate "Agriculture" trip rate of 2 ADT per acre for outdoor cultivation area.

- Processing: ITE Trip Generation Manual “Marijuana Cultivation and Processing Facility” (Land Use 190) trip rate of 0.69 ADT per 1,000 sf of gross area.
- Testing facilities: County of Santa Barbara FEIR “Testing” trip rate of 7 ADT per 1,000 sf of gross floor area.
- Manufacturing activities: County of Santa Barbara FEIR “Manufacturing” trip rate of 3.8 ADT per 1,000 sf of gross floor area.
- Distribution activities: County of Santa Barbara FEIR “Distribution” trip rate of 1.4 ADT per 1,000 sf of gross floor area.

These trip rates were utilized to determine the maximum allowable size of the project components that would generate less than 110 ADT and would qualify for the small project criteria (Table 2.16.2, presented at the end of this section).

Cannabis facilities that are less than the sizes identified in Table 2.16.2, which is presented at the end of this chapter, would fall under the small project criteria and would be presumed to have a less-than-significant VMT-related impact. For cannabis facilities that are larger than the sizes identified in Table 2.16.2, the associated VMT could exceed the allowable threshold identified by the County, thus, potentially resulting in a significant VMT-related impact.

Locally Serving Retail Projects

As described in Section 1.6.1, “Project Components,” the Cannabis Program would allow for the development of the following commercial cannabis uses in select areas of the unincorporated county: cannabis storefront, non-storefront retail, and consumption lounges; cannabis cultivation facilities; cannabis manufacturing facilities; cannabis microbusinesses; cannabis testing laboratories; and cannabis temporary events. According to the County of San Diego Transportation Study Guidelines, commercial cannabis sites would qualify for the “Locally Serving Retail Projects” criteria if the facility is less than 50,000 sf. For commercial cannabis facilities that are larger than 50,000 sf, VMT could exceed the allowable threshold identified by the county and could potentially result in a significant VMT-related impact.

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 cultivation or noncultivation activities would occur. The potential expansion of these 5 sites would be below the square footages for VMT screening under Table 2.16.3 would not result in significant new VMT impacts.

This impact would be less than significant under Alternative 1.

The text as presented in the Final PEIR:

Impact Analysis

The County of San Diego Transportation Study Guidelines (adopted on September 2022) include a list of screening criteria for land use and transportation projects that are presumed to generate a less-than-significant VMT impact (described in Section 2.16.3.3).

Different VMT screening criteria would apply depending on the subsequent project's different land use types, locations, and size. The Cannabis Program would allow cannabis facilities to be permitted within the unincorporated county. Individual future commercial cannabis sites under the Cannabis Program are yet to be defined, so the location and size of the type of cannabis development is currently unknown. However, the following screening criteria could apply to commercial cannabis sites under the Cannabis Program:

- Projects Located in a VMT Efficient Area
- Projects Located in a Transit Accessible Area
- Locally Serving Retail/Service Projects

These criteria and how they apply to individual commercial cannabis facilities are discussed below:

Projects Located in a VMT-Efficient Area or Transit-Accessible Area

As discussed in Section 2.16.3.3, a project located in a VMT-efficient area or a transit-accessible area can be presumed to have a less-than-significant VMT-related transportation impact. The Cannabis Program would allow cannabis facilities to be developed in certain areas with agricultural, commercial, or industrial zoning in the unincorporated areas. The majority of the agricultural, commercial, and industrial zoning areas on the eastern side of the county are not located in a VMT-efficient or transit-accessible area based on the screening criteria. The number of zones that would permit cannabis development and that are located within a screening criteria area (i.e., VMT-efficient or transit-accessible area) is significantly reduced compared to the full geographical scope of the Cannabis Program. For cannabis facilities located outside of a VMT-efficient area or transit-accessible area, the VMT could exceed the allowable thresholds identified by the County and could potentially result in a significant VMT-related impact. However, cannabis projects that are not within a location-based screening criterion could still potentially be screened out via the Locally Serving Retail Projects criteria, which are described in the subsequent sections.

Locally Serving Retail Projects

As described in Section 1.6.1, "Project Components," the Cannabis Program would allow for the development of the following commercial cannabis uses in select areas of the unincorporated county: cannabis storefront, non-storefront retail, and consumption lounges; cannabis cultivation facilities; cannabis manufacturing facilities; cannabis

microbusinesses; cannabis testing laboratories; and cannabis temporary events. According to the County of San Diego Transportation Study Guidelines, commercial cannabis sites would qualify for the "Locally Serving Retail Projects" criteria if the facility is less than 50,000 sf. For commercial cannabis facilities that are larger than 50,000 sf, VMT could exceed the allowable threshold identified by the county and could potentially result in a significant VMT-related impact.

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 without additional discretionary review. However, no new cultivation or noncultivation activities would occur. The potential expansion of these 5 sites are considered baseline development and would also be below the square footages for VMT screening for locally serving retail projects under Table 2.16.2 would not result in significant new VMT impacts.

This impact would be less than significant under Alternative 1.

The following table was removed from page 2.16-29 of the Draft PEIR:

Table 2.16.2 Project Maximum Allowable Size per the Small Project Screening Criteria

Project Component	Maximum Project Size
Cultivation Operations	17,000 sf (indoor)[1]
Processing	17,000 sf
Testing Facilities	15,700 sf
Manufacturing Activities	28,900 sf
Distribution Activities	75,500 sf

Note: sf = square feet.

