



APPENDIX B

Scoping Summary



1.0 INTRODUCTION

The County of Los Angeles (County), Department of Consumer and Business Affairs, Office of Cannabis Management (OCM) published a Notice of Preparation (NOP) for the proposed Los Angeles County Commercial Cannabis Business Licensing Program (Project) on March 5, 2025, announcing the intent to prepare this Program Environmental Impact Report (EIR) and solicit comments on the scope of the analysis to be provided in this Program EIR. (See Appendix A of this Program EIR.) The California Environmental Quality Act (CEQA) Guidelines require circulation of an NOP for a minimum 30-day review period. The public comment period included a virtual public meeting on March 19, 2025, and concluded on April 4, 2025.

2.0 SCOPING MEETING SUMMARY

Public Scoping Virtual Meeting: March 19, 2025, 6:00 PM to 7:30 PM

Mr. Fernando Nieto, County OCM, Program Chief, provided a welcome to the virtual scoping meeting and an introduction to the purpose and requirements of the Project. Mr. Nick Meisinger, WSP USA Inc., EIR Consultant, provided an overview of the purpose and requirements of this Program EIR, including a discussion of key environmental topics to be addressed in this Program EIR. Immediately following the presentation, the County received public comments on the Project and this Program EIR. Table B-1 below provides a summary of the verbal public comments provided at the virtual scoping meeting.

The copy of the PowerPoint presentation and a complete audio/visual recording of the scoping meeting can be found at: <https://dcba.lacounty.gov/cannabis/publiccomment/>.

Table B-1. Scoping Meeting Comment Summary

Commenter	Comment Summary/Notes
Carmen Sainz, of Los Angeles, Department of Regional Planning	Gets a lot of comments regarding cannabis and zoning. In our service area, we have many Specific Plans with different zoning classifications. Was the intent to select equivalent commercial zones for where cannabis would be eligible within certain Specific Plans?
Mary Smith	A lot of work was completed over the past two years clarifying commercial zones. Stated to many communities in North County that rural commercial zones would not be considered eligible. It has been indicated in the Initial Study that there is no risk of wildfire, despite consideration of volatile manufacturing within high fire hazard zones. Should either eliminate the license or consider not allowing them in high fire hazard zones. The County fails to implement/enforce its own ordinances. If any mitigation is included that relates back to enforcement, the mitigation measures need to be crafted to find alternative solutions or be much stronger/feasible. OCM was told to provide buffers around specific sensitive uses, but there is an inconsistency with the Los Angeles County Code (LACC), as the LACC

	<p>defines residential uses as sensitive. If you don't have any buffers between industrial and residential zones, the Program would not be consistent with the LACC and General Plan.</p> <p>The Initial Study states that the Project will have a less than significant impact regarding public services, but many folks have expressed concern about public safety. Licensing of cannabis businesses will cause more public safety concerns because those licensed operators will be able to do a lot more and get away with doing a lot worse. There are concerns about the impact of wildfire in areas with low water supplies. The County needs to look at the cumulative impacts from traffic, water resources, fire resources, and public safety.</p>
Raneika Brooks, Principal Planner, City of Malibu	<p>Asked if there are any maps in the document that the public can review. Believes many unincorporated areas near Malibu are designated high fire hazard zones. Opposes manufacturing and commercial uses in those areas.</p>
Kenneth Shelton	<p>Concerned about waste of cannabis materials and how that waste will be handled/disposed. Is all the waste being directed towards the landfills?</p>
Sergio Franco	<p>For the areas that border the City of Los Angeles that already have licenses, would those locations affect the unincorporated area/eligibility based on the concentrations/buffers?</p>
Angela Sherick-Bright	<p>Asks how the County will mitigate for increased traffic. The Westside Area Plan was just completed, which included up-zoning. Since the County identified all commercial areas for cannabis, how will the County mitigate the impacts of increased traffic and pollution?</p>
Alma Romero	<p>Would like to know if there will be a follow-up meeting for everyone on the Zoom call to provide answers to some of the questions asked. Asks who is going to enforce the regulations outlined in the presentation. States that live in an area where a storefront has popped up illegally, and asks how the County will be dealing with issues of illegal businesses. Expressed concerns about public safety and welfare. Asks if the County knows what the carbon footprint associated with storefronts will be.</p>
Matthew Vo	<p>This meeting shows us there are a lot of environmental concerns. Doesn't know if these concerns will cause the County to rethink the process/approval of the program if this Program EIR shows that there will be many negatives associated with the Project.</p>
Mark Granger	<p>Owns two industrial buildings that would be zoned for cannabis. Opposed to allowing cannabis within many of these communities, particularly those that have been adamantly opposed to allowing cannabis. States that the County does not have the resources to deal with these cannabis operations. Thinks that the CEQA study is inadequate.</p>
Tracie Lyons	<p>Conveyed that their community is a multi-jurisdictional community, which is impacted by so many different regulations from different jurisdictions. They also asked about how the County is taking these areas into consideration and dealing with the various regulations from different jurisdictions. Asked when the community will receive detailed answers to some of the comments and questions being raised.</p>

Julian Garcia	Agrees with many of the comments raised. Interested to see what/how the Sheriff's Department deals with illegal operations. Excited for the program to get started so that County staff can focus on the licensed operators, which are less likely to cause the problems being raised by the communities and let the Sheriff's Department focus on everything else that is unlicensed/illegal.
Brandon Blue	Asks if there could be a raffle or other host endeavor award as incentive to get a storefront or cultivation license.
Randy Rodriguez, California Department of Fish and Wildlife	Stated appreciation for the County's effort to provide a regulated industry. The California Department of Fish and Wildlife plans to provide a detailed comment letter addressing biological resources, hydrology, and water quality.
Marilyn Crouch	Asked if the County will be looking at traffic patterns affecting their community, knowing that two large complexes are coming into their community.

3.0 INDEX TO SCOPING COMMENTS

Table B-2 lists all comments received on the NOP and at the Scoping Meeting and shows the comment set identification number for each letter or commenter. Table B-3 refers to each written comment and verbal comment received during the public scoping period for the Project and provides a response identifying the location (e.g., Subsection) where each comment is addressed in this Program EIR.

Table B-2. List of Scoping Comments

Individual / Agency / Affiliation	Format of Comment	Date Comment Received	Comment Set	Comment No.
Agencies and Organizations				
United Homeowners' Association II	Written Letter	November 15, 2024	1	1-6
Coalition for Prevention and Awareness in LA Metro (CoPALM)	Written Letter	April 1, 2025	7	1-13
California Department of Cannabis Control	Written Letter	April 2, 2025	8	1-4
California Department of Fish and Wildlife	Written Letter	April 4, 2025	11	1-10
Acton Town Council	Written Letter	April 4, 2025	12	1-7
Individuals				
Teri Malkin	Written Letter	March 12, 2025	2	1
Thurman Malik	Written Letter	March 12, 2025	3	1
Jesse Frierson	Written Letter	March 28, 2025	4	1
Carlos Montalvan	Written Letter	March 28, 2025	5	1
[No name]	Written Letter	March 31, 2025	6	1
Marilyn C.	Written Letter	April 3, 2025	9	1
Sandy Logan	Written Letter	April 3, 2025	10	1

Individual / Agency / Affiliation	Format of Comment	Date Comment Received	Comment Set	Comment No.
Cynthia LuVisi	Online Form	March 5, 2025	13	1
Lisa Maioli	Online Form	March 5, 2025	14	1
Teri Malkin	Online Form	March 18, 2025	15	1
LB	Online Form	March 18, 2025	16	1
Heidi J. Swan	Online Form	March 27, 2025	17	1
Scott Mayers	Online Form	March 28, 2025	18	1
Yoanna Acosta	Online Form	March 28, 2025	19	1
Dan Perez	Online Form	March 29, 2025	21	1
Sandra Tamayo	Online Form	March 31, 2025	21	1
Ruth Brock	Online Form	March 31, 2025	22	1
Miriell Bereal	Online Form	March 31, 2025	23	1
Gabriel Avilez	Online Form	March 31, 2025	24	1
Angela Sherick-Bright	Online Form	April 4, 2025	25	1
Matthew Vo	Online Form	April 4, 2025	26	1
Carmen Sainz	Verbal	March 19, 2025	27	1
Mary Smith	Verbal	March 19, 2025	28	1-2
Raneika Brooks	Verbal	March 19, 2025	29	1
Kenneth Shelton	Verbal	March 19, 2025	30	1
Sergio Franco	Verbal	March 19, 2025	31	1
Angela Sherick-Bright	Verbal	March 19, 2025	32	1
Alma Romero	Verbal	March 19, 2025	33	1
Matthew Vo	Verbal	March 19, 2025	34	1
Mark Granger	Verbal	March 19, 2025	35	1
Tracie Lyons	Verbal	March 19, 2025	36	1
Marilyn Crouch	Verbal	March 19, 2025	37	1
Julian Garcia	Verbal	March 19, 2025	38	1
Brandon Blue	Verbal	March 19, 2025	39	1
Randy Rodriguez	Verbal	March 19, 2025	40	1

Table B-3. Response to Scoping Comments

INTRO: Chapter 1, <i>Introduction</i> PD: Chapter 2, <i>Project Description</i> CI: Chapter 3 <i>Environmental Impact Analysis</i> AQ: Section 3.1, <i>Air Quality</i> EN: Section 3.2, <i>Energy</i> GHG: Section 3.3, <i>Greenhouse Gas Emissions</i>			HAZ: Section 3.4, <i>Hazards and Hazardous Materials</i> LU: Section 3.5, <i>Land Use and Planning</i> TR: Section 3.6, <i>Transportation</i> UT: Section 3.7, <i>Utilities / Service Systems</i> ALT: Chapter 5, <i>Alternatives Analysis</i>		
Comment No.	Topic	Response			
Comments from United Homeowners' Association II					
1-1	LU	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Section 3.5, <i>Land Use Planning</i> , for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects on land use planning and consistency with adopted plans and policies.			
1-2	PD, LU	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed description of buffer zone requirements and areas of particular concern. Please refer to this Program EIR Section 3.5, <i>Land Use Planning</i> , for a discussion of potential impacts and mitigation measures associated with the Project's effects on neighborhood compatibility and quality of life.			
1-3	PD	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.			
1-4	PD	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.			
1-5	PD	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.			
1-6	PD, LU	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed description of zoning eligibility requirements and conditions.			
Comment from Teri Malkin					
2-1		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.			
Comment from Thurman Malik Robinson					
3-1		Thank you for your comments. For more information related to the Project, as well as how to contact OCM with questions about the Project, please visit the Project website at: https://dcba.lacounty.gov/cannabis/eir/ .			
Comment from Jesse Frierson					

4-1		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.
Comment from Carlos Montalvan		
5-1	PD, LU	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed discussion of proposed buffer zone requirements and limits on eligibility of commercial/mixed-use-, industrial-, and institutional-zoned lands for commercial cannabis activities. Please refer to this Program EIR Section 3.5, <i>Land Use Planning</i> , for a discussion of potential impacts and mitigation measures associated with the Project's effects on neighborhood compatibility and land use planning.
Comment from [No Name]		
6-1	PD, LU	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed description of the proposed limits on eligibility of commercial/mixed-use-, industrial-, and institutional-zoned lands for commercial cannabis activities.
Comment from Jennifer Sernas [CoPALM]		
7-1	AQ, HAZ, LU, TR, PS	<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.</p> <p>Please refer to this Program EIR Section 3.1, <i>Air Quality</i>, for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects on air quality and odor impacts. Please refer to Section 3.4, <i>Hazards and Hazardous Materials</i>, for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects from the use, handling, storage, and disposal of hazardous materials, as well as hazards associated with cannabis manufacturing processes. Refer to Section 3.5, <i>Land Use Planning</i>, for a detailed discussion of potential impacts and mitigation measures associated with the Project's consistency with land use planning regulations. Finally, refer to Section 3.6, <i>Transportation</i>, for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects regarding vehicle trips and vehicle miles traveled.</p> <p>The potential impacts of the Project related to law enforcement was analyzed in the Initial Study in Section XV, <i>Public Services</i>. As discussed therein, impacts regarding law enforcement would be <i>less than significant</i> and, therefore, not require further analysis in this Program EIR. Specifically, the discussion in the Initial Study states that the Project would not cause significant population growth that could affect personnel-to-population ratios or require the Sheriff's Department to construct new facilities or alter existing facilities to maintain acceptable service ratios or response times. Additionally, medical and non-medical cannabis businesses or activities (except for personal use of cannabis) are currently prohibited in the county. Under these existing conditions, the Sheriff's Department spends time and resources responding to cannabis activity-related crimes and complaints, such as investigating</p>

		and abating unpermitted cultivation, manufacturing, and sales operations. The Project would establish certain commercial cannabis activities as legal uses and create permitting, licensing, and enforcement requirements that County departments would be responsible for implementing, thereby reducing enforcement activities regarding these operations. With a legal pathway for cannabis cultivation and an increased supply of legally grown cannabis, there also may be less opportunity or incentive for individuals or organizations to conduct illegal operations, further decreasing the need for law enforcement in response to cannabis operations. In addition, all commercial cannabis businesses resulting from the Project would be subject to review and inspection from agents of the County charged with enforcement of the LACC and any other applicable State or local laws. While some crime associated with permitted cannabis commercial and industrial activities would likely continue (e.g., robberies at cultivation or retail sites), a net increase in cannabis-related crime is not anticipated.
Comments from Kevin Ponce [California Department of Cannabis Control]		
8-1	PD	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.
8-2		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 3, <i>Environmental Impact Analysis</i> , for discussion of the organization and approach to the environmental impact analysis within this Program EIR. Please also refer to the topical sections included in Chapter 3 (Sections 3.1 through 3.7) for discussion of potential Project impacts and mitigation measures associated with each topic.
8-3		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.
8-4	CI	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 3, <i>Environmental Impact Analysis</i> , Subsection 3.1.4, <i>Cumulative Impact Analyses</i> , for a detailed discussion of methodology for analysis of the Project's cumulative environmental impacts. Additionally, please refer to the Cumulative Impacts subsection of each resource impact section found in this Program EIR Chapter 3 (Sections 3.1 through 3.7) for detailed discussions of cumulative impacts associated with each resource topic.
Comment from Marilyn C.		
9-1	PD, LU, PS	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed discussion of proposed buffer zone requirements and limits on eligibility of commercial/mixed-use-, industrial-, and institutional-zoned lands for commercial cannabis activities.

		<p>Please refer to this Program EIR Section 3.5, <i>Land Use Planning</i>, for a discussion of potential impacts and mitigation measures associated with the Project's effects on neighborhood compatibility and land use planning.</p> <p>As stated in the response to comment 7-1 (above), the potential impacts of the Project related to law enforcement were analyzed in the Initial Study in Section XV, <i>Public Services</i>, would be <i>less than significant</i>, and, therefore, would not require further analysis in this Program EIR. See the response to comment 7-1 for additional information.</p>
Comment from Sandy Logan		
10-1	AQ, GHG, HAZ	<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.</p> <p>Please refer to this Program EIR Sections 3.1, <i>Air Quality</i>, 3.3, <i>Greenhouse Gas Emissions</i>, and 3.4, <i>Hazards and Hazardous Materials</i> for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects regarding air, GHG emissions, and hazardous materials.</p>
Comments from California Department of Fish and Wildlife		
11-1		<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.</p>
11-2	CI	<p>Please refer to this Program EIR Chapter 3, <i>Environmental Impact Analysis</i>, Subsection 3.1.4, <i>Cumulative Impact Analyses</i>, for a detailed discussion of the methodology for analyzing the Project's cumulative environmental impacts. Additionally, please refer to the Cumulative Impacts subsection of each resource impact section found in this Program EIR Chapter 3 (Sections 3.1 through 3.7) for detailed discussions of cumulative impacts associated with each resource topic.</p> <p>The potential impacts of the Project related to fish and wildlife resources is analyzed in the Initial Study in Section IV, <i>Biological Resources</i>. As discussed therein, the Project would not result in any impacts to biological resources. Specifically, as stated in the Initial Study, commercial cannabis activities would not be permissible within proximity to habitat or natural communities supporting sensitive species identified in a local or regional plan, policies, or regulations (e.g., regulations the California Department of Fish and Wildlife and/or United States Fish and Wildlife Service enforces). Commercial cannabis activities would be limited to existing, permitted buildings located in eligible commercial/mixed-use, industrial, and institutional zones of the county that are developed and do not exhibit the presence of candidate, sensitive, and/or special status species or habitat on which they rely. Although some limited commercial areas may border undeveloped open space regions such as the Santa Monica or San Gabriel Mountains, or key aquatic resources such as the Ballona Wetlands or portions of the Los Angeles River, cannabis activities would be located within existing buildings and most eligible areas are typically located in developed urban settings. In addition, any site alterations occurring as an indirect result of the Project would be limited (e.g., installation of security lighting, outdoor façade treatments, landscaping, and/or signage) and would not involve significant changes to outdoor areas. Further,</p>

		commercial cannabis activities would be prohibited in any area identified as a Significant Ecological Area, as well as on public lands.
11-3		<p>As mentioned previously, the analysis of potential impacts related to fish and wildlife resources is discussed in Section IV, <i>Biological Resources</i>, of the Initial Study. Please refer to the response to comment 11-2.</p> <p>With regard to the proposed buffer zone requirements and limits on eligibility of commercial, industrial, and institutional-zoned lands for commercial cannabis activities, please refer to the discussion provided in this Program EIR Chapter 2, <i>Project Description</i>.</p> <p>The Project would allow commercial cannabis activities only in existing, permitted buildings. Although certain undeveloped properties are located within the zones that are eligible for commercial cannabis activities and might comply with other locational requirements (e.g., location outside of any buffer area) of the Project, they would not be eligible for commercial cannabis activities because they do not have an existing, permitted building in which commercial cannabis activities could be conducted. Therefore, the Project does not have the potential to adversely affect biological resources that might exist on undeveloped properties that meet some—but not all—of the requirements for commercial cannabis activities.</p>
11-4		<p>The potential hydrological and water quality impacts of the Project related to water bodies (e.g., streams, lakes, and creeks) were analyzed in the Initial Study in Section X, <i>Hydrology and Water Quality</i>. As discussed therein, impacts to water resources would be <i>less than significant</i>, and, therefore, would not require further analysis in this Program EIR. Specifically, the discussion in the Initial Study states that the Project would not allow for development that directly involves construction of any new structures or uses that would produce substantial new wastewater or stormwater runoff. Minor site alterations (e.g., landscaping or changes in impervious surfaces associated with changes to parking areas) could result in changes to drainage patterns and stormwater volumes, as well as increases in pollutant loading of stormwater runoff. However, where applicable, future cannabis businesses resulting from the Project would be required to comply with: (1) the National Pollutant Discharge Elimination System (NPDES) Permit for the Municipal Separate Storm Sewer System (MS4 Permit) and adopted Total Maximum Daily Loads (TMDLs) for local receiving water bodies; (2) stormwater and runoff pollution control requirements (LACC Flood Control District Code, Chapter 21); (3) the County's low-impact development (LID) standards (LACC Title 12, Chapter 12.84 and Title 31, Chapter 5, § 5.106.3); and (4) the County's stormwater and runoff pollution control requirements (LACC Title 12, Chapter 12.80).</p> <p>The Project does not expand the types of physical development that currently are permissible in the eligible zones. Any new development associated with a commercial cannabis business would be subject to existing LACC zoning regulations and General Plan policies and would have to occur prior to the issuance of a license for the commercial cannabis business. Compliance with existing regulations would ensure that a site that a future commercial cannabis business occupies resulting from the Project already would comply with applicable requirements regarding the management of wastewater and stormwater runoff such that no water quality standards or waste</p>

