

9.0 RESPONSE TO COMMENTS

9.1 INTRODUCTION

The Final Program Environmental Impact Report (EIR) provides responses to all written comments received on the Draft Program EIR during the 45-day public review period, which began on February 12, 2026 and ended on March 30, 2026. During this time, the County of Los Angeles (County) Department of Consumer and Business Affairs (DCBA), Office of Cannabis Management (OCM) hosted a virtual public meeting on March 10, 2026 to present the proposed Project and Draft Program EIR findings to the public and solicit comments. Comments on the Draft Program EIR include issues raised by the public, agencies, and community groups that warrant clarification or correction of certain statements in the Draft Program EIR. None of the corrections and additions constitute significant new information or substantial changes to the Project Description as defined by California Environmental Quality Act (CEQA) Guidelines Section 15088.5.

9.2 DISTRIBUTION OF THE DRAFT PROGRAM EIR

The Draft Program EIR was distributed to federal, state, regional, and local agencies, key stakeholders, interested parties, and neighborhood groups as well as the State Clearinghouse. A digital copy of the Draft Program EIR was made available at: dcba.lacounty.gov/cannabis/publiccomment. A physical copy of the Draft Program EIR was made available for public review by appointment Monday through Thursday, 8:30 AM to 4:30 PM at the DCBA office located at 320 W. Temple St. Room G-10. Los Angeles, CA 90012. In addition, printed copies of the Notice of Availability (NOA) and electronic copies of the Draft Program EIR were made available for public review at the following libraries: Rowland Heights Library; Acton Agua Dulce Library; Lennox Library; Topanga Library; A. C. Bilbrew Library; East Los Angeles Library; South Whittier Library; and La Crescenta Library.

9.3 COMMENTS ON THE DRAFT PROGRAM EIR

9.3.1 Introduction and Organization

Each comment letter has been assigned an abbreviation to indicate whether the comment was received from an agency, non-governmental organization, or individual, or provided as a verbal comment (e.g., agency comments have been abbreviated as “A”, non-governmental organizations and community group comments have been abbreviated as “O”). The body of each comment letter has been separated into individual comments, which have been numbered. This results in a numbering system whereby the first comment in the first letter from an agency is depicted as Comment A.1-1, A.1-2, A.1-3, and so on. These numbered comments are included in their entirety, followed by the corresponding responses. Copies of the comment letters are included proceeding the responses to each comment letter.

Table 9-1 presents a list of all persons or agencies who submitted written comments on the Draft Program EIR.

Table 9-1. List of Public Comments Received on the Draft Program EIR

Comment Set	Name of Commenter	Date Received	Response Location
Agencies			
A.1	Bryan Fernandez, Los Angeles Unified School District	March 4, 2026	9-13
A.2	Victoria Tang, California Department of Fish and Wildlife	March 30, 2026	9-60
A.3	Kevin Ponce, California Department of Cannabis Control	March 30, 2026	9-72
Non-Governmental Organizations and Community Groups			
O.1	Don Kimball, Five Point Holdings, LLC	March 20, 2026	9-81
O.2	Sam Arahadjyan, Easy Waste Management	March 26, 2026	9-85
O.3	Jeremiah Owen, Acton Town Council	March 30, 2026	9-103
O.4	Jacqueline Ayer, Save Our Rural Town	March 30, 2026	9-113
O.5	Angela Sherick-Bright, Unified Homeowners Association II	March 30, 2026	9-118
Individuals			
I.1	Raneisha Hubbert	March 9, 2026	9-122
I.2	Anonymous	March 11, 2026	9-124
I.3	Priya Gehm	March 12, 2026	9-126
I.4	Candice Hill	March 26, 2026	9-128
Verbal Comments			
V.1	Miriel Bereal	March 10, 2026	9-129
V.2	Avis Bulbulyan	March 10, 2026	9-129
V.3	Jacqueline Ayer	March 10, 2026	9-130
V.4	Avis Bulbulyan	March 10, 2026	9-130
V.5	Jacqueline Ayer	March 10, 2026	9-131
V.6	Miriel Bereal	March 10, 2026	9-132
V.7	Gregory Taylor	March 10, 2026	9-132
V.8	Dominic Melendez	March 10, 2026	9-132
V.9	Blue English	March 10, 2026	9-132
V.10	Jacqueline Ayer	March 10, 2026	9-132
V.11	Miriel Bereal	March 10, 2026	9-133
V.12	Blue English	March 10, 2026	9-133
V.13	Jacqueline Ayer	March 10, 2026	9-133
V.14	Jacqueline Ayer	March 10, 2026	9-134

Comment Set	Name of Commenter	Date Received	Response Location
V.15	Miriel Bereal	March 10, 2026	9-135
V.16	Jacqueline Ayer	March 10, 2026	9-136
V.17	Miriel Bereal	March 10, 2026	9-136
V.18	Sidney Mathalon	March 10, 2026	9-136
V.19	Jacqueline Ayer	March 10, 2026	9-137

9.4 MASTER RESPONSES

The County received a number of similar comments on the Draft Program EIR, expressing common issues among those submitting written and/or oral comments. To address these issues and supplement individual responses, Master Responses were prepared for recurrent topics. The Master Responses provide a means of addressing overarching issues in a more concise manner intended to avoid excessive repetition. In some cases, an individual comment may be answered in total or in part by one or more Master Responses, with the individual response noting the link to Master Response(s) and expanding more specifically, where needed. This approach is aimed at helping individual commenters easily track where and how their comments have been addressed to ensure transparency and ease of access to responses.