[1] Indoor cultivation includes the building size of any structural facility on-site.

The table on page 2.16-29 of the Draft PEIR:

Table 2.16.3 Project VMT Screening Criteria Summary

VMT Screening Criteria	Applicable Project Component	Screening Threshold
Projects Located in a VMT Efficient Area, Infill Village, and/or Transit Accessible Area	Cultivation Operations Processing Testing Activities Manufacturing Activities Distribution Activities Retail Activities	County VMT Mapping Data
Small Employment Projects	Cultivation Operations	< 17,000 sf (indoor)[1]
	Processing	< 17,000 sf
	Testing Activities	< 15,700 sf
	Manufacturing Activities	< 28,900 sf
	Distribution Activities	< 75,500 sf
Locally Serving Retail Projects	Retail Activities	< 50,000 SF

Note: sf = square feet.

[1] Indoor cultivation includes the building size of any structural facility.

Source: Data provided by Intersecting Metrics in 2024.

The table as presented in the Final PEIR:

Table 2.16.2 Project VMT Screening Criteria Summary

VMT Screening Criteria	Applicable Project Component	Screening Threshold
Projects Located in a VMT Efficient Area, and/or Transit Accessible Area	Cultivation Operations Processing Testing Activities Manufacturing Activities Distribution Activities Retail Activities	County VMT Mapping Data
Locally Serving Retail Projects	Retail Activities	< 50,000 SF

Note: sf = square feet.

[1] Indoor cultivation includes the building size of any structural facility.

Source: Data provided by Intersecting Metrics in 2024.

9.2.33 Mitigation Measure M-TR.2-1 Edits in Section 2.16, "Transportation"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on page 2.16-26:

> **TR.2-1: Conduct VMT Analysis and Identify VMT Impacts**
>
> Applications for cannabis facilities shall demonstrate whether the proposed cannabis facility would meet the screening criteria outlined in the *County of San Diego*

Transportation Study Guidelines, September 2022, or any subsequent updates to these guidelines.

If the proposed commercial cannabis facility does not meet any of the screening criteria outlined in the *County of San Diego Transportation Study Guidelines*, the applicant submit a project-level VMT analysis and identify VMT impacts associated with the cannabis facility. The project applicant shall reduce project-induced VMT impacts through implementation of VMT-reducing infrastructure and/or strategies that would mitigate the project's VMT-related impacts that would be incorporated into the commercial cannabis facility. In addition, the applicant shall also prepare and submit a Transportation Demand Management (TDM) Plan to the County for approval. The TDM Plan shall include a series of measures to reduce project-related VMT. Measures may include strategies such as ridesharing initiatives (e.g., carpooling), promoting alternative work schedules and telework, subsidizing employee use of public transit, and promoting bicycling, walking, and the use of public transit. The TDM Plan will be subject to the County's review and approval, and no development shall proceed until the TDM Plan is deemed acceptable by the County.

The text as presented in the Final PEIR:

TR.2-1: Conduct VMT Analysis and Identify VMT Impacts

Applications for cannabis facilities shall demonstrate whether the proposed cannabis facility would meet the screening criteria outlined in the *County of San Diego Transportation Study Guidelines, January 2026*, or any subsequent updates to these guidelines, or other State or County regulations that provide clear standards for screening from VMT analysis requirements. Applications that meet objective screening criteria approved by the County shall not require further VMT analysis.

If the proposed commercial cannabis facility does not meet any of the objective screening criteria, the applicant shall submit a project-level VMT analysis prepared by a consultant listed on the *County of San Diego's CEQA Consultants List for Privately Initiated Projects.* The analysis must identify VMT impacts associated with the cannabis facility and determine the significance of project impacts or provide substantial evidence to support a less than significant finding. If project impacts are significant, the project applicant shall reduce project-induced VMT impacts to the extent feasible through implementation of VMT-reducing infrastructure and/or strategies, such as Transportation Demand Management (TDM), or other measures acceptable to the County. TDM measures may include strategies such as ridesharing initiatives (e.g., carpooling), promoting alternative work schedules and telework, subsidizing employee use of public transit, and promoting bicycling, walking, and the use of public transit. The proposed mitigation is subject to the County's review and approval, and no development shall proceed until the County determines the proposed mitigation is acceptable.

9.2.34 Mitigation Measure M-U.1-2 Edits in Section 2.18, "Utilities and Service Systems"

The following clarifications are made to this mitigation measure.

The text as presented in the Draft PEIR on 2.18-32:

> **M-UT.1-2: Implement Water Conservation Measures**
>
> Applications for cannabis facilities shall include details on water conservation measures incorporated into the site design. Water conservation measures could include installation of water efficient plumbing fixtures and fittings and use of water-efficient landscaping, such as native plants and drip/subsurface irrigation. This shall include documentation of compliance with all applicable water conservation requirements associated with building features and landscaping.

The text as presented in the Final PEIR:

> **M-UT.1-2: Implement Water Conservation Measures**
>
> For cannabis facilities proposing new water feature(s), applications shall include details on water conservation measures to be incorporated in the project plan set. Applications for cannabis facilities shall include details on water conservation measures incorporated into the site design. Water conservation measures could include installation of water efficient plumbing fixtures and fittings and use of water-efficient landscaping, such as native plants and drip/subsurface irrigation, evaporative barriers on exposed soils and pots, rainwater capture and reuse, recirculated irrigation water (zero waste), soil moisture controls, and recycled water use. This shall include documentation of compliance with all applicable water conservation requirements associated with building features and landscaping.