		<p>discharge requirements are violated, or surface or groundwater quality are otherwise substantially degraded.</p> <p>Additionally, the analysis of potential impacts related to aquatic habitats (e.g., streams, lakes, creeks) is discussed in the Initial Study in Section IV, <i>Biological Resources</i>. As discussed therein and above, the Project would not involve development of land for the purposes of commercial cannabis use. Licensed cannabis businesses would occur entirely indoors, within constructed and permitted structures on commercial/mixed-use, industrial, and institutionally zoned land. The potential for physical alterations of a constructed and permitted structure permitted for a cannabis business would be limited (e.g., installation of security lighting, outdoor façade treatments, landscaping, and/or signage), and would not involve construction or significant changes to outdoor areas. Any site alterations that are required to comply with permitting requirements (e.g., improvements to fencing or security lighting) would be subject to applicable standards of the LACC, which are designed to protect the movement of wildlife (i.e., fish passage). If the physical development is permitted pursuant to current, applicable LACC and General Plan requirements, and existing at the time that the County considers issuance of the needed business license(s), then a commercial cannabis business could occupy the site. Therefore, impacts on water crossings would be <i>less than significant</i> and this issue does not require further analysis in this Program EIR.</p>
<p>11-5</p>		<p>As stated in the response to comments above, the analysis of potential impacts related to fish and wildlife resources is discussed in the Initial Study in Section IV, <i>Biological Resources</i>. Please refer to the response to comment 11-2 above. Please also refer to this Program EIR Chapter 2, <i>Project Description</i>, for further discussion of proposed parcel eligibility for commercial cannabis activities and site development and business operations standards.</p>
<p>11-6</p>		<p>The potential impacts of the Project related to the use of well water/groundwater were analyzed in the Initial Study in Section X, <i>Hydrology and Water Quality</i>. As discussed therein, water demand for commercial cannabis activities would result primarily from the cultivation of cannabis, while other commercial activities are anticipated to have low water demand similar to most commercial/mixed-use, industrial, or institutional land uses. However, indoor cultivation typically relies on hydroponic methods and recycled irrigation systems that reuse water. Although commercial cannabis activities have the potential to increase demand for municipal water supplies sourced from local groundwater aquifers, commercial cannabis activities would be located on existing developed lots that predominately already receive water service from a public utility and are unlikely to create substantial new demand in groundwater supplies that would substantially deplete the supplies of local groundwater aquifers. Given the Project is unlikely to result in substantial new demand for groundwater supplies, the Project is also unlikely to result in associated impacts on water availability in streams or other surface water bodies. Therefore, impacts would be <i>less than significant</i> and are not required to be further analyzed in this Program EIR. However, analysis of the Project’s impacts to public water systems is discussed in this Program EIR Chapter 3.7, <i>Utilities / Service Systems</i>.</p>

11-7		As stated above, the analysis of potential impacts related to biological resources, including species regulated under the California Endangered Species Act, are discussed in the Initial Study in Section IV, <i>Biological Resources</i> . Please refer to the response to comment 11-2 above.
11-8		As stated above, the analysis of potential impacts related to biological resources are discussed in the Initial Study in Section IV, <i>Biological Resources</i> . Please refer to the response to comment 11-2 above.
11-9	PD, ALT	As stated above, the analysis of potential impacts related to biological resources are discussed in the Initial Study in Section IV, <i>Biological Resources</i> . Please refer to the response to comment 11-2 above. Also, please refer to this Program EIR Chapter 2, <i>Project Description</i> , and Chapter 4, <i>Alternatives Analysis</i> , for a detailed description of the Project and analysis of the range of feasible alternatives to the Project.
11-10		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.
Comments from Acton Town Council		
12-1	PS	<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.</p> <p>As stated in the response to comment 7-1 (above), the potential impacts of the Project related to law enforcement were analyzed in the Initial Study in Section XV, <i>Public Services</i>. Impacts were determined to be <i>less than significant</i>, and, therefore, would not require further analysis in this Program EIR. See the response to comment 7-1 for additional information.</p> <p>The Sheriff's Department, along with various other County departments, has been frequently involved with the development of the Project over the past several years and has and will continue to be involved through the CEQA process. Prior to the release of the Initial Study and the EIR, OCM provided draft copies to various County departments for review and comment. These included the Sheriff's Department, the Fire Department, the Public Works Department, the Sanitation District, the Public Health / Environmental Health Division, the Department of Parks and Recreation, and the Department of Regional Planning for review and comment.</p>
12-2		<p>Please refer to EIR Chapter 1, <i>Introduction</i>, and Chapter 2, <i>Project Description</i>, for a detailed discussion of the purpose of the Program EIR and legal authority under CEQA.</p> <p>As stated above and in EIR Chapter 2, <i>Project Description</i>, the Project would not expand the types of physical development that are currently permissible pursuant to the LACC regulations and General Plan policies. Commercial cannabis businesses would be required to occupy only existing constructed and permitted buildings that comply with the LACC regulations and General Plan policies. The ministerial Site Plan Review would enable County staff to confirm that the existing development that the commercial cannabis business would occupy was legally permitted. If it is found that the existing development was not legally permitted or otherwise does not comply with current regulations and policies, the commercial cannabis business would be unable to obtain a business license and occupy the site. Therefore, there is no possibility that a subsequent activity resulting from the Project could</p>

		result in a significant environmental impact, thereby warranting a discretionary entitlement and environmental review pursuant to CEQA.
12-3		<p>The potential impacts of the Project related to increased hazard(s) to the public or the environment were analyzed in the Initial Study in Section IX, <i>Hazards and Hazardous Materials</i>. As discussed therein, these activities are subject to various regulations including: all applicable Federal, State, and local policies related to the handling, use, storage, odor emissions, transport or disposal of hazardous materials or waste; LACC's Title 32 Fire Code regarding emergency access, evacuation, fire suppression, and Americans with Disabilities Act of 1990 (ADA) accessibility requirements; and inspections from the Los Angeles County Fire Department to ensure continued compliance with LACC Fire Code permits and requirements. Therefore, cannabis business located within mapped Very High Fire Hazard Severity Zones (VHFHSZ) would be subject to applicable LACC Fire Code and properly inspected to ensure the compliance of the proposed operation.</p> <p>Additionally, as stated in Chapter 2, <i>Project Description</i> of this Program EIR, commercial cannabis activities involving volatile manufacturing would only be allowed in industrial zones where the County currently permits other hazardous and/or more hazardous uses (e.g., laboratories, incinerators, fuel yards, welding shops, etc.). These zones include light manufacturing (M-1), restricted heavy manufacturing (M-1.5), and heavy manufacturing (M-2). As such, the Project is unlikely to result in increased risk for the public or the surrounding environment.</p>
12-4	PD, LU	<p>Please see Section 3.1, <i>Air Quality</i>, of this Program EIR for the analysis of impacts regarding potential air quality-related odor and health impacts to uses designated by the County and local Air Quality Management Districts as sensitive receptors (i.e., users of residences, schools, daycare centers, parks and playgrounds, or medical facilities) and Section 3.5, <i>Land Use Planning</i>, of this Program EIR for the analysis of potential impacts regarding the Project's effects on effects on neighborhood compatibility and land use planning.</p> <p>As stated in Chapter 2, <i>Project Description</i> of this Program EIR, and Section XIII, <i>Noise</i>, of the Initial Study, commercial cannabis businesses would be located in commercial/mixed-use, industrial, and institutional zones where existing ambient noise levels are compatible with the uses of the Project. In addition, the Project is unlikely to create new sources of noise that could create an audible increase in ambient noise levels. Cannabis activities only would be allowed within constructed and permitted structures that would attenuate noise as heard from outside the structures. Commercial cannabis businesses also would be required to comply with existing Chapter 12.08 of the LACC which limits the days and hours of noise-generating construction and other specific activities (e.g., loading and unloading activities) and establishes maximum acceptable noise levels based on the type of noise receptor (e.g., residential, commercial, or industrial property). As such, a commercial cannabis business could not operate in such a manner as to exceed the maximum acceptable noise levels of residences located within proximity to the business.</p>
12-5	PD	Please see the response to comment 12-2 above.
12-6		This comment has been noted and will be forwarded to decision makers for their consideration. The Commercial Cannabis Eligible Areas Map available at the Project website at

		<p>https://dcba.lacounty.gov/cannabis/eir/ is based upon the extent of zoning districts reported in public GIS data available from the Los Angeles County Department of Regional Planning. The data in this map is provided for informational purposes. The map is not intended to reflect or inform parcel-specific eligibility for cannabis business licensing based on existing use of the site or site conditions. This map does not entitle, permit, or otherwise allow legal cannabis businesses or activities and shall not be used to determine cannabis business license or permit eligibility of properties. Under the proposed Project, as described in the Program EIR Chapter 2, <i>Project Description</i>, eligibility of a parcel for commercial cannabis activities would be determined as part of the permit and licensing application process, based on strict site eligibility requirements and regulations.</p>
12-7	PD	<p>Please refer to this Program EIR Chapter 2, <i>Project Description</i>, for a detailed description of the licensing process, including details on microbusiness regulations, concentration limits that would be established per Supervisorial District, and buffers—all of which would avoid concentrations of commercial cannabis uses.</p> <p>For more information about the “Good Neighbor Policy & Corporate Social Responsibility” and how to contact OCM with questions or comments about the program, please visit the Project website at: https://dcba.lacounty.gov/cannabis/eir/.</p> <p>Finally, the analysis of environmental impacts in this Program EIR assumes that commercial cannabis businesses would comply with all applicable policies and regulations. Commercial cannabis business licenses would be valid for one year and would require renewal. If OCM discovers as part of the annual review of the license that the licensee did not comply with the terms of the license, OCM would have the ability to take enforcement actions up to and including non-renewal of the license.</p>
Comment from Cynthia LuVisi		
13-1	AQ	<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Section 3.1, <i>Air Quality</i>, for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects regarding odors and air quality.</p>
Comment from Lisa Maioli		
14-1		<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.</p>
Comment from Teri Malkin		
15-1	PD, GHG	<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.</p> <p>Please refer to this Program EIR Chapter 2, <i>Project Description</i>, for a detailed discussion of proposed buffer requirements and limits on eligibility of commercial/mixed-use-, industrial-, and institutional-zoned lands for commercial cannabis activities.</p> <p>Please refer to this Program EIR Section 3.1, <i>Air Quality</i>, for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects regarding air quality.</p>

		<p>Please refer to this Program EIR Section 3.5, <i>Land Use Planning</i>, for a discussion of potential impacts and mitigation measures associated with the Project's effects on neighborhood compatibility and land use planning.</p> <p>Please refer to this Program EIR Section 3.6, <i>Transportation</i>, for a discussion of the potential impacts and mitigation measures associated with the Project's effects on transportation systems.</p>
Comment from LB		
16-1		<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 1, <i>Introduction</i>, and Chapter 2, <i>Project Description</i>, for a description of the background of the Project and considerations involved with the development of the ordinance amendments.</p>
Comment from Heidi J. Swan		
17-1	GHG, UT	<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Section 3.3, <i>Greenhouse Gas Emissions</i>, for the analysis of the impacts and mitigation measures associated with the Project's effects regarding GHG emissions and climate change. Please also refer to this Program EIR Section 3.7, <i>Utilities / Service Systems</i>, for the analysis of the impacts and mitigation measures regarding water use and demand.</p>
Comment from Scott Mayers		
18-1		<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.</p>
Comment from Yoanna Acosta		
19-1		<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. For a description of the purpose and intent of the Program EIR, as well as the focus of the environmental analysis, please refer to this Program EIR Chapter 1, <i>Introduction</i>, and Chapter 3, <i>Environmental Impact Analysis</i>.</p>
Comment from Dan Perez		
20-1		<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.</p>
Comment from Sandra Tamayo		
21-1	PD, TR	<p>Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Section 3.6, <i>Transportation</i>, for a detailed discussion of potential impacts and mitigation measures regarding transportation systems.</p>
Comment from Ruth Brock		
22-1	PD	<p>Thank you for your comments. Please refer to this Program EIR Chapter 2, <i>Project Description</i>, for a detailed description of the proposed</p>

		licensing process and proposed limits on eligibility of commercial/mixed-use-, industrial-, and institutional-zoned lands for commercial cannabis activities.
Comment from Miriel Bereal		
23-1		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.
Comment from Gabriel Avilez		
24-1		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed description of licensing and zoning eligibility requirements.
Comment from Angela Sherick-Bright		
25-1	TR	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Section 3.6, <i>Transportation</i> , for a detailed discussion of potential impacts and mitigation measures regarding transportation systems, including traffic safety.
Comment from Matthew Vo		
26-1	TR	Thank you for your comments. Comments will be forwarded to decision makers for their consideration. Please refer to this Program EIR Section 3.6, <i>Transportation</i> , for a detailed discussion of potential impacts and mitigation measures regarding the Project's direct and cumulative effects on transportation systems.
Comment from Carmen Sainz		
27-1	PD	Thank you for your comments. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed discussion of proposed buffer zone requirements and limits on eligibility of commercial/mixed-use-, industrial-, and institutional-zoned lands for commercial cannabis activities.
Comments from Mary Smith		
27-1	PD, LU	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed description of proposed buffer zone requirements and limits on eligibility of commercial/mixed-use-, industrial-, and institutional-zoned lands for commercial cannabis activities. Please refer to this Program EIR Section 3.5, <i>Land Use Planning</i> , for a discussion of potential impacts and mitigation measures regarding neighborhood compatibility and land use planning.
27-2	PS, CI	The potential impacts of the Project related to public services were analyzed in the Initial Study in Section XV, <i>Public Services</i> . As discussed therein, impacts regarding public services would be <i>less than significant</i> and, therefore, not require further analysis in this Program EIR. Specifically, the discussion in the Initial Study explains that the Project would establish certain commercial cannabis activities as legal uses and create permitting, licensing, and enforcement requirements that County departments would be responsible for implementing, thereby reducing

		<p>enforcement activities regarding these operations. In addition, all commercial cannabis businesses resulting from the Project would be subject to review and inspection from agents of the County charged with enforcement of the LACC and any other applicable State or local laws which would reduce potential impacts to public safety.</p> <p>The potential impacts of the Project related to wildfire was analyzed in the Initial Study in Section XX, <i>Wildfire</i>. As discussed therein, impacts regarding wildfire would be <i>less than significant</i> and, therefore, not require further analysis in this Program EIR. All commercial cannabis businesses resulting from the Project would be required to comply with applicable local and State fire prevention requirements that apply generally to commercial businesses and specifically to commercial cannabis operations. For example, all businesses would need to comply with the LACC Fire Code, which requires the provision of adequate access for emergency vehicles/personnel and adequate water supply and pressure to meet flow standards. Compliance with the LACC Fire Code would also ensure that any development located within a mapped Fire Hazard Severity Zone is properly inspected, is subject to applicable permits, and involves implementation of relevant fire prevention techniques. Cannabis businesses also would need approval from Los Angeles County Fire Department's Fire Prevention Division that enforces various safeguards relating to commercial cannabis activities (e.g., Standard Cannabis Conditions of Approval, Regulation #30 [Cannabis Cultivation/Production Requirements for Businesses]). In addition to these local requirements, commercial cannabis businesses would be required to comply with State regulations that apply to specific cannabis activities and set forth requirements for solvent use and safety in manufacturing processes.</p> <p>Please refer to this Program EIR Chapter 3, <i>Environmental Impact Analysis</i>, for a detailed discussion of potential impacts and mitigation measures associated with the Project's cumulative environmental impacts. Additionally, refer to the Cumulative Impact subsection of each resource impact section found in this Program EIR Chapter 3 for detailed discussions of cumulative impacts associated with each resource.</p>
Comment from Raneika Brooks		
28-1	PD	Thank you for your comments. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed description of zoning eligibility requirements. For more information related to the Project, as well as a link to the online zoning eligibility map, please visit the Project website at: https://dcba.lacounty.gov/cannabis/eir/ .
Comment from Kenneth Shelton		
29-1	HAZ, UT	Thank you for your comments. Please refer to this Program EIR Section 3.4, <i>Hazards and Hazardous Materials</i> , and Section 3.7, <i>Utilities / System Services</i> , for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects on waste and waste disposal.
Comment from Sergio Franco		
30-1	PD	Thank you for your comments. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed discussion of proposed buffer zone requirements and limits on eligibility of commercial/mixed-use-

		industrial-, and institutional-zoned lands for commercial cannabis activities.
Comment from Angela Sherick-Bright		
31-1	AQ, GHG, TR	Thank you for your comments. Please refer to this Program EIR Sections 3.1, <i>Air Quality</i> , 3.3, <i>Greenhouse Gas Emissions</i> , and 3.6, <i>Transportation</i> for a detailed discussion of potential impacts and mitigation measures regarding air quality, GHG emissions, and transportation systems.
Comment from Alma Romero		
32-1	PS	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. For more information related to the Project, including links to responses to Frequently Asked Questions, copies of draft ordinance language, copies of public outreach materials, and how to contact OCM with questions or comments about the program, please visit the Project website at: https://dcba.lacounty.gov/cannabis/eir/ . For more information about public service impacts, such as issues with public safety, please refer to Section XV, <i>Public Services</i> , of the Initial Study.
Comment from Matthew Vo		
33-1		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.
Comment from Mark Granger		
34-1		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.
Comment from Tracie Lyons		
35-1	PD	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Chapter 2, <i>Project Description</i> , for a detailed description of how jurisdictional regulations are incorporated in the Ordinance. For more information related to the Project and how to contact OCM with questions or comments about the program, please visit the Project website at: https://dcba.lacounty.gov/cannabis/eir/ . Please also refer to this Program EIR Section 3.5, <i>Land Use Planning</i> , for a detailed discussion of potential impacts and mitigation measures associated with the Project's effects on land use planning and consistency with adopted plans and policies.
Comment from Julian Garcia		
36-1	PS	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration.
Comment from Brandon Blue		
37-1		Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. For more information related to the Project and how to contact OCM with questions or comments about the program, please visit the Project website at: https://dcba.lacounty.gov/cannabis/eir/ .

Comment from Randy Rodriguez		
38-1		Thank you for your comments. Also, see the responses to comment set 11 above.
Comment from Marilyn Crouch		
39-1	TR	Thank you for your comments. Comments that are unrelated to the environmental analysis will be forwarded to decision makers for their consideration. Please refer to this Program EIR Section 3.6, <i>Transportation</i> , for a detailed discussion of potential impacts and mitigation measures regarding transportation systems.



November 15, 2024

Los Angeles County Department of Consumer and Business Affairs
Office of Cannabis Management
320 West Temple Street, Room G-10
Los Angeles, California 90012

ATTN: Office of Cannabis Management

Public Comment: United Homeowners' Association II View Park-Windsor Hills and View Heights Response to Los Angeles County Office of Cannabis Management's Draft Ordinance for Retail Cannabis Permitting and Operations in Unincorporated Los Angeles County

Dear Office of Cannabis Management,

The United Homeowners' Association II (UHA) is pleased to submit comments on the Los Angeles County Office of Cannabis Management's draft consideration of new regulations that would allow commercial/retail cannabis businesses to operate within unincorporated areas of Los Angeles County. The UHA finds several points of disconnection between the draft cannabis ordinance (DCO) and the Los Angeles County Department of Regional Planning's Westside Area Plan (WSAP).

1-1

The UHA questions the fact that the DCO does not appear to have considered the County's WSAP, which was written by the Los Angeles County Regional Planning Department for unincorporated communities on the Westside of the County. The WSAP was recently approved by the Los Angeles County Planning Commission and is anticipated to be heard by the Board of Supervisors in January 2025. The WSAP plan states:

"The WSAP directly implements the General Plan's 2021-2029 Housing Element as it reinforces its policies and designates the proposed general distribution, location, and extent of land uses for housing at a range of densities to support housing for all income levels. The Southern California Association of Governments' 6th Regional Housing Needs Assessment (RHNA) allocation requires accommodating increased residential densities and additional housing affordability options in the Westside Planning Area, and therefore the WSAP rezones properties and incorporates applicable goals, policies, and strategies to address these RHNA goals. The identification of opportunity sites that could accommodate additional housing in the Land Use Element largely reflects the sites for rezoning identified in Appendix B of the Housing Element."

In an effort to meet RHNA goals, the County through the WSAP, proposes to upzone several areas in View Park-Windsor Hills and View Heights that are called Opportunity Sites, allowing for the development of additional housing. The sites proposed for upzoning are: 5-Slauson-Heatherdale from C2 to Mixed Use; 6-Slauson-Overhill from C2 to Mixed Use; 7-Slauson Corridor East from C2 to Mixed Use; and 9 Leimert Park Adjacent from C1 to Mixed Use.

In what seems to be in direct conflict with the rationale for the WSAP upzoning, the DCO identifies these same areas as eligible for the location of cannabis retail businesses. UHA has identified this conflict in the DCO as it states:

“A commercial cannabis business shall not be located within the same structure or on the same lot as any legally established dwelling unit, including an accessory dwelling unit, junior accessory dwelling units, guest quarters, mobile home, or any other structure permitted for residential occupancy.”

The DCO also states that:

“Commercial cannabis businesses in Zone MU shall be limited to commercial-only development projects and be subject to the additional application requirements of Section 22.140.134.E.2.”

UHA’s interpretation of these DCO statements is that if cannabis retail shops are located in any of the opportunity site areas, one cannot also construct dwelling units on the same lot. If this interpretation is correct, the rationale for upzoning these properties to allow for additional housing development is certainly faulty, or identifying these sites as eligible for cannabis retail is faulty. Based on a reading of both the DCO and the WSAP, the proposed policies must be harmonized to ensure achievement of the stated goals. These proposals are impactful land-use plans that affect every residence and business within unincorporated Los Angeles County and must be implemented carefully, knowledgeably, and thoughtfully.

1-2

Our response speaks to the prospective location of retail cannabis businesses along the commercial corridors, in our primarily residential community, and the potential conflicts of that with the WSAP’s upzoning and rezoning proposals to enable the development of additional multifamily homes, in our community, along the same commercial corridors that the draft cannabis regulations point to. There are three commercial corridors within our community that are set forth below.

Critically important is that, as currently written, the draft cannabis regulations are completely silent as to the inclusion of churches/houses of worship in the proposed zoning locations for businesses. The stated buffer zones designated for Youth Oriented Uses don’t mention churches/houses of worship, or a designated buffer zone for this category of protected sites. The draft regulations appear to be a legislative attempt to protect children from influence by, and exposure to, cannabis businesses within the Youth Oriented Uses’ 600-foot buffer zone for such stated uses as “K-12 schools, daycares, parks, and libraries” but fails to go far enough to fully protect children. Common sense and thoughtful governance must acknowledge that children and young people not only attend services at churches/houses of worship but also after-school programs and church youth group meetings and activities, such as scouting, that are sited at churches/houses of worship on a daily basis. The UHA wholly supports the governmental mandate to protect its residents from any public nuisance and adverse impacts to health, safety, and well-being.

Along the Slauson corridor between Fairfax Avenue and Keniston Avenue, within the unincorporated boundaries or directly across the street from the boundary, and therefore within the Youth Oriented buffer zone of 600 feet, there are two daycare centers, eight private schools, a Kingdom Hall of Jehovah’s Witness, nine churches, and one park (Ladera Park). The seven-block stretch of the 54th Street corridor, between Valley Ridge Avenue and Hillcrest Drive (within the boundaries of unincorporated Los Angeles County), there are a number of businesses that fall within the “Youth Oriented Use” rubric and those that should: Wayfinder Family Services (a social service agency serving children and young people), three schools (including an LAUSD elementary school), four churches and an LA County library, all within the View Park-Windsor Hills

community. This area is primarily a residential community of single-family homes and some multifamily residences along, and directly abutting, 54th Street and the other commercial corridors in this community.

Furthermore, the draft cannabis regulations resolve the issue of such retail business' location adjacent to, or within, any newly developed housing as contemplated in the WSAP. Title 22.140.134, Section G (6) expressly directs:

“A commercial cannabis business shall not be located within the same structure or on the same lots as any legally established dwelling unit...or any other structure permitted for residential occupancy.”

The UHA would like this prohibition expanded to create a buffer zone of at least 600 feet from any multifamily or single-family dwelling. In the View Park-Windsor Hills and View Heights communities, there are many families with children and those children must be protected from any negative influences caused by the close proximity of retail cannabis businesses. This would be inappropriate, at least, and a decided public nuisance, at best, endangering the safety and well-being of children. Title 22.140.134, A (1) speaks to:

“minimizing the potential for adverse impacts on people, communities, and the environment.”

The UHA’s definition for “sensitive use areas” includes not only those discussed above but also alcohol and drug abuse recovery and treatment facilities (or rehabilitation facility). The UHA defines these facilities as “any non-medical alcoholism and drug abuse recovery or treatment facilities, licensed or certified by the State of California Department of Health Care Services, to provide residential non-medical services to individuals who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services.” (City of Los Angeles, ordinance 187094). The UHA requests that a 1,000 foot buffer zone be established for retail or nonretail cannabis operations from a rehabilitation facility.

1-3

The UHA believes in the importance of alerting residents to renewing or new permits for cannabis operations. While the DCO speaks to notifications, the UHA requests that the community meeting notification section of the DCO be revised. The UHA requests that applicants, either renewing or applying for new permits, be required to host a meeting to notify residents, businesses, community organizations representing the area, schools, houses of worship, libraries, treatment facilities, and daycares within 1,000 feet of the facility with a minimum 10-day advanced notice.

1-4

The UHA also supports the Community Reinvestment plan for cannabis tax revenue, as set forth in the “Commercial Cannabis Business Permit Program, Summary of Proposed Regulations for Unincorporated Los Angeles County,” and requests that the draft ordinance direct that a portion of the projected \$9.7 million in tax revenue collected from all 90 operations permits be placed in a dedicated fund to be shared by the unincorporated communities in Los Angeles County where the retail cannabis businesses would reside.

The DCO states that 60% of Los Angeles County voters approved Measure C, enacting a tax on cannabis businesses operating in unincorporated areas of the County. It includes: 4% tax on retail, 3% tax on manufacturing and distribution, and \$10/sq. ft. for cannabis cultivation businesses. The UHA requests that the Office of Cannabis Management provide a breakdown of how the taxes generated from these businesses will be allocated in the County’s budget. These communities, in collaboration with the Office of Cannabis Management, should determine how the funding is distributed. Consequently, the UHA supports the DCO’s

community reinvestment plan that could funnel “cannabis tax revenue to support key priorities and initiatives throughout the County.”

1-5

The UHA requests that the DCO include a provision on the eligibility requirements for employment at cannabis retail businesses. The County should require that all employees of such businesses *shall* be at least 21 years of age and that the successful applicant’s age be formally documented at the time of employment. This mandated age requirement is critical to better ensure a more mature workforce in the cannabis retail industry; and it is consistent with the age requirement under the City of Los Angeles retail cannabis program regulations.

1-6

Finally, the UHA has found that several sections of the West Carson TOD Specific Plan, as described below, are designated as prohibited Cannabis, Storefront Retail, but are permitted for Cannabis, Non-storefront Retail. UHA would like to know the rationale and criteria for the designation of these sites, as prohibited or permitted. If areas within View Park-Windsor Hills and View Heights that are eligible for cannabis operations meet the rationale or criteria for prohibiting Cannabis, Storefront Retail and/or the permitting of Cannabis, Non-storefront Retail, the UHA would like to explore with the Office of Cannabis Management granting these communities these designations. The law states:

SECTION X. Section 3.4.5 in Section 22.414.014 (West Carson TOD Specific Plan) is hereby amended to read as follows: 3.4.5 Neighborhood Commercial (NC) 3.4.5.2 Use Regulations: NC Zone The land use regulations define permitted, conditionally permitted, and prohibited uses within the NC Zone.

SECTION X. Section 3.4.7 in Section 22.414.014 (West Carson TOD Specific Plan) is hereby amended to read as follows: 3.4.7 Industrial Flex (IF) 3.4.7.2 Use Regulations: IF Zone The land use regulations define permitted, conditionally permitted, and prohibited uses in the Industrial Flex zone.

SECTION X. Section 3.4.9 in Section 22.414.014 (West Carson TOD Specific Plan) is hereby amended to read as follows: 3.4.9 Mixed Use 1 (MU1) Zone The land use regulations define permitted, conditionally permitted, and prohibited uses in the Mixed Use 1 Zone.

SECTION X. Section 3.4.10 in Section 22.414.014 (West Carson TOD Specific Plan) is hereby amended to read as follows: 3.4.10 Mixed Use 2 (MU2) Zone 3.4.10.2 Use Regulations: MU2 Zone The land use regulations define permitted uses within the Mixed Use 2 zone.

SECTION X. Section 22.416.080 is hereby amended to read as follows: 22.416.080 CSLA Neighborhood Commercial (CSLA NC) Zone ... B. Use Regulations for CSLA NC Zone. The land use regulations for the Neighborhood Business (C-2) Zone contained in Chapter 22.20 (Commercial Zones) shall apply to all development in the CSLA NC Zone, unless otherwise specified in this Subsection B. 1. Principal Uses. Table 22.416.080-A, below, identifies the principal uses that are generally permitted, conditionally permitted, or prohibited in the CSLA NC Zone.

In conclusion, we find the draft cannabis regulations to be vague and without consideration of how they can or should be implemented vis-à-vis the Westside Area Plan. Working with the Department of Regional Planning is essential for the Office of Cannabis Management’s efficient drafting and implementation of the ordinance for the reasonable permitting and location of these businesses as they overlay the WSAP.

While the UHA fully appreciates the County’s attempt to regulate the operations of retail cannabis businesses, writ large, in unincorporated communities of Los Angeles County, the draft ordinance falls short of being a meaningful, comprehensive and thoughtful guidepost for the operation of commercial cannabis businesses.

Thank you for the opportunity to present the views of the United Homeowners' Association II. We are pleased to work with the Office of Cannabis Management to further draft an ordinance that is consistent with our comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Toni Mc Donald Tabor".

Toni Mc Donald Tabor,
Board President
United Homeowners' Association II

From: [The Malkin Family](#)
To: [DCBA CannabisEIR](#)
Subject: Rowland Heights
Date: Wednesday, March 12, 2025 11:39:02 AM

CAUTION: External Email. Proceed Responsibly.

2-1

I am against having cannabis on the Gale/Walnut Dr near Nogales area if Rowland HTS and City of Industry. It is next to RUSD transportation center that parents visit for school bus passes and teacher training. Families also shop at 99 Ranch Center.

Teri Malkin
18021 Galatina St.
Rowland HTS, CA 91748

From: [APPSMOBILETAX - RET - FixnFlip - Thurman Malik](#)
To: [DCBA CannabisEIR](#)
Cc: [Grover Burnett II](#)
Subject: Inquiry About Expedited Process for Established Cannabis Operators
Date: Wednesday, March 12, 2025 12:39:52 PM

CAUTION: External Email. Proceed Responsibly.

Subject: Inquiry About Expedited Process for Established Cannabis Operators

Greetings Los Angeles County Cannabis Initiative Team:

I am a silent investor partnering with my older cousin, who has successfully operated a dispensary in Oklahoma for over five years. After attending your recent meeting, we have several questions regarding your program for established operators. Our business is well-established—with proper liquidity, structure, and full documentation—and we are eager to expand.

Specifically, could you please advise us on:

- Whether there are groups or dedicated agencies for operators already in the business or looking to open multiple locations.
- Available funding opportunities, grants, or loans, including any resources connected with your initiative.
- Opportunities if we have land and are involved in cultivation, as well as facilities for storage, research, production, and manufacturing/processing.
- Available locations for expansion and whether you can provide a calendar of events or timeline outlining the rollout. We want to be on that list of new locations to open.
- The direct contact, agency or team we should connect with for advanced operators.

We are excited about the possibility of working with your team to further develop our business within the cannabis industry.

Also, what is the best direct number to contact you ? Do you have a person on your team who's name, number and email we can reach out to directly for further details and assistance?

Thank you for your time and assistance, and we look forward to your prompt response.

Hospitably yours,



Logo

Thurman Malik Robinson, M.S., Certified Life Coach, Investor & Author
Chief Financial Officer, **Assertively Promoting Philanthropic Services APPS, LLC**
Intuit Quickbooks Brand Ambassador | #Tax #RealEstate #Health
@APPSMOBILETAX @RosettaRetailerGM | Owner | Online Store
@Master_KingMalk | Entrepreneur | thurmanrobin.webs.com

(323) 540-1855 (c) | (678) 310-8763 (d) | (770) 674-2240 (o)
 appsefilepro@gmail.com | InfoRosettaRetailerGM@gmail.com
 assertivelyapps.com | rosettaretailerGM.com

3-1

From: [Jesse Frierson](#)
To: [DCBA CannabisEIR](#)
Subject: Request for Consideration Regarding Cannabis Retail License Eligibility
Date: Friday, March 28, 2025 10:17:48 AM

CAUTION: External Email. Proceed Responsibly.

Dear LA County Board of Supervisors ,

I am writing to formally request consideration regarding my eligibility for the upcoming Los Angeles County cannabis retail license launch. I understand that certain felony convictions may disqualify applicants from participating in this opportunity. However, I would like to provide context regarding my past conviction and highlight my rehabilitation, professional achievements, and commitment to compliance with state and local regulations.

In 1998, I was convicted of perjury due to obtaining a false identification card from the Department of Motor Vehicles. This was a youthful mistake made almost 30 years ago, with no victims or malicious intent beyond personal use for minor privileges such as staying out past curfew. Since then, I have had no further legal issues and have dedicated my life to personal and professional growth.

Over the years, I have earned a master's degree in criminal justice, along with other academic achievements. I have also worked for Los Angeles County for over a decade, demonstrating my commitment to public service and adherence to the law. Additionally, I currently own and operate a licensed cannabis retail business in the City of Los Angeles, which required me to pass extensive local and state background checks.

Recognizing my past mistake, I have taken every possible legal step to clear my record. My conviction was expunged, I have received a Certificate of Rehabilitation through the Superior Court, and I am currently awaiting a gubernatorial pardon. Given these efforts and my continued compliance with all applicable regulations, I respectfully request an opportunity for further review of the disqualifying felony list, and add a suggestion that the conviction background checks go back 20 years or so for non-violent

4-1



victimless crimes.

My goal in applying for this license is to contribute positively to the legal cannabis industry, create economic opportunities for my community, and build generational wealth for my family. I hope the OCM and LA County Board of Supervisors will take into account my long-standing record of rehabilitation, professional contributions, and the nonviolent, non-drug-related nature of my past conviction.

Thank you for your time and consideration. I would greatly appreciate the opportunity to discuss this matter further and provide any additional documentation needed to support my request. Please feel free to contact me at your convenience.

Sincerely,

Jesse Frierson

818-404-3915

Sent from my iPhone



From: [Carlos Montalvan](#)
To: [DCBA CannabisEIR](#)
Cc: [ElCamino Village](#)
Subject: Cannabis Public Comment Unincorporated El Camino Village
Date: Friday, March 28, 2025 9:14:03 AM

CAUTION: External Email. Proceed Responsibly.

Here are a few reasons we oppose cannabis in the Unincorporated LA County El Camino Village neighborhood:

- Our community is already targeted by illegal food vendors and it is known that LA County does not provide enforcement - we are a targeted community for crime and potentially organized crime: See local story: <https://eccunion.com/warrior-life/2024/06/05/crenshaw-boulevard-and-marine-avenue-a-street-side-latin-american-food-court/>
- We have two elementary schools, one middle school, and a community college located in our approx. one mile square area. We feel there should be no cannabis businesses of any time in this area.
- 33,000 students are registered at El Camino College each semester - we get lots of traffic from the students and do not need more traffic. And do not need students purchasing cannabis and walking through our family oriented neighborhoods smoking cannabis
- El Camino College is too close to the areas you have designated on your map as locations on Crenshaw Blvd and 154th to Marine Avenue.
- There is a drug rehab [BHS facility](#) in the area.
- There is a licensed daycare at [15126 Eriel Avenue, Gardena, CA](#)
- We have a regional park in El Camino Village and we do not feel adding cannabis business anywhere near the park is advisable and creates a public safety issue
- Gardena who is on the east side of Crenshaw Blvd does not allow cannabis in their city
- We believe bringing the cannabis industry on any level (store front, test site, growing site, etc.) to be detrimental to our community and will cause public safety issues for our residents.
- We believe bringing in cannabis store fronts into our community would be a public safety issue as it has a high potential to bring in crime to our area.
- Currently LA County cannot enforce the illegal food vendor businesses in Unincorporated LA County El Camino Village and we do not believe they can enforce a cannabis industry.
- LA County continually tells us they do not have the resources to provide enforcement. They continually tell us they must be escorted by the Sheriff in order to make any site visit. Due to the potential of criminal activity with the cannabis industry, we strongly feel LA County will not enforce the businesses and the crime rate will escalate in our community.
- We do not believe LA County can enforce regulations with cannabis businesses. They do not have the resources

5-1



- We only have one South Los Angeles Sheriff car that is assigned to the Unincorporated LA County El Camino Village area. They cannot handle more crime in our small community.
- We strongly believe the cannabis industry should not be sandwiched into a community of residential areas or storefronts that back up to a residential community of young families and children.
- If you want to put the cannabis industry in LA County - why don't you put it in industrial areas like they do with micro breweries?



Sent from my iPhone

From: [3 plus 6 equals](#)
To: [DCBA CannabisEIR](#)
Cc: [3 plus 6 equals](#)
Subject: Corruption in los angeles county cannabis
Date: Monday, March 31, 2025 8:17:31 PM

CAUTION: External Email. Proceed Responsibly.

I believe it is unjust that Los Angeles County restricts cannabis cultivation licenses to specific parcels of land owned by a select group of individuals. This practice raises serious questions about fairness and transparency, as it appears to favor certain landowners through what could be perceived as a pay-to-play system. As a property owner, I should have the equal right to utilize my land for cannabis cultivation, particularly on parcels zoned A-2 for agricultural use. Denying other property owners the same opportunity undermines equitable access to economic opportunities.

Furthermore, Los Angeles County's current approach to cannabis production often results in indoor-grown products laden with pesticides and chemicals, which compromises consumer health. The absence of organic cannabis options in the county suggests a systemic issue, potentially driven by entrenched interests that limit market entry for new growers. A truly free and competitive market would allow broader participation by issuing licenses to all qualified applicants, encouraging cultivation in rural areas rather than concentrating it in urban centers. This would not only promote economic fairness but also address concerns about crime and overdevelopment in densely populated regions. Restricting access to licenses does a disservice to communities seeking to engage in legitimate agricultural enterprise.

6-1



Coalition for Prevention and Awareness in LA Metro
520 S Lafayette Park Pl #560
Los Angeles, CA 90057

April 1, 2025

LA County Office of Cannabis Management
320 W. Temple St. Room G-10, Los Angeles, CA 90012

To The Office of Cannabis Management,

7-1

We are the Coalition for Prevention and Awareness in LA Metro (CoPALM), a group of engaged community members and organizations from the Metro Los Angeles area that work to prevent substance use and related harms. This public comment aims to inform the scope and content of the Program Environmental Impact Report (PEIR) for the Commercial Cannabis Business Permit Program for unincorporated Los Angeles County. When considering the environmental impact of this new program, there are several important factors that must not be overlooked. Increased traffic in these areas could lead to congestion and pollution, affecting both residents and businesses. The use and storage of flammable materials pose serious fire risks, especially in fire-prone regions. Additionally, odor control needs to be addressed to prevent strong cannabis smells from impacting nearby homes, schools, and public spaces. Beyond these immediate concerns, it's critical to think about future developments—such as new apartment complexes and smoke shops—that will shape neighborhoods and add to the overall environmental burden. These future developments should be properly considered when evaluating all of the above-mentioned issues.

A major concern is the lack of enforcement and regulation in unincorporated areas of Los Angeles County. While environmental protections and operational guidelines may exist on paper, the reality is that enforcement in these areas is often inconsistent or entirely absent. This means that issues like traffic congestion, odor control, and fire hazards may go unaddressed, creating long-term consequences for nearby residents and businesses. Any proposed solutions to these environmental concerns must consider this lack of oversight into account and include strong, enforceable measures to ensure compliance. Without proper regulation and accountability, unincorporated communities risk becoming overwhelmed by unchecked development, leading to significant environmental and quality-of-life impacts.

We thank you for your time and consideration of these concerns. Overall, establishing more commercial cannabis business operations contributes to the environmental factors that are amplifying the vulnerability of the communities in these areas. The welfare of the surrounding community and consideration of alternative courses of action are appreciated.

Sincerely,

Jennifer Sernas
CoPALM Chair



April 2, 2025

Fernando Nieto, Program Chief
Los Angeles County Office of Cannabis Management
320 W. Temple Street, Room G-10
Los Angeles, CA 90012
(213)-712-5459
Fnieto@dcba.lacounty.gov

Re: Initial Study (SCH No. 2025030223) – Commercial Cannabis Business Licensing Program

Dear Mr. Nieto:

Thank you for providing the California Department of Cannabis Control (DCC) the opportunity to comment on the Initial Study prepared by Los Angeles County for the proposed Commercial Cannabis Business Licensing Program (Proposed Project).

DCC has jurisdiction over the issuance of licenses to commercial cannabis businesses. DCC may issue a cultivation license to a business that meets all licensing requirements, and where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within California require a license from DCC. For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: <https://cannabis.ca.gov/cannabis-laws/dcc-regulations/>.

DCC expects to be a Responsible Agency for this project under the California Environmental Quality Act (CEQA) because the project will need to obtain one or more annual cultivation licenses from DCC. In order to ensure that the Initial Study is sufficient for DCC's needs at that time, DCC requests that a copy of the document, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to DCC. This should apply not only to this Project, but to all future CEQA documents related to cannabis business applications in Los Angeles County.

DCC offers the following comments concerning the Initial Study.

General Comments (GCs)

GC 1: Impact Analysis

Several comments provided in the specific comment table below relate to the absence of information or support for impact conclusions in the document. CEQA requires that Lead Agencies

8-1

8-2

evaluate the environmental impacts of proposed projects and support factual conclusions with “substantial evidence.” Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. In general, the Initial Study would be improved if additional evidence (e.g., regulatory setting, environmental setting, impact analysis and methodology, impact assessment) was provided to support all impact conclusions in the checklist, including the sources of information relied upon to make conclusions.

GC 2: Requirements for Mitigation Measures

When a CEQA document identifies impacts that are potentially significant, CEQA requires the Lead Agency to propose mitigation measures, where feasible, that may avoid, reduce, and/or minimize these impacts. According to the CEQA Guidelines, mitigation measures must be practical, specific, enforceable, effective, and roughly proportional to project impacts. This requires a Lead Agency to clearly disclose potential impacts and be sufficiently specific about prescribed mitigation measures. In several instances throughout the document, mitigation measures are not sufficiently specific to establish how such measures would minimize significant adverse impacts as a result of Proposed Project activities.

GC 3: Acknowledgement of DCC Regulations

The Initial Study does not acknowledge that the project would require one or more cannabis cultivation licenses from DCC. The document could be improved if it acknowledged that DCC is responsible for licensing, regulation, and enforcement of commercial cannabis business activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation and distribution (Bus. & Prof. Code, § 26012(a)). In particular, the analysis could benefit from discussion of the protections for environmental resources provided by DCC’s cultivation and distribution regulations. The impact analysis for each of the following resource topics could be further supported by a discussion of the effects of state regulations on reducing the severity of impacts for each applicable topic:

- Aesthetics (See 4 California Code of Regulations §16304(a).)
- Air Quality and Greenhouse Gas Emissions (See §§ 15020(e); 16304(a)(4); 16305; 16306.)
- Biological Resources (See §§ 15006(i); 15011(a)(11); 16304(a).)
- Cultural Resources (See § 16304(a)(3).)
- Energy (See §§ 15006(h)(6); 15011(a)(5); 15020(e); 16305; 16306.)
- Hazards and Hazardous Materials (See §§ 15006(h)(5)(c); 15011(a)(4); 15011(a)(12); 16304(a)(5)); 16307; 16310.)
- Hydrology and Water Quality (See §§ 15006(h); 15011(a)(3); 15011(a)(7); 15011(a)(11); 16304(a)(1); 16307; 16311.)
- Noise (See §§ 16304(a)(4); 16306.)
- Public Services (See §§15011(a)(10); 15036; 15042.)
- Utilities and Service Systems (See §§ 16311; 17223.)
- Wildfire (See § 15011(a)(10).)
- Cumulative Impacts (related to the above topics)

GC 4: Evaluation of Cumulative Impacts

It is important for CEQA analysis to consider the cumulative impacts of commercial cannabis business activities in Los Angeles County. Of particular importance are topics for which the impacts of individual projects may be less than significant, but where individual projects may make a considerable contribution to a significant cumulative impact. These topics include, but are not limited to:

- cumulative impacts from groundwater diversions on the health of the underlying aquifer, including impacts on other users and impacts on stream-related resources connected to the aquifer;
- cumulative impacts related to noise;
- cumulative impacts related to transportation; and
- cumulative impacts related to air quality and objectionable odors.

The Initial Study would be improved by acknowledging and analyzing the potential for cumulative impacts resulting from the Project coupled with other commercial cannabis business projects being processed by the County and any other reasonably foreseeable projects in Los Angeles County that could contribute to cumulative impacts similar to those of the Project.

THIS SPACE INTENDED TO BE LEFT BLANK

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
1	N/A	10-18	Project Description	The Initial Study could be more informative if it provided the permit(s) or approval(s) required from each of the agencies required for cannabis cultivation.
2	N/A	N/A	General Mitigation	The Initial Study should provide evidence to support the impact statements for each question in the checklist, including references for the sources of information relied upon to make conclusions. CEQA requires that Lead Agencies evaluate the environmental impacts of proposed projects and support factual conclusions with “substantial evidence.” Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (CEQA Guidelines, § 15384(b).)
3	I.	19-22	Aesthetics	The Initial Study would be improved if it referenced DCC’s requirements that all outdoor lighting for security purposes must be shielded and downward facing, and that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare (Cal. Code Regs., tit. 4 §§ 16304 (6) and (7)).
4	V.	31-32	Cultural	The Initial Study could be improved by including the following mitigation: “Suspend Cultivation Immediately if Cultural Resources Are Discovered, Evaluate All Identified Cultural Resources for California Register of Historical Resources Eligibility, and Implement Appropriate Mitigation Measures for Eligible Resources.”
5	X	46-53	Hydrology and Water Quality	The Initial Study would be improved if it provided a quantified analysis of water availability and test results, either in the text or as

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
				an attachment. In addition, the document would be improved if it referenced the state’s requirements regarding proposed water sources and groundwater use. (Cal. Code Regs., tit. 4 § 16311)
6	XVII.	66-67	Tribal Cultural Resources	The Initial Study would be more informative by providing details pertaining to tribal consultations that have occurred for the Proposed Project, as required by Assembly Bill 52.
7	XVII.	66-67	Tribal Cultural Resources	The Initial Study would be improved if it referenced state requirements that ground disturbing work must be halted in the event of inadvertent discovery of Tribal Cultural Resources. (Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94, 5097.98 and 5097.99).
8	XXI.(c)	76	Significant Unavoidable Impacts	The Initial Study concludes that the Proposed Program will result in a number of Significant and Unavoidable direct and cumulative impacts. These include impacts to air quality, energy, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, and utilities and service systems. Consequently, when DCC acts as a Responsible Agency in approving a cultivation license for applicants in the City/County, DCC will need to evaluate whether there are any feasible alternatives or mitigation measures that would substantially lessen or avoid those significant environmental effects over which DCC has authority (Cal. Pub. Res. Code §21002.1(b); Cal. Code Regs., tit.14, §15096(g)(2).) Further, if the local PEIR/EIR identifies significant effects pertaining to the activities that DCC is responsible for approving, then DCC must make findings required by Public Resources Code section 21081 and California Code of Regulations title 14, section 15091 and, if

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
				<p>needed, must adopt a statement of overriding considerations, as required by California Code of Regulations title 14, section 15093. (Cal. Code Regs., tit.14, §15096(h).) DCC, therefore, requests that the City/County provide applicants with supporting information relied upon in the City/County’s findings, for DCC’s subsequent consideration.</p>
9	N/A	N/A	Source List	<p>The Source List would be improved if it provided additional information regarding some of the references. For referenced documents, the author, title, and date of each document could be provided. For personal communications, the agency or organization, person contacted, date of contact, and method of contact should be provided. For websites, the URL and date visited should be provided. In addition, sources that are project-related studies could be made available via weblink or as attachments. Also, no source is identified for traffic-related information and estimates.</p>

Conclusion

DCC appreciates the opportunity to provide comments on the Initial Study for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 247-1659 or via e-mail at Kevin.Ponce@cannabis.ca.gov.

Sincerely,

Kevin Ponce
Licensing Program Manager

From: [Marilyn](#)
To: [DCBA CannabisEIR](#)
Subject: Public Comment Cannabis Ordinance Unincorporated LA County
Date: Thursday, April 3, 2025 4:46:20 PM

CAUTION: External Email. Proceed Responsibly.

Hello,

Here is my public comment regarding the Cannabis Ordinance:

- I participated in your last call and was s spoke about my concern with LA County being able to enforce a cannabis ordinance. I do not believe they have the manpower to provide enforcement. I work closely with LA County Supervisors Office, DEC, Sheriff, Parking Enforcement on food vendor issues in Unincorporated LA County El Camino Village. For over three years, these departments have not been able to prevent the illegal food vendors that are becoming more and more in our area. We continually hear they do not have the manpower.
- Two 8 story high housing developments have been approved for the Crenshaw Blvd strip between Marine and 154th. One development at 15101 Crenshaw Blvd will be 212 units (EPIC LA Plan Number: RPPL2024002390) and one development at 15333 Crenshaw Blvd will be 253 units (EPIC LA Plan Number: RPPL2024003666). What is the environmental impact to the area with the increase of residents living in these two housing developments? This was brought up in your last call and we were told you would look at these two developments and evaluate for environmental issues. When these two developments were approved, the CEQA was not done to determine the impact to the community.
- As mentioned on your call by many commenters, LA County is famous for not enforcing ordinances. They do not have the manpower. And, often County has given us many mixed instructions on who is responsible for enforcement.
- If an ordinance is created for cannabis, there needs to be very detailed enforcement policies, procedures and have it spelled out very clearly on who will be providing the enforcement and how enforcement will be done.
- LA County often states “ We have an educational approach” when it comes to new ordinances. This is an ordinance that needs to be enforced and not “educational first”. We constituents are tired of the illegal businesses having priority over the tax payers and their quality of life and safety. Why should public safety be put at risk for someone to have a business?

9-1

- We have a rehabilitation [BHS facility](#) that is less than 600 feet from a storefront area you have on your map (154th and Crenshaw Blvd. that would be allowed to be a cannabis merchant. This should not be an area for a storefront.
 - And, today there is an illegal cannabis store in the complex that has patrons smoking their purchase right out in front of the store. People are walking by with their kids having to see this and smell this. This is a big public safety issue.
- There is a licensed daycare at [15126 Eriel Avenue, Gardena](#) and is too close to a possible cannabis storefront.
- South LA Sheriff has one car that serves El Camino Village and is also patrolling other areas in South LA.
- Gardena is across Crenshaw Blvd and does not allow cannabis sales in their community.
- Unincorporated LA County El Camino Village is 1 mile square we do not need cannabis sales in our community. We have 4 schools in our area and kids range from elementary to college.
- There is Alondra Regional Park in our community and we do not feel bringing cannabis into this community will be good with a park so close. It opens the doors for new problems at the park and they are already dealing with homelessness.

I highly recommend that LA County DOES NOT allow cannabis sales, testing or anything related to cannabis in this small community called Unincorporated LA County - El Camino Village.

Marilyn C
Resident of El Camino Village for 10 Years

From: [Sandy Logan](#)
To: [DCBA CannabisEIR](#)
Subject: Public Comment
Date: Thursday, April 3, 2025 8:01:48 PM

CAUTION: External Email. Proceed Responsibly.

Good evening,

As a proud resident of Lancaster, California, and a public health professional, I am firmly opposed to the conversation surrounding the increase of cannabis retailers in our community for several compelling reasons.

Firstly, the environmental impact of the cannabis industry is alarming. Our air quality in the Antelope Valley is already poor, and adding more cannabis operations will only exacerbate this critical issue.

Moreover, the hazardous waste, chemicals, and materials generated from cannabis production present serious risks. Following the recent fires in January 2025, we have already faced challenges with hazardous waste in our landfills. It is crucial to understand how this could negatively affect our families and residents.

The greenhouse gas emissions associated with cannabis operations are another major concern that cannot be ignored.

Additionally, increasing access to cannabis will inevitably lead to greater consumption among our youth. Our community, the Antelope Valley, is already underserved and lacks sufficient resources for its residents. We cannot afford to compromise the well-being of our youth by expanding cannabis access.

Before you consider permitting more cannabis retailers, I urge you to evaluate the damage that the current cannabis industry has already caused in communities with existing shops. We should prioritize cleaning up these problems and focus on enhancing law enforcement efforts to shut down unlicensed cannabis operations that persist.

Increase the buffer zone to 1000 feet for youth sensitive area

I strongly advocate against allowing any further cannabis businesses in unincorporated areas.

Let's work together to protect our community.

Sandy Logan

93534

--



10-1



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Via Electronic Mail Only

April 4, 2025

Fernando Nieto, Program Chief
County of Los Angeles
Department of Consumer and Business Affairs
Office of Cannabis Management
320 W. Temple Street, Room G-10
Los Angeles, CA 90021
CannabisEIR@dcba.lacounty.gov

**SUBJECT: NOTICE OF PREPARATION OF A DRAFT PROGRAM ENVIRONMENTAL
IMPACT REPORT FOR THE LOS ANGELES COUNTY COMMERCIAL
CANNABIS BUSINESS LICENSING PROGRAM, SCH #2025030223**

Dear Fernando Nieto:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (DPEIR) for the Los Angeles County Commercial Cannabis Business Licensing Program (Project) with the County of Los Angeles (County) as lead agency pursuant to the California Environmental Quality Act (CEQA) (CEQA Guidelines, §§15367, 15051). CDFW supports the regulated cannabis market and actively seeks ways to partner with the regulated community and agency partners to avoid impacts to environmental resources and to achieve conservation benefits. CDFW also commends the County’s efforts to regulate cannabis business activities and to address some of the many substantial environmental impacts that can accompany this use. We appreciate the opportunity to partner with the County to create a mutually beneficial relationship that protects and conserves California’s natural resources and supports legal cannabis businesses. We also recognize the value in being able to provide comments early in the CEQA process regarding aspects of the Project that could affect fish and wildlife resources and be subject to CDFW’s regulatory authority under Fish and Game Code (FGC).

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

11-1



Fernando Nieto
April 4, 2025
Page 2 of 23

environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State of California (State) fish, plant, 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.), obtain appropriate authorization under FGC (Fish & G. Code, §§ 2080.1, 2081, 2835).

CANNABIS PERMITTING ROLE

The California Department of Cannabis Control (DCC) establishes regulations for cannabis businesses and issues licenses for commercial cannabis cultivation projects in the State. To obtain a cannabis cultivation license from DCC, an entity must provide evidence of enrollment in an order or waiver of waste discharge requirements with the State Water Resources Control Board (SWRCB) or the appropriate Regional Water Quality Control Board. SWRCB’s Cannabis Cultivation Policy establishes principles and guidelines for cannabis cultivation activities to protect water quality and instream flows, many of which are complementary to FGC (Fish & G. Code, §§ 1602, 5650, 5652, Water C. §§ 13260, 13264(a) & 13265). SWRCB’s Cannabis Cultivation Policy includes a Cannabis Cultivation General Order (General Order) that describes waste discharge requirements for different categories of cannabis cultivation. SWRCB’s Cultivation Policy also includes standards for setbacks from classes of streams and measures to manage water use to protect resources including forbearance provisions. Another requirement to obtain a cannabis cultivation license from DCC is for an entity to provide a final LSA Agreement (Agreement) issued by CDFW, or written verification from CDFW that an Agreement is not required (Business and Professions Code 260.60.1 (b) (3)).

CDFW has regulatory authority over activities in the State that will substantially divert or obstruct the natural flow, or change the bed, channel, or bank of any river, stream, or lake or use material from a river, stream, or lake. For any such activities, an entity must provide a LSA Notification (Notification) to CDFW of the proposed activities (Fish & G. Code, § 1602 et seq.). Based on the information contained in the Notification, CDFW then determines whether an Agreement is required prior to conducting the proposed activities. CDFW’s issuance of an Agreement is an action subject to CEQA that will require CDFW to function as a Responsible Agency (CEQA Guidelines, §15381). CDFW anticipates using the DPEIR to facilitate implementation of LSA and CESA review for the State’s cannabis permitting program in the County. To minimize the need for additional CEQA review when contemplating issuance of Agreements or CESA authorization for cannabis uses, CDFW recommends the DPEIR fully identify the potential impacts to listed species, streams and riparian resources, and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of Agreements or CESA authorizations (CEQA Guidelines, § 15096).



BACKGROUND

On February 15, 2022, the Los Angeles County Board of Supervisors (Board) directed relevant County departments to move forward with the development and implementation of Commercial Cannabis Business Licensing Program for unincorporated areas of the County. In accordance with this directive, the County is proposing amendments to Title 22 (Zoning Ordinance Amendments) and Title 8 (Commercial Cannabis Administration Amendments) to allow for the permitting of legal commercial cannabis uses in eligible zone districts in unincorporated areas of Los Angeles County. The County noticed the NOP for the Commercial Cannabis Business Licensing Program on March 5, 2025, and has requested comments by April 4, 2025. The NOP included an Initial Study for the Commercial Cannabis Business Licensing Program (CEQA Guidelines, §15063).

PROJECT DESCRIPTION

The County is proposing to adopt a Commercial Cannabis Business Licensing Program that would permit, regulate, and monitor all cannabis businesses in unincorporated areas of Los Angeles County. All outdoor and mixed-light cultivation activities/businesses would be prohibited. The Project would permit: 1) ten indoor cannabis cultivation licenses in industrial zones that would be limited to the use of artificial lighting and a maximum canopy size of 22,000 square feet; 2) ten manufacturing licenses in select industrial zones (volatile manufacturing) and in select commercial and industrial zones (non-volatile manufacturing); 3) ten distribution licenses in select commercial and industrial zones; 4) ten cannabis testing licenses in select commercial/mixed-use, industrial, and institutional zones; and 5) twenty-five storefront and twenty-five non-storefront cannabis retail businesses in commercial/mixed-use and industrial zones.

All cannabis business activities would be required to be located entirely within constructed and permitted structures that are legal and conform to Los Angeles County Code (LACC). The Project would not permit the development of new buildings or the redevelopment of existing buildings to accommodate a proposed cannabis business. However, exterior site development, such as access and drainage improvements, lighting, signage, landscaping, and fencing, may occur and would be subject to applicable standards of the LACC.

The Project will prohibit cannabis businesses: 1) on public lands and within the designated Significant Ecological Area (SEA); 2) within 600 feet of a youth-oriented use; 3) within 600 feet of a drug abuse and recovery treatment center; and 4) storefront retail cannabis businesses within 500 feet of another retail cannabis business.

COMMENTS AND RECOMMENDATIONS

CDFW supports the County's efforts to regulate cannabis cultivation and to address its many potentially substantial environmental impacts in the upcoming DPEIR. CDFW believes having the appropriate analysis and mitigation in the DPEIR is essential for program implementation to distinguish between individual cannabis business projects



that would not require additional/subsequent review and those that would require additional assessments, and potentially additional CEQA review, to address sensitive resources and to minimize the environmental impacts of cannabis cultivation. We believe that, in concept, providing a streamlined and possible ministerial pathway for subsequent projects under the DPEIR that are unlikely to adversely impact public trust resources will be beneficial to: a) avoid and discourage development in sensitive habitats, and b) support the legal market. CDFW is therefore providing comments at a programmatic level to identify projects that 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 offers the comments and recommendations below to assist the County in further developing the Los Angeles County Zoning Ordinance and Commercial Cannabis Administration text amendments and environmental analysis for the Project 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. Our comments include: 1) a review of types of environmental impacts from cannabis cultivation; 2) focused recommendations for the DPEIR analyses; 3) general comments; and 4) proposed future collaboration with the County.

Environmental Impacts of Cannabis Cultivation

CDFW devotes a considerable amount of staff time and resources documenting, assessing, permitting, and addressing the environmental impacts and watershed restoration needs resulting from cannabis cultivation (Bauer et al. 2015). CDFW has documented effects to wildlife resources in its *Review of the Potential Impacts of Cannabis Cultivation on Fish and Wildlife Resources* (CDFW 2018), including impacts from water diversions and stream dewatering, habitat clearing and conversion, pollution, and sediment discharges. Through site visits conducted for permitting, compliance, and enforcement throughout southern California, including the County, CDFW has knowledge and experience on the types and extent of potential impacts cannabis uses can have on the environment at a project and programmatic level, which can be unique compared to other agricultural uses. Impacts from cannabis cultivation of specific concern to CDFW include, but are not limited to (CDFW 2018): (1) habitat fragmentation, conversion, degradation, and loss through land clearing, including direct impacts to riparian areas, wetlands, grasslands, sage scrub, and other sensitive natural communities; (2) alteration to streams from grading and excavation/filling; (3) diversion of water for irrigation and effects to in-stream flows; (4) impacts to stream resources from dewatering activities; (5) degradation of water quality from delivery of sediment, nutrients, petroleum products, and pesticides into streams; (6) road building, grading, pond construction, stream crossing construction, increased use of poorly maintained road systems, barriers to fish passage (Fish & G. Code, § 5901), and hydrologic modification including rerouting of streams; (7) effects to wildlife movement from security fencing, including potential wildlife entanglement, entrapment, and mortality; (8) reduced habitat function due to inappropriate location of grow sites; (9) loss of avian foraging habitat due to hoop house construction; (10) development and uses within

riparian buffers; (11) impacts from night lighting and noise on wildlife; (12) impacts to wildlife from use of plastic monofilament netting and similar products; and pollution to the environment from trash and other cultivation related waste (Carah et al. 2015); and (13) introduction of non-native species (fish and plants) resulting in predation of native species and degraded habitat quality.

Comments and Recommended Measures

CDFW recommends the DPEIR provide adequate and complete disclosure of the Project’s potential impacts to fish and wildlife resources (biological resources) including the effects documented by CDFW [Pub. Resources Code, § 21061; CEQA Guidelines, §§ 15003, subd. (i), & 15151, 15063]. CDFW also recommends that the DPEIR include both programmatic (cumulative) level and project-specific analysis to the extent feasible, and clearly identify criteria and mechanisms where Cannabis business projects would require subsequent review and analysis so that appropriate standards and mitigation can be implemented at the project level. CDFW anticipates using the DPEIR to help implement the permitting needed under the State’s cannabis program, which may include discretionary permitting under CESA and LSA (CEQA Guidelines, §15381, 15096).

Specific Comments

1. Cannabis Business Eligibility Areas. The Initial Study beginning on page 11 states that the Project would allow cannabis businesses only in constructed and existing permitted structures that are legal and conform to Los Angeles County Code (LACC). The Project would not permit the development of new buildings or the redevelopment of existing buildings to accommodate a proposed cannabis business. Further, the Project would prohibit cannabis businesses within the designated Significant Ecological Area (SEA). CDFW interprets at this stage that “constructed and permitted structures” means existing constructed and permitted structures when the NOP was published (CEQA Guidelines, § 15125). The Initial Study on page 15 provides a link to mapping¹ that shows proposed cannabis business permit eligibility areas in unincorporated Los Angeles County; however, it is unclear how the areas in the map were determined. Based on our review of aerial imagery and the best information available, many of the eligible areas in Antelope Valley appear to be undeveloped; therefore, these areas would require the construction of new structures compared to existing conditions for cannabis activities (see Attachment A, Figure 1). Moreover, some eligible areas are mapped within the SEA (see Attachment A, Figure 2). Many of these undeveloped areas currently shown as eligible for cannabis uses include sensitive habitats, including stream resources, and are within areas identified by CDFW as regionally important to conserving natural resources and to enhance resiliency to climate change,

¹County mapping of cannabis permitting eligibility areas is available at: <https://amecei.maps.arcgis.com/apps/instant/basic/index.html?appid=2c7641e8c0e347049d2271789eb0525c>



11-3

Fernando Nieto

April 4, 2025

Page 6 of 23

11-3 cont.

ecological processes, wildlife connectivity, and species conservation (Fish and Game Code §1850 (b) and (d)) (see Attachment A, Figure 2).

Recommendation: The DPEIR should include a description of how the eligibility areas were determined and provide an updated eligibility area map that only includes parcels that meet the criteria outlined in the Project for acceptable cannabis business locations, including parcels that have existing structures and parcels outside the SEA. CDFW also recommends the DPEIR include an analysis of the Project's consistency with the Antelope Valley Regional Conservation Investment Strategy (AVRCIS; see ICF 2021).

2. Biological Resources. The Initial Study on page 29 indicates that there will be no impacts to biological resources as “[c]ommercial cannabis activities would be limited to the constructed and permitted structures located in eligible commercial/mixed-use, industrial, and institutional zones of the county that are developed and do not exhibit the presence of candidate, sensitive, and/or special status species or habitat on which they rely.” However, as described above, there is a discrepancy between the text of the Initial Study beginning on page 11 that indicates cannabis businesses would only be allowed in constructed and permitted structures, and the mapped eligibility areas cited in the Initial Study on page 15 that shows undeveloped lands as eligible cannabis areas. As described above, these undeveloped lands support biological resources.

Recommendation: If these undeveloped areas will be retained as eligible areas for cannabis businesses, there would a potentially significant impact to biological resources on an individual and cumulative basis from habitat loss from pad development and construction, access and drainage improvements, fencing, lighting, utility installation, and other site improvements needed to support cannabis uses. These undeveloped lands may also support plants and animals considered sensitive under CEQA including but not limited to alkali mariposa-lily (*Calochortus striatus*; California Rare Plant Rank (CRPR) 1B.2), Rosamond eriastrum (*Eriastrum rosamondense*; CRPR 1B.1), Parry's spineflower (*Chorizanthe parryi* var. *parryi*; CRPR 1B.1), Lancaster milk-vetch (*Astragalus preussii* var. *laxiflorus*; CRPR 1B.1), northern California legless lizard (*Anniella pulchra*; California Species of Special Concern (SSC)), mountain plover (*Charadrius montanus*; SSC), northwestern pond turtle (*Actinemys marmorata*; SSC), coast horned lizard (*Phrynosoma blainvillii*; SSC), Le Conte's thrasher (*Toxostoma lecontei*; SSC), two-striped gartersnake (*Thamnophis hammondi*; SSC), short-eared owl (*Asio flammeus*; SSC), California red-legged frog (*Rana draytonii*; SSC), arroyo toad (*Anaxyrus californicus*; SSC), American badger (*Taxidea taxus*; SSC), western spadefoot toad (*Spea hammondi*; SSC), southern grasshopper mouse (*Onychomys torridus ramona*; SSC), Tehachapi pocket mouse (*Perognathus alticola inexpectatus*; SSC), western mastiff bat (*Eumops perotis californicus*; SSC), southwestern pond turtle (*Actinemys pallida*; SSC), loggerhead shrike (*Lanius ludovicianus*; SSC), Townsend's big-eared bat (*Corynorhinus townsendii*; SSC), California glossy snake (*Arizona elegans occidentalis*; SSC) western Joshua tree (*Yucca brevifolia*; CESA-candidate), western burrowing owl (*Athene cunicularia hypugaea*; CESA-candidate), Crotch's

bumble bee (*Bombus crotchii*; CESA-candidate), Swainson's hawk (*Buteo swainsoni*; CESA-Listed), Mojave ground squirrel (*Xerospermophilus mohavensis*; CESA-Listed), Nelson's antelope squirrel (*Ammospermophilus nelsoni*; CESA-Listed), southern California steelhead (*Oncorhynchus mykiss irideus*; CESA-listed), unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*; fully protected), golden eagle (*Aquila chrysaetos*; fully protected), white-tailed kite (*Elanus leucurus*; fully protected), and tricolored blackbird (*Agelaius tricolor*; CESA-Listed) (CEQA Guidelines, §15380). Therefore, CDFW disagrees that there would be no impacts to biological resources from the Project as currently presented in the NOP. While these undeveloped areas would be developed under existing County regulations, these areas may not have been developed without the intent of being utilized for cannabis business activities; therefore, the DPEIR should analyze the impacts to biological resources associated with habitat loss, fencing, water use, runoff, lighting, noise, and landscaping from non-cannabis development later being converted to cannabis uses.

3. Habitat Loss. Development of a site can result in direct impacts to sensitive habitat from grading, clearing, type conversion, and grubbing of existing vegetation, which can have numerous impacts on the local ecosystem and to sensitive flora and fauna. For example, vegetation removal or conversion (from grassland to agriculture) for pad development, site access, utility installation, drainage improvements, and canopy placement associated with cannabis uses may result in the loss of sensitive habitat that supports special status plant and animal species.

Recommendation: If any undeveloped land is proposed to support cannabis uses (or non-cannabis development that would later be converted to cannabis use), the DPEIR should analyze the potential loss of sensitive habitat from direct removal and type conversion including grassland, coastal sage, riparian, and other habitat alliances, from type conversion, direct loss from pad development, site access, fuel management, and operational issues associated with cannabis activities.

4. Altered Hydrology and Water Quality. Development or conversion of a site for cannabis uses can result in changes in impervious surface coverage, stormwater drainage patterns, and landscape irrigation can alter the hydrology of stream resources and open space areas. This can affect the availability of water resources, soil moisture, and overall habitat integrity. Cannabis operations typically use pesticides and fertilizers, which can be incorporated into irrigation practices and may enter the watershed and groundwater basins through runoff and enter nearby tributaries and streams. Discharges of residual cultivation irrigation water to locations other than the public sewer can also degrade water quality and impact sensitive species.

Recommendation: The DPEIR should analyze hydrological changes that may result from the Project. This includes the addition of stormwater infrastructure and ongoing operation and maintenance activities on water quality of stream resources and its effects on sensitive species on a watershed level, such as the effects by Hydrological Unit Code (HUC) 12s. The DPEIR should also provide a mechanism

for analyzing and mitigating potential impacts to hydrology and water quality at the individual (site) level.

5. Stream Crossings. Development or conversion of a site for cannabis use often require access improvements including new crossings or maintenance of existing crossings over streams and through sensitive habitat that can support wildlife movement at the site and regional level. Crossings can be at-grade, culverts, and bridges to allow access to growing locations, water sources, and other cultivation activities. If not designed properly, structures designed to accommodate site access can create or exacerbate fish passage issues (Fish & G. Code § 5901), alter the flow of streams, erode stream banks, impede wildlife movement, become hydraulic constrictions, and create scour and increase sedimentation to streams.

Recommendation: The DPEIR should analyze the need for stream crossings, or the installation of any in-stream structures for cannabis activities and identify the types of studies, design standards, and mitigation measures that would be needed for individual projects to address fish passage, sedimentation, wildlife movement, and prevent stream erosion. The DPEIR should also analyze the Project's potential effect to stream habitat/resources from the construction and maintenance of stream crossings and any other proposed instream structures for site access and other project needs. Potential impacts include fish passage, wildlife use and movement, wetland vegetation, bank erosion, and stream hydrology. The DPEIR should also provide a mechanism for analyzing and mitigating potential impacts to sensitive habitat and species from installation and operation of stream crossings at the individual (site) level.

6. Limited Site Alterations. The Initial Study on pages 19 and 30 indicates that exterior site improvements on developed sites may occur and would be limited to features such as fencing, lighting, and landscaping. Any exterior site developments would be subject to existing and proposed County regulations. As described in Comment 1 above, some of the Project's eligible areas, as currently presented in the NOP, contain stream resources and other watercourses (see Attachment A, Figure 2), abut or are within the designated SEA, or are adjacent to undeveloped lands. Site improvements including lighting, fencing, and landscaping could affect adjacent or on-site biological resources.
 - a. Lighting. Lighting is often required for cannabis businesses for security purposes. If not designed appropriately, lighting can significantly interrupt species circadian rhythm and alter species behavior, including migration, breeding, and foraging behaviors (Rich et al. 2020).

Recommendation: The DPEIR should analyze impacts from lighting required for cannabis projects to wildlife. The DPEIR should quantify the amount of new lighting that would be introduced and analyze the effects on sensitive species and habitats. Project lighting should be lighting of the lowest illumination necessary, shielded downwards, and directed away from sensitive habitats.



The DPEIR should also provide a mechanism for analyzing and mitigating for potential impacts from lighting at the individual (site) level.

- b. Fencing. Cannabis businesses often require specific types of fencing for security purposes. If not located and designed properly, this type of fencing can result in wildlife entrapment or mortality, create barriers and impede wildlife movement, and significantly alter wildlife connectivity at the local and regional level.

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.

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 would need to comply with County standards for security fencing, which are typically greater than that of a typical business operation. The additional security required for cannabis 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 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.

Recommendation: The DPEIR should analyze impacts from required security measures and other fencing/barriers required for cannabis projects to animal species and wildlife movement/connectivity. The DPEIR should include information on the height, length, type of materials, maintenance requirements, and location of fencing that would be needed for cannabis uses. The DPEIR should also provide a mechanism for analyzing and mitigating potential impacts from fencing at the individual (site) level.

- c. Landscaping. Landscaping is often required to obscure or screen cannabis activities from the public's view. Landscaping has the potential to impact biological resources from the introduction of invasive and/or non-native species. Landscape maintenance can also impact biological resources from the use of pesticides, herbicides, and fertilizers.

Recommendation: The DPEIR should evaluate the potential of impacts of landscaping (e.g., introducing non-native and invasive species, pesticide and herbicide use) on biological resources such as natural communities adjacent to the cannabis business sites. CDFW supports the use of native plants for the



11-5 cont.

Project especially in eligible areas located adjacent to open space and natural areas. CDFW strongly recommends avoiding non-native, invasive species for landscaping, particularly any species listed as 'Moderate' or 'High' by the California Invasive Plant Council. CDFW supports the use of native species found in naturally occurring plant communities within or adjacent to the proposed cannabis business site. In addition, CDFW supports planting species of trees, such as oaks (*Quercus* genus) where appropriate, and understory vegetation (e.g., ground cover, subshrubs, and shrubs) that create habitat and provide a food source for birds. CDFW recommends retaining any standing, dead, or dying tree (snags) where possible because snags provide perching and nesting habitat for birds and raptors. CDFW supports planting species of vegetation with high insect and pollinator value. Finally, the DPEIR should also provide a mechanism for analyzing and mitigating potential impacts from landscaping at the individual (site) level.



11-6

- 7. Water Use. The Project has potential to permit cannabis businesses that may utilize well water as the primary water source. Water use and diversions for cannabis cultivation can substantially affect water availability in streams and reduce habitat and movement for species including aquatic and avian wildlife. Sufficient stream flows are essential for fish passage and breeding habitat for aquatic species.

Recommendation: The DPEIR should analyze the potential for well water use associated with cannabis cultivation projects to impact instream flows and water availability for aquatic-dependent wildlife and habitat. CDFW also recommends the County assess the aquatic carrying capacity of watersheds where cannabis would be allowed. CDFW also recommends the County assess the aquatic carrying capacity of watersheds where cannabis would be allowed and not utilize municipal water sources. 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 DPEIR should also provide a mechanism for analyzing and mitigating potential impacts from water use at the individual (site) level.



11-7

- 8. CESA. Undeveloped areas eligible for cannabis businesses may contain CESA candidate or listed species, including but not limited to western Joshua tree, Crotch's bumble bee, western burrowing owl, Mojave ground squirrel, Swainson's hawk, Nelson's antelope squirrel, tricolored blackbird, San Fernando Valley spineflower, least Bell's vireo, desert tortoise, southern California steelhead, unarmored threespine stickleback, golden eagle, and white-tailed kite. CDFW considers adverse impacts to a species protected by CESA to be significant. Take of any endangered, threatened, candidate species, or NPPA-listed plant species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project or any Project-related activity will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under



CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options (Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA permit.

Recommendation: To ensure CDFW will be able to use the County’s CEQA document for the issuance of an ITP, the DPEIR should address all Project impacts to CESA-listed species and specify a mitigation, monitoring, and reporting program that will meet the requirements of an ITP.

9. Baseline Conditions. Under CEQA, the environmental setting represents the conditions that exist at a certain point in time referred to as the “baseline” from which project impacts, individual and cumulative, must be evaluated (CEQA Guidelines, § 15125). Setting baseline conditions will direct the analyses in the DPEIR and corresponding avoidance, minimization, and mitigation measures.

Recommendation: The DPEIR should include the following information:

- a. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines, § 15125[c]).
- b. A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities](#).²
- c. Floristic alliance- and/or association-based mapping and vegetation impact assessments conducted in the project area and within adjacent areas.
- d. A complete and recent assessment of the biological resources associated with each habitat type in the project area and within adjacent areas. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review (CEQA Guidelines, § 15003[i]).
- e. A complete, recent assessment of endangered, rare, or threatened species and other sensitive species within the project area and adjacent areas, including California Species of Special Concern (SSC) and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380).
- f. A recent wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a period of one year and

² <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>



assessments for rare plants may be considered valid for a period of up to three years.

The DPEIR should include a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area and where the Project may result in ground disturbance. The assessment and analysis should place emphasis on identifying endangered, threatened, rare, and sensitive species; regionally and locally unique species; and sensitive habitats. A complete and accurate baseline analysis will aid in determining the Project's potential direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW also considers impacts to SSC a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures.

As part of setting baselines conditions for the DPEIR, CDFW recommends that existing unpermitted cultivation sites in the County be accounted for and the DPEIR identify measures to address associated impacts to environmental resources affected by unpermitted cultivation sites (CEQA Guidelines, § 15125, Pub. Resources Code §§ 21060, 21068). All environmental resource areas for unpermitted facilities should be evaluated. CDFW and partner law enforcement agencies have investigated over 160 unpermitted outdoor cannabis cultivation sites in the Antelope Valley area of the County. CDFW often finds significant environmental damage at unpermitted outdoor cultivation sites, including stream alterations without LSA notification (Fish & G. Code, § 1602), pollution (Fish & G. Code, §§ 5650 and 5652), and take of western Joshua tree (Fish & G. Code, § 2080). Unpermitted cultivation sites in Antelope Valley may also impact other CESA-listed or candidate species, including but not limited to western burrowing owl, Crotch's bumble bee, Mojave ground squirrel, Nelson's antelope squirrel, Swainson's hawk, and desert tortoise. Unpermitted cannabis activities along the Santa Clara River may impact other species, including but not limited to southern California steelhead and unarmored threespine stickleback. CDFW considers existing cannabis violations that have not been remediated when the NOP was issued as part of the CEQA baseline. The DPEIR should also analyze potential impacts from compliance and enforcement activities that can be foreseeably associated with the Project. CDFW believes that partnering with the County through a legal permitting program as currently proposed will assist in reducing the extent of unpermitted cannabis activities in Los Angeles County.

10. Cumulative Impacts. Cumulative impacts on biological resources can result from collectively significant projects which are individually insignificant. The Project, when considered collectively with prior, concurrent, and probable future projects, may have a significant cumulative effect on biological resources. The DPEIR should include a cumulative effects analysis as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant and wildlife species, habitat, and natural communities. If the County determines that the Project would not have a cumulative impact, the DPEIR should indicate why the cumulative

impact is not significant. The County's determination should be supported by facts and analyses (CEQA Guidelines, § 15130[a][2]).

Recommendation: CDFW recommends that the cumulative section of the DPEIR include an analysis of: (1) the amount and location of acreage by community plan area, watershed, or other attributes 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 and mapping for the County; (2) the amount and location of water demand by major streams and watersheds in the County; (3) the Project's growth inducing impact by facilitating undeveloped lands to cannabis business uses with related increased demand for water; (4) all cannabis sites when determining cumulative impacts of commercial cannabis businesses through the County's licensing program, including a quantification of known impacts of unpermitted cultivation sites and an estimation of impacts due existing unpermitted cultivation sites (see Comment 9); (5) the potential for additional unpermitted cannabis cultivation; (6) cannabis cultivation sites that may have been abandoned without remediation; and (7) the location and extent of fencing anticipated for cannabis projects and its potential direct impact to animal species from entrapment/entanglement and impacts to wildlife movement and habitat connectivity (CEQA Guidelines, §§ 15130(a), 15065(a)(3) and 15355).

11. Consistency with Other Adopted Wildlife Plans and Policies. Several regional and State-wide natural resource conservation strategies may be applicable to the Project, including, but not limited to : [Antelope Valley Regional Conservation Investment Strategy](#) (ICF 2021);³ [Safeguarding California Plan: 2018 Update](#) (CNRA 2018);⁴ [California State Wildlife Action Plan: A Conservation Legacy for Californians](#) (CDFW 2015);⁵ and [California 2030 Natural and Working Lands Climate Change Implementation Plan: January 2019 Draft](#) (Cal EPA et al. 2019).⁶ In the [California State Wildlife Action Plan](#) (CDFW 2015),⁷ climate change is identified as a significant stressor on the Conservation Targets and Strategies for all habitat types in the South Coast Region.

Recommendation: The DPEIR should include analysis of the Project's consistency with State adopted plans and policies including the plans and policies described above. The DPEIR should include analysis of program impacts to climate change from increased greenhouse gas emissions and factor it into applicable flood and storm events in hydraulic analysis to support site development including access and stream crossings.

12. Conserved Lands. The Project area includes existing protected areas that are public or private lands where the primary intent of land management is to manage

³ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=197234&inline>

⁴ resources.ca.gov/CNRALegacyFiles/docs/climate/safeguarding/update2018/safeguarding-california-plan-2018-update.pdf

⁵ <https://wildlife.ca.gov/SWAP/Final>

⁶ <https://ww2.arb.ca.gov/resources/documents/nwl-implementation-draft>

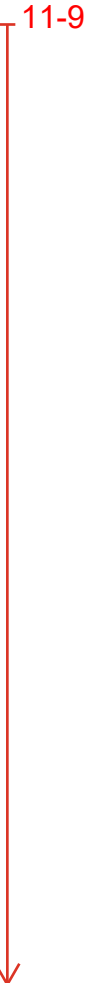
⁷ <https://wildlife.ca.gov/SWAP>

the land for open space, primarily for their ecological functions and values. In the Antelope Valley RCIS area, there are 55,928 acres of protected area, including 3,112 acres in conservation easement. The two largest private owners of protected lands within the RCIS area are Transition Habitat Conservancy (THC) and Petersen Ranch Mitigation Bank (Figure 2-19 and Table 2-8 of the AVRCS; see ICF 2021). Other prominent conserved land includes the Antelope Valley Poppy Preserve, Saddleback Butte State Park, Alpine Butte Wildlife Sanctuary, Mescal Wildlife Sanctuary, Mountains Recreation Conservation Authority (MRCA) property, Jackrabbit Flats Wildlife Sanctuary, Payne Wildlife Sanctuary, Phacelia Wildlife Sanctuary, Big Rock Creek Wildlife Sanctuary, Carl O. Gerhardy Wildlife Sanctuary, and Puzzle Creek Conservation Bank.

Recommendation: The DPEIR should identify all conserved lands in the Project area and analyze how cultivation activities could result in potential impacts to these resources from habitat loss, access and drainage improvements, fencing, lighting, utility installation, pesticide drift, runoff, and other activities needed to support cannabis uses. The analysis should account for sufficient buffer areas from these lands and cultivation uses. Finally, the DPEIR should also provide a mechanism for analyzing and mitigating for potential impacts to public and other conserved lands from cannabis activities at the individual (site) level.

General Comments

1. Disclosure. The DPEIR should provide an adequate, complete, and detailed disclosure about the effects which a proposed project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, § 15151). Such disclosure is necessary so CDFW may provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as assess the significance of the specific impact relative to plant and wildlife species impacted (e.g., current range, distribution, population trends, and connectivity).
2. Project Description and Alternatives. To enable adequate review and comment on the proposed Project from the standpoint of the protection of fish, wildlife, and plants, CDFW recommends the following information be included in the DPEIR.
 - a. A complete discussion of the purpose and need for, and description of the proposed Project.
 - b. A range of feasible alternatives to the Project location to avoid or otherwise minimize direct and indirect impacts on sensitive biological resources and wildlife movement areas. CDFW recommends the County select Project designs and alternatives that would avoid or otherwise minimize direct and indirect impacts on biological resources. CDFW also recommends the County consider establishing appropriate setbacks from sensitive and special status biological resources. Setbacks should not be impacted by ground disturbance or hydrological changes from any future Project-related construction, activities, maintenance, and development. As a general rule, CDFW recommends reducing or clustering a development footprint to retain unobstructed spaces for



vegetation and wildlife and provide connections for wildlife between properties and minimize obstacles to open space.

- c. Project alternatives should be thoroughly evaluated, even if an alternative would impede, to some degree, the attainment of the Project objectives or would be more costly (CEQA Guidelines, § 15126.6). The DPEIR shall include sufficient information about each alternative to allow meaningful evaluation, public participation, analysis, and comparison with the proposed Project (CEQA Guidelines, § 15126.6).
 - d. Where the Project may impact aquatic and riparian resources, CDFW recommends the County select Project designs and alternatives that would fully avoid impacts to such resources. CDFW also recommends an alternative that would not impede, alter, or otherwise modify existing surface flow, watercourse and meander, and water-dependent ecosystems and natural communities. Project designs should consider elevated crossings to avoid channelizing or narrowing of watercourses. Any modifications to a river, creek, or stream may cause or magnify upstream bank erosion, channel incision, and drop in water level, which may cause the watercourse to alter its course of flow.
3. Direct and Indirect Impacts on Biological Resources. The DPEIR should provide a thorough discussion of direct and indirect impacts expected to affect biological resources with specific measures to offset such impacts. The DPEIR should address the following:
- a. A discussion of potential impacts from lighting, noise, temporary and permanent human activity, exotic species, and identification of any mitigation measures. A discussion regarding Project-related indirect impacts on biological resources. These include resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)).
 - b. A discussion of both the short-term and long-term effects of the Project on species population distribution and concentration, as well as alterations of the ecosystem supporting those species impacted (CEQA Guidelines, § 15126.2(a)).
 - c. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the Project, should be fully analyzed and discussed in the DPEIR.
 - d. A discussion of post-Project fate of drainage patterns, surface flows, and soil erosion and/or sedimentation in streams and water bodies. The discussion should also address the potential water extraction activities and the potential resulting impacts on habitat supported by the groundwater. Measures to mitigate such impacts should be included.

- e. An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the DPEIR.
4. Nesting Birds. To avoid impacts to nesting birds, CDFW recommends that clearing of vegetation occur outside of the peak avian breeding season, which generally runs from February 1 through September 1 (as early as January 1 for some raptors). If Project construction is necessary during the bird breeding season, a qualified biologist with experience in conducting breeding bird surveys should conduct a nesting bird survey within three days prior to work in the area. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. For the given Project site, CDFW generally recommends a 100-foot buffer from common avian species, 300 feet for listed or highly sensitive avian species, and 500 feet for raptors. The buffer should be delineated by temporary fencing and remain in effect as long as construction is occurring. No Project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the Project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
5. Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in a project through the use of feasible alternatives or mitigation measures (CEQA Guidelines, §§ 15002(a)(3), 15021). Pursuant to CEQA Guidelines section 15126.4, an environmental document shall describe feasible measures which could mitigate impacts below a significant level under CEQA. Mitigation measures must be feasible, effective, implementable, and fully enforceable/imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4).
- a. The DPEIR should provide mitigation measures that are specific and detailed (i.e., responsible party, timing, specific actions, location) in order for a mitigation measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).
 - b. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the proposed Project, the DPEIR should include a discussion of the effects of proposed mitigation measures (CEQA Guidelines, § 15126.4(a)(1)). In that regard, the DPEIR should provide an adequate, complete, and detailed disclosure about the Project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.



11-10



6. Compensatory Mitigation. The DPEIR should include 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.
7. Long-term Management of Mitigation Lands. For proposed mitigation lands, the DPEIR should include measures to protect the targeted habitat values in perpetuity. The mitigation should offset Project-induced qualitative and quantitative losses of biological resources. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate endowment should be set aside to provide for long-term management of mitigation lands.
8. Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of removing plants and wildlife from one location and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to endangered, rare, or threatened plants and animals. These efforts are experimental, and the outcome is unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving plants and animals and their habitats.
9. Scientific Collecting Permit. 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, biologist(s) must obtain appropriate handling permits to capture, temporarily possess, and relocate 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). For more information, please see CDFW's [Scientific Collecting Permit webpage](#).⁸

⁸ <https://wildlife.ca.gov/Licensing/Scientific-Collecting>

10. Wetland Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the [Fish and Game Commission's \(Commission\) policies](#).⁹ Through its Wetlands Resources policy, the Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement, and expansion of wetland habitat in California" (California Fish and Game Commission, 2005). It is the policy of the Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."
- a. The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, a project should include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions benefiting local and transient wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the DPEIR and these measures should compensate for the loss of function and value.
 - b. The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this State that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this State; prevent the degradation thereof caused by pollution and contamination; and endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).

⁹ <https://fgc.ca.gov/About/Policies/Miscellaneous>

Fernando Nieto
April 4, 2025
Page 19 of 23

11-12

Agency Collaboration

In an effort to streamline the process of implementing licensing for cannabis cultivation in the County, CDFW recommends regular meetings between the County and CDFW regional staff to discuss permitting, enforcement, and compliance topics related to cannabis cultivation. In such meetings, agency priorities can be identified, important environmental issues addressed, site visits and enforcement efforts coordinated, and opportunities for grant funding discussed. CDFW looks forward to partnering with the County to minimize significant impacts to wildlife resources through collaboration and review of individual projects and mitigation that will follow under the Project.

Recommendation: CDFW requests the County include a mechanism that includes CDFW and other resource agency review and input on individual projects that come under the Project as early in the process as possible. This could occur as a part of reviewing each project and preparation and implementation of project-level habitat protection plans, wildlife protection plans, tree protection plans, or water use plans. 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. This will allow cannabis operations to confidently move forward with State licensing under the DCC and ensure compliance with the FGC.

CDFW appreciates the opportunity to comment on the NOP for the Project. We look forward to receiving the DPEIR and working with the County in partnership to support the regulation of commercial cannabis businesses 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. If you have any questions regarding this letter, please contact Keith Yaeger, Senior Environmental Scientist (Specialist), at (562) 519-7144 or by email at Keith.Yaeger@wildlife.ca.gov.

Sincerely,

DocuSigned by:



5991E19EF8094C3...
Victoria Tang

Environmental Program Manager
South Coast Region

Fernando Nieto
April 4, 2025
Page 20 of 23

cc: California Department of Fish and Wildlife
Victoria Tang
Randy Rodriguez
Jennifer Nguyen
Keith Yaeger

State Clearinghouse
State.Clearinghouse@opr.ca.gov

California State Water Resources Control Board
Brian Covellone, Brian.Covellone@waterboards.ca.gov

References

- Bauer, S., J. Olson, A. Cockrill, M. Van Hatten, L. Miller, M. Tauzer, and G. Leppig. 2015. Impacts of surface water diversions for marijuana cultivation on aquatic habitat in four northwestern California watersheds.
- California Environmental Protection Agency, California Natural Resources agency, California Department of Food and Agriculture, California Air Resources Board, and California Strategic Growth Council. 2019. Draft California 2030 Natural and Working Lands Climate Change Implementation Plan. Available from: <https://ww2.arb.ca.gov/resources/documents/nwl-implementation-draft>.
- Carah, J. K., J. K. Howard, S. E. Thompson, A. G. Short Gianotti, S. D. Bauer, S. M. Carlson, D. N. Dralle, M. W. Gabriel, L. L. Hulette, B. J. Johnson, C. A. Knight, S. J. Kupferberg, S. L. Martin, R. L. Naylor, and M. E. Power. 2015. High time for conservation: Adding the environmental to the debate on marijuana liberalization. *BioScience* 65:822–829.
- California Department of Fish and Wildlife. 2015. SWAP Final 2015 Document. Available from: <https://wildlife.ca.gov/SWAP/Final>.
- California Department of Fish and Wildlife. 2018. A Review of the Potential Impacts of Cannabis Cultivation on Fish and Wildlife Resources, California Department of Fish and Wildlife.
- California Department of Fish and Wildlife. 2020. California Natural Diversity Database. Available from: <https://wildlife.ca.gov/Data/CNDDB>.
- California Department of Fish and Wildlife. 2021. Evaluation of the Petition from California Trout to List Southern California Steelhead (*Oncorhynchus mykiss*) as Endangered under the California Endangered Species Act.
- California Department of Fish and Wildlife. 2023. Sensitive Natural Communities. Available from: <https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Background>.

Fernando Nieto
April 4, 2025
Page 21 of 23

California Natural Resources Agency. 2018. Safeguarding California Plan: 2018 Update. California's Climate Adaptation Strategy. Available from:
<https://files.resources.ca.gov/climate/safeguarding/>.

Harrington, J. L., and M. R. Conover. 2006. Characteristics of ungulate behavior and mortality associated with fences. *Wildlife Society Bulletin* 34:1295–1305.

ICF. 2021. Antelope Valley Regional Conservation Investment Strategy. Final. November. (ICF 313.19.) San Diego, California. Prepared for Desert Mountains Conservation Authority, Quartz Hill, California. Available from:
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=197234&inline>

Rich, L. N., Ferguson, E., Baker, A. D., & Chappell, E. 2020. A review of the potential impacts of artificial lights on fish and wildlife and how this may apply to cannabis cultivation. *Calif. Fish Wildl*, 106, 75-91.

Stuart, J. N., M. L. Watson, T. L. Brown, and C. Eustice. 2001. Plastic netting: An entanglement hazard to snakes and other wildlife. *Herpetological Review* 32:162–164

Van der Ree, R. 1999. Barbed wire fencing as a hazard for wildlife. *The Victorian Naturalist* 116:210–217.

Attachment A Figures

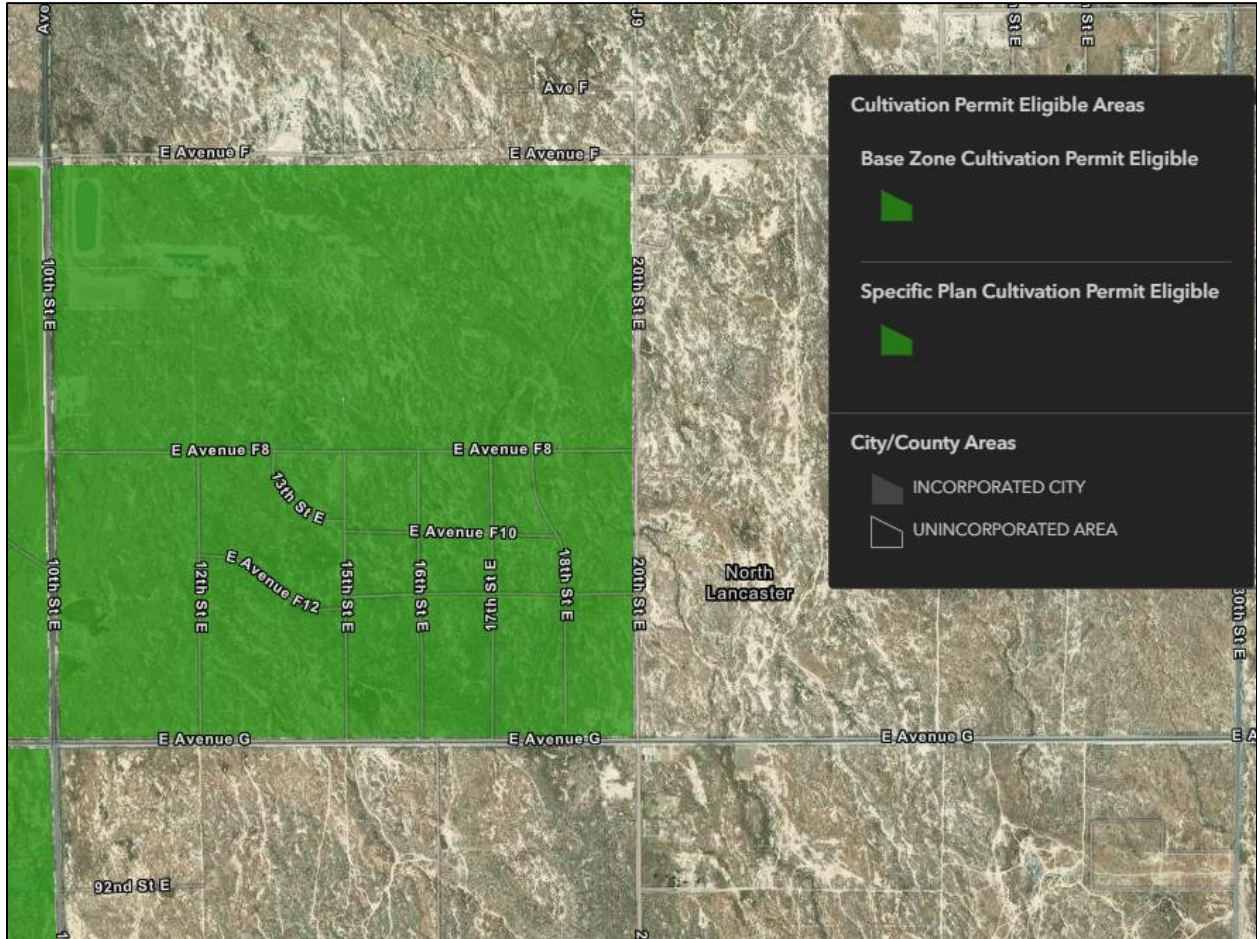


Figure 1. Example of undeveloped areas eligible for cannabis cultivation (approximately Latitude 34.742646, Longitude -118.099724; see County of Los Angeles [Draft Cannabis Business Permit Zoning Eligibility Analysis](#)).¹⁰

¹⁰<https://amecei.maps.arcgis.com/apps/instant/basic/index.html?appid=2c7641e8c0e347049d2271789eb0525c>

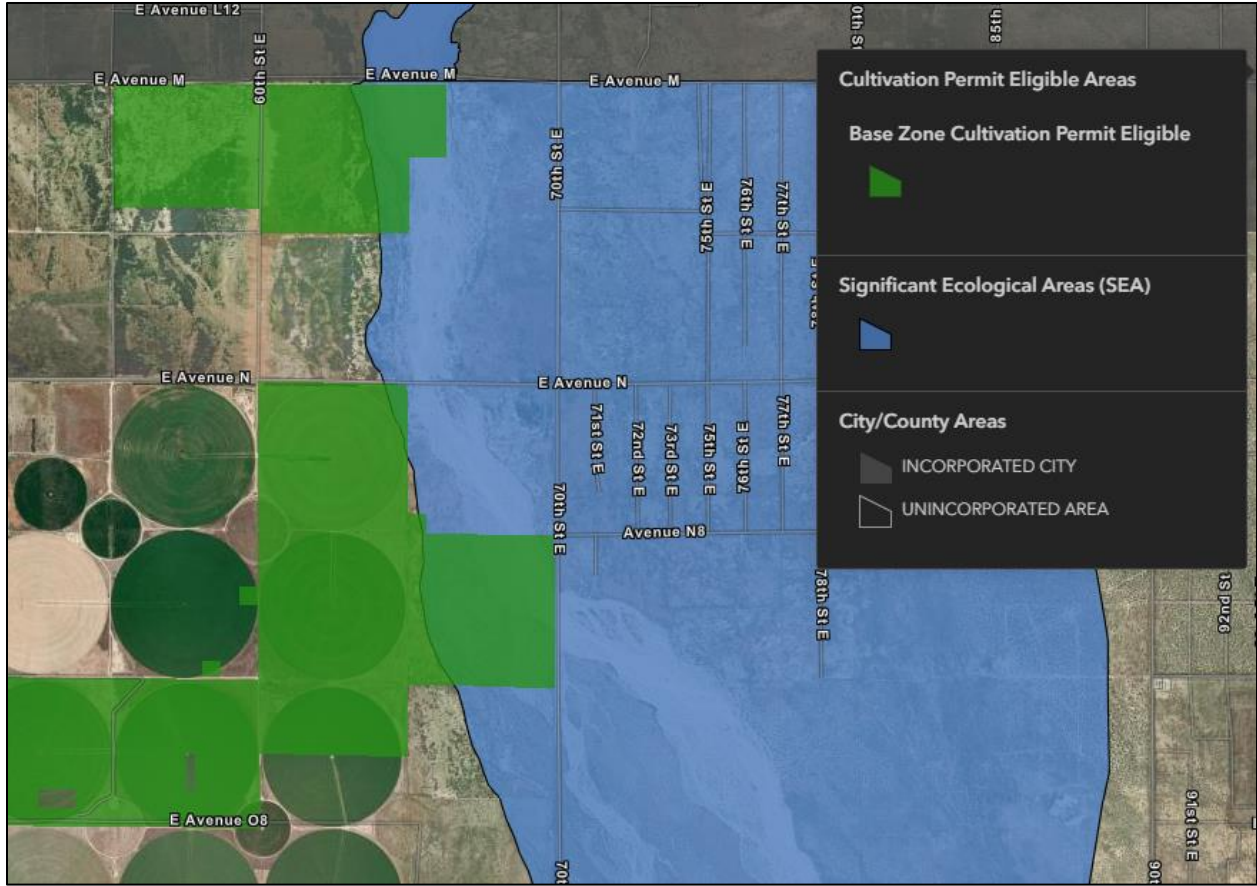
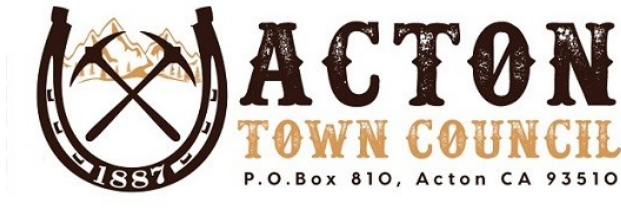


Figure 2. Example of areas within the designated Significant Ecological Area (SEA) that are eligible for cannabis cultivation (approximately Latitude 34.620178, Longitude - 118.012484; see County of Los Angeles [Draft Cannabis Business Permit Zoning Eligibility Analysis](#)).¹¹ The eligible areas within the SEA also contain stream resources (Little Rock Wash and tributaries).

¹¹<https://amecei.maps.arcgis.com/apps/instant/basic/index.html?appid=2c7641e8c0e347049d2271789eb0525c>



April 4, 2025

Rafael Carbajal, Director
Department of Consumer and Business Affairs
County of Los Angeles
Office of Cannabis Management
320 W. Temple Street, Room G-10
Los Angeles, CA 90012.
Electronic transmission of thirty eight (38) pages to:
CannabisEIR@dca.lacounty.gov

Subject: Acton Town Council Comments in response to the Notice of Preparation Issued by the County of Los Angeles for the Commercial Cannabis Business Licensing Program.

Dear Director Carbajal;

The Acton Town Council respectfully submits the following scoping comments in response to the Notice of Preparation (NOP) issued by the County of Los Angeles for the proposed Commercial Cannabis Business Licensing Program (Program). These comments are timely filed by the April 4, 2025 deadline set forth in the NOP.

12-1

The Acton Town Council understands that the County intends to issue a Program Environmental Impact Report (EIR) for the Cannabis Ordinance as required by the California Environmental Quality Act (CEQA); among other things, the EIR will address the environmental impacts arising from revisions to the Zoning Code (Title 22) and the Consumer Protection, Business, and Wage Regulation Code (Title 8). Pursuant thereto, the County has prepared an Initial Study which sets forth various conclusions regarding the current understanding of potentially significant impacts of the Project. The Acton Town Council has reviewed the Initial Study and we have some concerns. For instance, we note that the Initial Study underestimates significant environmental impacts in some very “community crucial” areas such as public safety and public services. Additionally, we are very concerned that the Ordinance and the conditions it imposes will not be properly implemented or enforced because the County has historically been **very** ineffective at implementing and enforcing its own regulations and its own adopted environmental impact mitigation measures.

Additionally, the Acton Town Council is quite surprised and very disappointed to note that the Los Angeles County Sheriff's Department was **not** invited to review and comment on the Initial Study before it was publicly released.¹ The Acton Town Council considers the Sheriff's Department (along with the Fire Department) to be the most critical public safety partners that our community has, and we note that the Ordinance poses a very real and significant public safety threat to our community for a number of reasons, not the least of which is that cannabis businesses are often protected with armed security guards, they are targets of opportunity for persons of malintent, and all of the properties where cannabis businesses will be established in our community are immediately adjacent to residential neighborhoods. Yet, and incredibly, the Sheriff's Department *was not even consulted* on the Initial Study (which perhaps explains why the Initial Study erroneously concludes that the Ordinance will have a "less than significant impact" on Sheriff services).

These and other concerns are discussed in more detail below; we ask that they be factored into the EIR that is prepared for the Ordinance.

PUBLIC SAFETY AND PUBLIC SERVICES.

Over the last 8 years, the Acton Town Council has provided extensive comments to DCBA regarding our concerns with the public safety risks and public service impacts posed by the establishment of a Cannabis Program in unincorporated Los Angeles County; we are incredibly disappointed to note that those concerns have all been completely ignored. In fact, they have been disregarded to such an extent that the Initial Study actually concludes that the Cannabis Ordinance poses **no** public safety risks and will have **no** effect on public services [see page 5].

In our prior comments (all of which are incorporated herein by reference), we have pointed out that rural communities in the Antelope Valley have negligible police presence because the local Los Angeles County Sheriff's Office is understaffed, overworked, and located many miles away. Deputy response times to emergency calls in rural Antelope Valley can be 45 minutes or more. This fact, coupled with the fact that all cannabis businesses (retail, cultivation, manufacturing, processing, etc.) are magnets for thieves (and worse) makes cannabis businesses a very real and significant source of crime². For example, a study in Long Beach showed that violent crime increased within

¹ Page 4 states the "County Agencies" that reviewed the Initial Study were Public Works, Fire Department, Sanitation District, Public Health/Environmental Health, Department of Parks and Recreation, and Department of Regional Plannings but the Sheriff Department was explicitly omitted and not invited to participate.

² Crimes reported at Cannabis businesses rose sharply in 2023. [<https://xtown.la/2023/10/10/crimes-at-los-angeles-cannabis-shops-increase-in-2023/>]

one square mile of a Cannabis Dispensary from 1.5% to 4.8%.³ It is noted that NIH offers recommendations to address these problems; however, NIH's recommendations will not work in Acton⁴. Accordingly, it is axiomatic that the Ordinance will affect public services because the significant number of cannabis businesses it authorizes (90 + microbusinesses) will naturally result in more crime (and thus more public services) within the communities in which they are located. Moreover, communities like Acton that are traversed by a freeway and four major highways (Angeles Forest Highway, Sierra Highway, Soledad Canyon, and Escondido Highway) provide easy and convenient getaway opportunities for criminals (and it a key reason why crime in Acton has recently increased⁵) All of this must be addressed in the EIR.

The Acton Town Council has also pointed out that cannabis businesses are always protected with armed security guards (and often concertina wire and guard dogs) and that such businesses are *intrinsically incompatible* with the residential neighborhoods that are immediately adjacent to where DCBA proposes to locate such businesses in Acton⁶. Worse yet, these businesses threaten the lives of nearby residences. This is not a hypothetical, it is a fact.⁷ "Shots fired" at cannabis businesses are an **expected outcome** of the Cannabis Ordinance⁸ and thus constitute environmental impacts that exist solely because of the nature of cannabis businesses; accordingly, they must be taken into consideration in the EIR. Among other things, the EIR must address the risks of errant bullets hitting homes (and residents), criminals taking refuge in adjacent residences, and attacks on residents by escaped guard dogs. It must also provide

³ <https://pmc.ncbi.nlm.nih.gov/articles/PMC4861677/>

⁴ NIH discusses measures such as business include managers on location, systems that can monitor activity, informal social control (friends and neighbors) and "formal authorities" (which presumably means police presence). <https://pmc.ncbi.nlm.nih.gov/articles/PMC3364319/>. These strategies will not work in Acton. We have no substantive police presence and having a "manager" on site does not deter a determined thief. Having a "system that can monitor" the business is similarly useless because there are no emergency responders nearby to interdict the drug theft; therefore, the monitors will just record the theft and that is it. Finally, the County should **NEVER** presume that an Acton resident who lives next door to a cannabis business should have **ANY** responsibility to impose "an informal social control" on a gun wielding criminal.

⁵ Shea Sanna, a deputy district attorney who lives in the Santa Clarita Valley and previously worked at the DA's office in Santa Clarita, said part of the challenge has been an increase in the volume of criminals coming off the freeways from the north and stopping along the way to look for opportunities to break into businesses as they head south toward urban Los Angeles.

⁶ According to the DCBA map, huge areas of Acton are designated for every type of cannabis business (cultivation, processing, packaging, manufacturing, testing, distribution, retail, delivery, microbusiness). <https://amecei.maps.arcgis.com/apps/instant/basic/index.html?appid=2c7641e8c0e347049d2271789eb0525c>

⁷ Just a month ago, a man was shot to death by an armed guard at a cannabis dispensary in Los Angeles. <https://www.cbsnews.com/losangeles/news/west-la-marijuana-dispensary-security-guard-shoots-and-kills-possible-burglary-suspect/>

⁸ In September, a security guard was shot to death at a cannabis business in East Los Angeles. <https://boyleheightsbeat.com/east-la-shooting-security-gaurd-memorial/>

mitigation measures for these significant impacts. Notably, a high solid block wall will not reduce these safety concerns because both the criminals and the security guards can (and will) continue using their firearms outside of any walled enclosure. When this was pointed out in 2017, a County Staff member (who will remain nameless) commented that this concern could be addressed by simply prohibiting the carrying of weapons outside of any cannabis business; in response, the Acton Town Council asked how the County would get the criminals to comply with this restriction. There was no answer.

We also remind DCBA that solvent extraction operations are dangerous and prone to explosion and deflagration; even the Cannabis Industry itself recognizes these risks⁹ which **are not** mitigated by mere compliance with adopted fire protection standards *because explosions still occur in compliant facilities*. For example, a licensed cannabis extraction operation blew up less than three months ago; the deflagration occurred in an extraction booth where propane and butane were used.¹⁰ Fortunately, the explosion occurred in Maryland (not a fire hazard area) and the fire was contained. Rural communities in VHFHSZs like Acton will not be so fortunate when a cannabis extraction operation explodes because local winds (which blow constantly especially during “Santa Ana” conditions) and dry brush will transform the deflagration into a conflagration. All of this must be addressed in the EIR, and in particular, the EIR must address specific and unique circumstances in remote rural communities in VHFHSZs like Acton.

THE COUNTY IS BARRED BY CEQA FROM RELYING ON A PROGRAM EIR TO ADOPT THE CANNABIS ORDINANCE.

The CEQA Guidelines state that later activities in a program that is approved pursuant to a Program EIR “must be examined in the light of the Program EIR to determine whether an additional environmental document must be prepared” [Cal. Code Regs. tit. 14, § 151689(c)]. Notably, the “later activities” that will result from the Cannabis Program will never be “examined” for additional impacts because they are all ministerial actions which are permitted either outright or via a ministerial site plan review;¹¹ as such, they will proceed without regard for environmental impacts or whether an additional environmental document must be prepared. In the context of the Public Resources Code and the California Code of Regulations, the term “must” connotes a

⁹ Frontier Risk Insurance Services writes insurance policies for cannabis businesses and it expressly states that “Cannabis extraction involves flammable materials and pressurized systems, increasing the risk of fires or explosions” [<https://www.frontierrisk.com/verticals/cannabis-extraction>]

¹⁰ <https://apnews.com/article/explosion-cannabis-extraction-facility-stevensville-maryland-ea870b7198c2f7cf3c3e95721b589a64>

¹¹ According to the draft Zoning Ordinance posted on the DCBA website, all cannabis uses authorized by the Ordinance will be ministerially approved. https://dcba.lacounty.gov/wp-content/uploads/2024/07/Draft-Title-22-Cannabis-Ordinance-Combined_Revisions_070824.pdf

mandatory action/requirement; therefore, a Program EIR can only be utilized for projects that involve at least some level of subsequent discretionary review. Because the Cannabis Ordinance authorizes only ministerial approvals that do not involve subsequent environmental review, it cannot be approved via a Program EIR. Things would be different if at least some of the “later activities” resulting from the Cannabis Ordinance were subject to a conditional use permit (CUP) or some other discretionary review because such activities require an examination regarding whether “an additional environmental document must be prepared”. It would also be appropriate to require a CUP for certain cannabis uses such as cultivation (which always causes significant air quality problems) and solvent extraction operations (which always pose exceedingly high public safety risks particularly in very high fire hazard severity zones). Because the Cannabis Program will result in only ministerial actions that never involve further examinations of environmental effects, it is not eligible for approval via a Program EIR. Furthermore, the environmental document that is prepared for the Cannabis Program must consider the significant impacts that will result in each that is targeted for Cannabis development. For rural VHFHSZ areas like Acton, impacts pertaining to wildfire risks, public safety risks (resulting from the lengthy Sheriff response time that rural areas experience), water resource impacts (due to minimal water resources), and air quality risk (from the horrendous odors that will result when the County fails to enforce its own odor control requirements) must be addressed in detail.



12-3

12-4

SENSITIVE USES AND BUFFERS

The Initial Study properly acknowledges that the project may pose significant air quality impacts to sensitive receptors; this is particularly true for cannabis cultivation, manufacturing, and warehousing because the stench from such uses can be overwhelming and revolting. Page 26 specifically cites a publication by the South Coast Air Quality Management District (SCAQMD)¹² which identifies the following as sensitive receptors who are particularly affected by air quality insults: residences, schools, playgrounds and childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, hospitals, and retirement homes. Although the Initial Study cites an AQMD resource which identifies these as “sensitive”, the Initial Study itself does not even acknowledge these as “sensitive” uses that warrant special consideration. In fact, among the “sensitive” categories identified by the SCAQMD, the Initial Study only recognizes two: 1) schools, and 2) playgrounds and childcare centers [page 17]; others are apparently **not** sensitive. The Acton Town Council observes that



¹² <https://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/chapter-2---air-quality-issues-regarding-land-use.pdf#:~:text=A%20sensitive%20receptor%20is%20a%20person%20in%20the,effects%20due%20to%20exposure%20to%20an%20air%20contaminant>

this is utterly contrary to the adopted County Code which expressly defines “sensitive use” as “A land use where individuals are most likely to reside or spend time, including ***dwelling units***, schools and school yards” (emphasis added).

The Ordinance (and its buffers) described in the Initial Study are also inconsistent with the County General Plan (and in particular, the Land Use Element) which recognizes that “a residential use could be impacted by noise, traffic and odor from adjacent commercial or heavy industrial uses” [page 63]. Notably, the General Plan presumes that residential uses would only be affected by *heavy* industrial uses, not *light* industrial uses; this makes sense because light industrial uses are *not supposed to involve processes that generate significant noise or odor*. Unfortunately, the Ordinance described in the Initial Study ignores all of this because it authorizes *all* cannabis operations (including cultivation, extraction, manufacturing and warehousing) of *unlimited* size and scope in *light* industrial zones regardless of their impacts or whether they are adjacent to residential or other “incompatible” uses. Equally important, this excerpt from the General Plan clearly establishes that *industrial uses which generate noise or odor are intrinsically incompatible with residential uses*. Accordingly, the Cannabis Ordinance as proposed is not consistent with the General Plan and in particular it controverts Land Use Policy LU 7.1 which directs the implementation of buffers and other protections to mitigate incompatible uses. The EIR must incorporate a 600 foot residential buffer for all industrial cannabis operations (cultivation, manufacturing, warehousing, and processing) to ensure the Cannabis Ordinance is consistent with the County General Plan.

The buffers discussed in the Initial Study are also inconsistent with the directive that the Board of Supervisors issued in the Cannabis motion adopted February 15, 2022. For example, Supervisor Solis clearly expressed that the Ordinance would “align zoning codes with state law in county’s alcohol outlet zoning ordinances, to create a 600-foot buffer for all sensitive uses”¹³. However, the ordinance described in the Initial Study ***does not*** align these parameters: it *does not* align with the zoning code (which defines “sensitive use” to include residences) and it *does not* align with the county’s alcohol ordinance (which requires all liquor business to obtain a Conditional Use Permit). Furthermore, the Ordinance described in the Zoning Code does not identify provisions that will accommodate the amendments to the motion that were made by Supervisor Mitchell when she directed the Ordinance to “include necessary provisions” that will “prevent the oversaturation of operators, either by type of license or number of total licenses among supervisorial 3 districts ***and our local communities***” (emphasis

¹³ Page 173 at 24-25 of the Board Transcript [https://file.lacounty.gov/SDSInter/bos/sop/transcripts/1119895_021522.pdf].

added)¹⁴. The Ordinance described by the Initial Study does not include **any** provisions that limit the number of licenses in a community; it only limits the number of licenses within a Supervisory District. This concern is compounded by the fact that there is no limit to the number of cannabis microbusinesses that will be permitted (as discussed in more detail below) which means that a single community could become substantially overburdened by cannabis businesses.

The high potential for overconcentration and impacts associated with overconcentration (odor, public safety, water use, etc.) on communities like Acton that have many large industrially zoned parcels immediately adjacent to residential neighborhoods cannot be understated and must be fully addressed in the EIR. Furthermore, and to ensure that impacts from Cannabis businesses are indeed reduced to a level that is “less than significant”, the EIR must establish mitigation measures that include mandatory license revocation procedures when cannabis businesses fail to conform with mitigation measures adopted in the EIR or conditions (such as odor control conditions) that are imposed on the licenses.

CLARITY REGARDING “NEW DEVELOPMENT” AND “EXISTING BUILDING” MUST BE PROVIDED

The Initial Study states that the Ordinance limits cannabis businesses to “existing buildings”, that it will “not permit the development of new buildings or the redevelopment of existing buildings to accommodate a proposed cannabis business” (page 11) and that it “would not result in new development” (page 19). However, page 39 refers to “new development associated with cannabis operations” and page 49 refers to “new development that is proposed to facilitate commercial cannabis activities”. These statements are inconsistent and clarification is required.

Additionally, the Acton Town Council has substantial concerns with the vagueness that is implicit in the term “existing building”; the matter is quite important because the Initial Study considers many impacts (land use, aesthetics, biological resources, etc.) to be “less than significant” because the ordinance only allows cannabis businesses in “existing buildings”. However, and as we pointed out to DCBA in 2024, it is a common practice of developers in Acton to make commitments to our community that a certain type of use/building will be developed in order to garner community support and then once the project is approved, the developer moves forward with an entirely different use. Using this practice of “bait and switch”, it is a **certainty** that a cannabis developer will

¹⁴ Page 181 at 10-17 of the Board Transcript
[\[https://file.lacounty.gov/SDSInter/bos/sop/transcripts/1119895_021522.pdf\]](https://file.lacounty.gov/SDSInter/bos/sop/transcripts/1119895_021522.pdf).

come to our community, propose a “feed store” or “lumber store” or some other “community serving” business, construct the building, and then abandon the use that was originally proposed and apply to DCBA for a cannabis license; DCBA would then grant the license because the building is technically “existing”. With this tactic, a cannabis developer will be able to “bootstrap” a *purpose built cannabis building* that precisely meets all desired cannabis specifications under the guise of some proposed “community serving” use that is abandoned the instant construction is completed. Such circumstances constitute “new development” that is driven solely by the Cannabis Ordinance and which *will* result in significant impacts including aesthetic, biological resource, water use, land use, etc.

The Acton Town Council notes that CEQA requires EIRs to establish “baseline” conditions against which project impacts are assessed; we also note that the Initial Study presumes that many impacts will be avoided because no new buildings will be constructed as a result of the Ordinance. However, for this to be true, then the building profile that will exist when full “buildout” of the Cannabis Program is achieved must be **identical** to the “baseline” building profile that currently exists now (i.e. at the time the EIR is developed). The only way to create this circumstance and thereby **ensure** that impacts really will be “less than significant” because new buildings will not be constructed is to incorporate restrictions in the EIR that deliver these circumstances. Specifically, the EIR must include restrictions to ensure that cannabis business will only be developed in legally established buildings that existed *at the time the EIR baseline was established* (namely, the date that the Draft EIR is released). Without such restrictions, the County will be barred from finding that an impact is “less than significant” simply because the Ordinance assumes future cannabis businesses will only operate in “existing buildings”.

THERE ARE NUMEROUS ERRORS IN THE COMMERCIAL CANNABIS ELIGIBLE AREAS MAP

The Acton Town Council has reviewed the “Commercial Cannabis Eligible Areas Map” posted with the Initial Study and we note several errors pertaining to our community. For example, The map identifies the entirety of APNs 3056-004-055, 3056-004-044, and 3056-004-060 as eligible for all cannabis businesses. This is incorrect. Much of APN 3056-004-055 is zoned “Rural Commercial” and much of 3056-004-044, and 3056-004-060 are zoned agricultural; therefore, large areas that the map identifies are actually ineligible for cannabis development. The map also fails to recognize that APN 3208-019-900 and APN 3208-019-901 are used for-after school child care and recreation programs and are owned by the local school district; they are also used extensively for youth-oriented activities (soccer and other sports) on weekends.

Accordingly, the map erroneously shows that industrially zoned property within 600 feet of these parcels is available for cannabis business development (specifically all the properties along Syracuse and north of Gillespie).

The map fails to recognize that APN 3208-11-052 has been approved for a church and school; much of the construction has already been completed. Therefore, the map erroneously shows that industrially zoned property within 600 feet of these parcels is available for cannabis business development when it is not (specifically APN Nos. 3208-011-055 and APN 3208-011-068). The map fails to recognize that there is a community clubhouse which routinely hosts “Youth Oriented Uses” (such as cub scout meetings) and there are also two community recreational equestrian arenas that also serve as important “Youth Oriented Uses”; these existing uses are located on APN 3208-024-024, APN 3208-024-025, and APN 3056-004-059. Therefore, no cannabis businesses can be located anywhere within 600 feet of the boundaries of these parcels.



THE EIR MUST PROPERLY ACCOUNT FOR THE IMPACTS THAT WILL RESULT FROM THE UNLIMITED NUMBER OF CANNABIS BUSINESSES THAT ARE AUTHORIZED BY THE ORDINANCE

In prior workshops regarding the Cannabis Ordinance, County staff have stated that, while the number of Cannabis businesses to be licensed in each Supervisory District will be limited, there will be no restrictions on the number of microbusinesses that will be approved. The term “microbusiness” is a misnomer because “microbusinesses” have no size limits and are likely to be much larger than non-microbusiness cannabis facilities because they will include multiple cannabis operations. Apparently, the only limit that the ordinance places on microbusinesses is that they cannot have more than 10,000 square feet devoted to growing cannabis (which is actually a very large area - nearly a quarter of an acre); otherwise, there are no restrictions on the size, scope, or extent of any microbusiness. It is noted that the Initial Study claims that each license issued to a microbusiness would “draw from the remaining available licenses for each business type” (page 15) which would suggest that microbusinesses are in fact limited. However, this statement in the Initial Study is inconsistent with the information conveyed to the Community of Acton during multiple workshops hosted by DCBA. Furthermore, if microbusinesses will “draw” from the same license pool as all the other cannabis businesses, then it seems that cannabis businesses will not be evenly distributed among the Supervisory Districts and will likely accumulate in areas like Acton that have large amounts of industrially zoned land. Accordingly, the EIR should assume that the community of Acton will have multiple cannabis businesses and it must address the significant impacts that these businesses will have on the community, including, but not limited to, public safety, water availability, aesthetics, odor, etc.



Finally, the Acton Town Council notes that there are almost **no** areas identified for cannabis businesses in Supervisory District 3 and comparatively few areas in District 4; this means that few cannabis businesses will be developed in District 4 and even fewer in District 3. It also means that Districts 1, 2, and 5 will have *far more* cannabis businesses than Districts 3 and 4. Accordingly, the “even distribution” of cannabis licenses described in the Initial Study and envisioned by the Board will only occur if the EIR implements a mitigation measure that requires licenses to be issued at the same rate across each Supervisory District; this will ensure that no Supervisory District has more cannabis businesses than any other District at any given time.

THE INITIAL STUDY DOES NOT ADDRESS THE “GOOD NEIGHBOR POLICY & CORPORATE SOCIAL RESPONSIBILITY” COMPONENT OF THE CANNABIS PROGRAM

DCBA has stated that the Cannabis Program will include a “Good Neighbor Policy & Corporate Social Responsibility” component that will require cannabis business owners to convene a noticed community meeting and report on concerns that the community expresses; it is certain that any such concerns expressed by the neighborhood would pertain to potential environmental impacts. However, the Initial Study suggests that **none** of this community input will inform the issuance of any cannabis licenses or affect whether cannabis licenses are issued because it **all** cannabis permits will be issued ministerially “by right”; accordingly, the business owner will be under no obligation to respond to or care about any community concerns that are expressed at any community meeting. Despite this, DCBA must still believe that public concerns will be factored into the cannabis licensing process (otherwise community outreach is meaningless). Accordingly, the EIR must articulate how the environmental impact concerns identified by community members during meetings required by “Good Neighbor Policy & Corporate Social Responsibility” provisions will be factored into each ministerial permit *before* it is issued.

THE EIR MUST RECOGNIZE THAT MITIGATION MEASURES WHICH ARE EXPECTED TO REDUCE ENVIRONMENTAL IMPACTS BECAUSE THEY WILL BE IMPLEMENTED AND/OR ENFORCED BY THE COUNTY WILL BE INEFFECTIVE AND NOT REDUCE THE IMPACTS THEY ARE INTENDED TO MITIGATE.

The Initial Study suggests that the EIR will presume that a number of environmental impacts will be reduced to a level that is “less than significant” because the County will implement measures to mitigate these impacts. For example, page 27 states that the Ordinance is not expected to expose people to odors because the County will require the

business owner to submit an “Odor Management Plan”. Of course, this mitigation measure depends entirely on the Cannabis Business owner complying with the “Odor Management Plan” AND the County enforcing the “Odor Management Plan” when the business owner backslides. History shows that neither of these outcomes are likely in the Community of Acton because 1) No industrial uses in Acton actually comply with either the County Code or their own permits; and 2) The County does not compel these uses to comply with their permits and it does not enforce the County Code. Examples are provided below.

County EIRs habitually include mitigation measures that require conformance with development standards and operating conditions; the County relies on these measures to either avoid the preparation of an Environmental Impact Report (because they are alleged to reduce all impacts to a level that is “less than significant”) or to certify an EIR and adopt a “Statement of Overriding Considerations” that declares all significant impacts are reduced to the greatest extent feasible. The problem is, the County **DOES NOT** implement these mitigation measures after they are adopted; because of this, significant impacts **ARE NOT** mitigated. Therefore, the construction and operation impacts of County-approved projects **are not** mitigated in the manner stated by the associated CEQA document because County departments **ignore** the conditions and mitigation measures that are adopted by the CEQA document.

Take for instance the mitigation measures that the County adopted to reduce the aesthetic impacts of the industrial, utility-scale “Silverado West” Solar project; according to Page 2 of the adopted “Mitigation Monitoring and Reporting Program” (MMRP), the development would have a “10-foot wide screening vegetation buffer” to visually screen the project from area residents and from roadways. The county approved the project, issued permits, and the project was built without vegetation screening. Figure 1 shows a photograph taken of the solar farm from 90th Street West (a major thoroughfare in the Antelope Valley) and just north of Avenue J; it is plainly obvious that the project has no vegetation screening and that surrounding residents and travelers on the roadway are subjected to the industrial blight created by the project. This project has resulted in significant aesthetic impacts *because the EIR failed to address the undeniable fact that the County **would not** implement the mitigation measures adopted therein.* Incidentally, there are tens of thousands of acres of solar farms in the Antelope Valley and they are all supposed to have “vegetation screening” but **none of them** do.

The Acton Town Council has every reason to believe that the County will implement the Cannabis Ordinance in the same irresponsible and reckless manner that it implements all other projects: namely, the County will not enforce any conditions or mitigation measures adopted by the EIR. And, if the County does act to enforce a mitigation

Figure 1. View of Silverado Phase 4 from 90th Street west just north of Avenue J. Note the conspicuous lack of vegetation screening.



measure, it will be a token effort that is intended to *appear* as though the County is doing something; these efforts will be superficial and meaningless. Moreover, it is known with certainty that the County will **never** rescind or revoke any license for any cannabis facility no matter how extensive or serious the violations are at the facility and regardless of the significant impacts that the facility creates on the community in general and on surrounding properties in particular. This certainty is borne from decades of our own observations of County activities in the Community of Acton. For example, the County issued a CUP authorizing the continued operation of a recreational vehicle park (RV Park) in Acton that is supposed to only operate during the summer months but which actually operates all year long with the full knowledge of Planning staff. Another massive RV park in Acton has been unlawfully operating for nearly 20 years without a Conditional Use Permit (the most recent CUP expired in 2006); this RV park also differs substantially from the RV Park described in the EIR that was certified more than 40 years ago. Worse yet, the County's failure to enforce critical mitigation measures that were established by the EIR to protect biological resources *resulted in the extirpation of at least one endangered species in Acton*¹⁵ Yet, the County continues to allow this RV Park to continue operating with impunity! As another example, every one of the 25+ billboards in Acton have either been unlawfully erected in violation of the County Code or unlawfully modified in violation of the Acton Community Standards District; again, the County does nothing.

The County's inability to enforce permit conditions and mitigation measures and code provisions is not limited to just RV Parks and solar farms and billboards; the following


¹⁵ The land on which the RV Park is located had a thriving population of unarmored threespine stickleback at the time the RV Park was approved and the EIR required the RV Park to protect this precious biological resource. However, within a year after the RV Park was approved, the stickleback were gone. The County never monitored the Stickleback population and it did nothing to enforce its own EIR conditions. In fact, the County was completely unaware of the situation until the Acton Town Council notified County staff about it several years ago. Since that time, and insofar as we are aware, nothing has been done.

pages provide photographs of other uses in Acton that constitute ongoing violations of either the County Code or approved permits or both. These uses include illegal outdoor storage uses, illegal recreational vehicle parks, impermissible industrial uses on agricultural and rural commercial zones, violations of approved site plans, etc. Some of these uses have permits (which means the County does not require compliance after permit issuance) and some have no permits (which means the County does not successfully enforce its own code). Each photograph depicts a different property; there are not multiple photographs of the same location. Moreover, these photographs merely capture uses that are visible from major and secondary highways in Acton; there are **many many** more such uses in the more remote areas of the community.

These facts indisputably establish that the County has adopted a “Pattern or Practice” of failing to enforce mitigation measures, operating conditions, and ordinance provisions. These facts also constitute substantial evidence that any mitigation measure which is adopted by the EIR and founded on the premise that it will be enforced by the County will in fact be wholly ineffective and **will not** materially reduce **any** impacts. Accordingly, a critical scoping comment offered by the Acton Town Council is that the EIR prepared for the Cannabis Ordinance must presume that any mitigation measure which is reliant on the County for its implementation or enforcement will have no effect and will not mitigate any impacts.

The Acton Town Council respectfully requests that all of the comments provided herein are incorporated into both the Cannabis Ordinance as well as the environmental document that is certified pursuant to the Cannabis Ordinance.

Sincerely;


Jeremiah Owen, President
The Acton Town Council



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430(B)



Violates 22.140.430 (C)



Violates 22.140.430 (B)



Violates 22.140.450



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Illegal Commercial Outdoor Storage in an Agricultural Zone.



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Illegal Commercial Storage in an Agricultural Zone,)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Illegal Commercial Outdoor Storage in a Residential Zone.



Violates 22.140.430 (C)



Illegal Commercial Outdoor Storage in a Residential Zone and Possibly an Unlicensed RV Park.



Violates 22.140.430 (C)



Unpermitted Commercial RV Park



Unpermitted Commercial RV Park



Violates 22.140.430 (Either B or C; it is not clear if this is an outdoor storage facility or a commercial business with accessory storage. Either way, it violates 22.140.430.



Violates 22.140.430 (C)



Unpermitted Commercial RV Park



Illegal Commercial Outdoor Storage Business in a Residential Zone.



Illegal Commercial Outdoor Storage Business in a Residential Zone.



Unpermitted RV Park.



Unpermitted RV Park



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Violates 22.140.430 (C)



Illegal Commercial Outdoor Storage Use in an Agricultural Zone.



Violates 22.140.430 (C)



Illegal Commercial Outdoor Storage Use in an Agricultural Zone.



Illegal Commercial Outdoor Storage Use in a Rural Commercial Zone.



Unlicensed RV Park



Illegal Commercial Outdoor Storage Use in a Rural Commercial Zone.



Illegal Commercial Outdoor Storage Use in a Rural Commercial Zone.



Illegal Commercial Outdoor Storage Use in an Agricultural Zone.



Illegal Commercial Outdoor Storage Use in an Agricultural Zone and Possibly an Unlicensed RV Park.



Violates 22.140.430 (C)

Submission Date	First Name	Last Name	Email	Which LA County Supervisorial District do you live in?	Comment(s)
Mar 5, 2025	Cynthia	LuVisi		Incorporated City- LA County	I think district 17 It is not appropriate for people to have to smell MJ while driving to work. The cannabis warehouse should not be allowed to be near freeways homes neighborhoods anything like that should have to be off in the desert area not in downtown or in town LA. It has to be so many hundreds of yards miles away from the city. Sometimes I almost feel like when I'm driving the freeway they have the fan on to blow the smell over to the freeway, which is inappropriate. 2 it should only be prescribed by doctors who are real physicians and should not be sold until they are 28 years of age or older to avoid any dormant mental disease, diseases and medical diseases that can cause it to react to the taint marijuana instead of it being natural grown and because of that it is stronger than the normal stuff that was smoke back in the days and that's why I was voted on now they are making it to where it's causing a psychosis and problems for society and ruining our air that we breathe in just like secondhand smoke
Mar 5, 2025	Lisa	Maioli	lisamaioli4872@gmail.com	Incorporated City- LA County	Concerned.
Mar 18, 2025	Teri	Malkin	dtmalkin@yahoo.com	1st District Unincorporated Area	<ol style="list-style-type: none"> 1. It's near RUSD transit hub where parents get bus permits for their kids. 2. Might clog further limited North/South and East/West streets(Nogales/Walnut Drive) 3. Heavy smog area. Don't need further pollution. 4. Hotel nearby being built. Kids stay there. 5. Proximity to shopping center (kids shop with parents)
Mar 18, 2025	L	B	cl5309@yahoo.com	Decline to state	Why are government employees paid for by taxpayers considering any action on schedule 1 (eg federally banned) substances other than to cease all sales immediately?
Mar 27, 2025	Heidi J.	Swan	heidiaswan@yahoo.com	Incorporated City- LA County	<p>California is a drought state, we should be using our natural resources for growing food. https://www.washingtonpost.com/news/wonk/wp/2015/06/26/forget-almonds-look-at-how-much-water-californias-pot-growers-use/</p> <p>"The carbon footprint is surprisingly high" https://ideas.ted.com/whats-the-carbon-footprint-of-cannabis-surprisingly-high/</p> <p>"...greenhouse gas emissions from cannabis production are largely attributed to electricity production and natural gas consumption from indoor environmental controls, high-intensity grow lights, and supplies of carbon dioxide for accelerated plant growth." https://enr.source.colostate.edu/insatiable-demand-for-cannabis-has-created-a-giant-carbon-footprint/</p> <p>My suggestion is to cut way back.</p>
Mar 28, 2025	Scott	Mayers	sscottmayetsphd@gmail.com	3rd District Unincorporated Area	Quite frankly the management of this cottage industry that you have evidenced thus far stinks. Maybe you can get someone who knows how to run a business instead of filling it with lame ducks
Mar 28, 2025	Yoanna	Acosta	yobisrod85@gmail.com	2nd District Unincorporated Area	These studies focus so much on licensed operating practices but what about the illegal operated cannabis businesses? I literally have one next to my house and I have seen sheriffs there, but they haven't done anything to stop that.

13-1

14-1

15-1

16-1

17-1

18-1

19-1

Mar 29, 2025	DAN	Perez	dperezgis@yahoo.com	5th District Unincorporated Area	We are provide security guards to licensed cana shops in Santa Ana. When they conduct annual audit and inspection on their cana shops. They request our state license, city permit, insurance and all guards permits, making sure all docs are current. It assures that the shops are meeting State and City security requirements. It prevents illegal guard companies from avoiding paying State and city taxes and lawsuits with no insurance coverage for public (general liability) and for the employees (workers comp).
Mar 31, 2025	Sandra	Tamayo	stamayo24@gmail.com	2nd District Unincorporated Area	These cannabis retailers have caused traffic accidents and speeding in my community. There is no parking on the streets and people double park their vehicles on the street to buy their marijuana. It has attracted unsavory people to this community who purchase from these retailers. There are families with young children who live here and it's such an eye sore for the Florence Firestone community. I understand it is legal in California but retailers should be moved to main streets away from residential areas.
Mar 31, 2025	Ruth	Brock	actontakesaction@att.net	5th District Unincorporated Area	Please state clearly that commercial cannabis enterprise will not be allowed in C-RU zoning. Please stipulate how long a building/structure must be in existence to qualify as "pre-existing building" when an individual is applying for a permit on M-1 for commercial cannabis enterprise. If a property owner builds a structure in 2025 and this building has no prior use history, can this property owner apply for a permit in 2026 and qualify as having a "pre-existing building"? It would seem if there was no prior use history that this new structure was obviously built to be utilized for cannabis business. How will this eligibility be determined?
Mar 31, 2025	Miriell	Bereal	MiriellB@icloud.com	Decline to state	First, i do give all glory, honor and praise to THE MOST HIGH GOD... as without HIM, this comment would not be. Second, my name is Miriell BeReal, and i am/was a Resident of Altadena, looking to erect a Social Equity Medicinal Cannabis Seed-to-Sale facility within The City. Though now... the City is, different. Within the devastating events that took place, not only was our home and belongings consumed by fire, the idea of opening a cannabis facility within The City went up in smoke too. Yet on today... GOD has shown me that beauty can come from ashes. That a cannabis facility there can still be possible... though we would need all of the help we can get, to rebuild. Including grants (lots of funding), with environmental help to clear toxic soil and rebuild with more eco friendly, fire resistant ways. Minimizing our carbon footprint, while simultaneously helping the community. I do ask that the 'rules' be in favor of incorporating unconventional ways to build a first ever City & State cannabis licensed facility in Altadena.
Mar 31, 2025	Gabriel	Avilez	Gabrielavilez79@gmail.com	5th District Unincorporated Area	I believe it is unjust that Los Angeles County restricts cannabis cultivation licenses to specific parcels of land owned by a select group of individuals. This practice raises serious questions about fairness and transparency, as it appears to favor certain landowners through what could be perceived as a pay-to-play system. As a property owner, I should have the equal right to utilize my land for cannabis cultivation, particularly on parcels zoned A-2 for agricultural use. Denying other property owners the same opportunity undermines equitable access to economic opportunities. Furthermore, Los Angeles County's current approach to cannabis production often results in indoor-grown products laden with pesticides and chemicals, which compromises consumer health. The absence of organic cannabis options in the county suggests a systemic issue, potentially driven by entrenched interests that limit market entry for new growers. A truly free and competitive market would allow broader participation by issuing licenses to all qualified applicants, encouraging cultivation in rural areas rather than concentrating it in urban centers. This would not only promote economic fairness but also address concerns about crime and overdevelopment in densely populated regions. Restricting access to licenses does a disservice to communities seeking to engage in legitimate cannabis agricultural enterprise.

20-1

21-1

22-1

23-1

24-1

Apr 4, 2025	Angela	Sherick-Bright	asherick@pacbell.net	2nd District Unincorporated Area	<p>UHA agrees with the concern voiced in the Program Environmental Impact Report (PEIR) that the Ladera Heights, View Park-Windsor Hills communities could be impacted by increased traffic due to cannabis shops that could possibly be housed in the area. The PEIR states “Further, future cannabis businesses could involve travel and distribution routes that are longer than what existing businesses currently produce, thereby resulting in a net increase in VMT. Therefore, impacts are potentially significant.” While the PEIR document voices concerns it does not address mitigation measures.</p> <p>The Cannabis Ordinance (CO) identifies commercial and mixed-use areas in Ladera Heights, View Park-Windsor Hills communities where cannabis shops can be housed. Some of the areas are newly upzoned as part of the Westside Area Plan (WSAP) to incentivize increased housing. Given this upzoning and the potential for the placement of cannabis shops, the community is very concerned about increased traffic. Unfortunately, because the existing potential safety hazards, and real hazards, due to “roadway design features” along the Slauson Corridor are already quite significant, the inclusion of cannabis shops will make traffic worse. Specifically, and currently, the intersection of Slauson Avenue and La Brea Avenue for eastbound traffic is especially dangerous between Fairfax Avenue and La Brea Avenue relative to the left-turn lane. Many drivers illegally use the eastbound left-turn lane as a driving lane to bypass the line of cars waiting for the traffic signal to turn green to either proceed along Slauson Avenue or to reach the left-turn lane to turn left onto southbound La Brea Avenue. Drivers have driven through the tall orange plastic pillars that have been erected as an effort to stop this hazardous practice, but to no avail. There have been many collisions, near collisions, and deadly collisions along this Corridor, the inclusion of cannabis shops will increase traffic in an already densely driven area.</p>
Apr 4, 2025	Matthew	Vo	mvo321@gmail.com	Incorporated City- LA County	<p>These studies prove the serious environmental detriments of cannabis business. We need to do more to protect the environment and close all the cannabis business everywhere.</p>

25-1

26-1