The Master Responses include the County's feedback on the following topics:

9.4.1 Master Response 1 – Use of a Program EIR

Multiple commenters expressed concern that the Program EIR does not address site-specific environmental impacts or provide details for individual commercial cannabis license applications. However, as described in Chapter 1, *Introduction* and Chapter 3, *Environmental Impact Analysis*, potential environmental impacts are addressed programmatically, consistent with CEQA Guidelines Section 15168, because the proposed Project would implement amendments to the Los Angeles County Code (LACC) to make minor, technical changes to standards for personal cannabis cultivation and enable the licensing and enforcement of legal commercial cannabis businesses in the unincorporated areas of the County.

CEQA Guidelines Section 15168(c) states that Program EIRs can be used with later activities, stating, “later activities in the program [in this case, development of individual project sites] must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.” CEQA Guidelines Section 15168(c)(1) continues, “[i]f a later activity would have effects that were not examined in the program EIR, a new IS would need to be prepared leading to either an EIR or a Negative Declaration.” The proposed Project would not involve specific development plans or project proposals or their approval. As such, approval of the proposed Project and certification of the Final Program EIR by the County Board of Supervisors would not approve, authorize, license, or

permit the construction or operation of any individual cannabis businesses. Rather, this programmatic analysis evaluates the environmental consequences of a policy-level decision, namely, the adoption of a countywide regulatory program that would enable the County to license, permit, and regulate commercial cannabis businesses in the unincorporated areas of the County. The Program EIR also analyzes the environmental consequences associated with operation of future licensed cannabis businesses (e.g., operational air pollutant emissions, increases in energy demand, increases in vehicle trips). The Program EIR's impact conclusions are supported by Chapter 2, *Project Description*, the environmental setting, applicable County and State regulatory frameworks, and resource-specific methodologies that are disclosed in each technical chapter. While the details for future licensed commercial cannabis activities are unknown, the Program EIR estimates the reasonably foreseeable location and extent of operation of commercial cannabis businesses associated with the proposed Project based on proposed license type, limits on the number of licenses to be issued, typical cannabis business activities and operational characteristics, and zoning eligibility.

9.4.2 Master Response 2 – New Development

Multiple commenters expressed concern that the proposed Project could indirectly encourage development or redevelopment of vacant or underdeveloped land for future cannabis cultivation or other cannabis business activities, leading to environmental impacts not addressed in the Draft Program EIR. As described in Chapter 2, *Project Description*, commercial cannabis businesses would be permitted only in existing, legally constructed and permitted structures, and the Project does not authorize new construction for cannabis uses, per Title 22 of the LACC. To be eligible for commercial cannabis activities under the proposed Project, a site must also demonstrate public infrastructure and utilities (e.g., roadways, water systems, sewer systems, flood control infrastructure, energy infrastructure, and telecommunications infrastructure), as well as public services (e.g., police and fire) currently serve the areas in which new cannabis businesses would be located. Any new construction or redevelopment of a site, including extension of utility infrastructure, would be subject to separate County permitting and environmental review processes independent of the cannabis licensing program. The Initial Study (IS) and Program EIR also state that any site alterations occurring as an indirect result of the proposed 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, minor site alterations would be subject to mandatory compliance with existing State and local plans, policies, and regulations applicable to the proposed site and use, including, but not limited to, County and Department of Cannabis Control (DCC) regulations governing exterior lighting, fencing, security features, and signage.

All future applications for a commercial cannabis license under the proposed Project would be required to go through the County's ministerial Site Plan Review processes, requiring approval from the County Planning Department. As part of the license application review

process, the applicant would be required to verify that the proposed premises is an existing, legally constructed, permitted, and permanent structure. If the proposed premises would require new construction, including the construction of a new building or structure, the applicant may be deemed ineligible for a commercial cannabis license and be denied.

The proposed Project does not provide a separate entitlement pathway for developing vacant land for cannabis uses. Any proposal to develop vacant or underdeveloped land would be reviewed through the County's existing land use, building, and permitting processes, separate from the cannabis licensing process and before an applicant could apply for a cannabis license. Depending on the type, size, location, and characteristics of the proposed development, that process may include site plan or conceptual review, Building and Safety plan check, fire or water provider clearances, and any other applicable permits or approvals. If a proposed development requires discretionary approval and no CEQA exemption applies, the County would conduct the appropriate CEQA review, which may include preparation of an IS and any required project-level analysis.

Broader land use development throughout the County, consistent with base zoning and land use, has been evaluated in prior planning-level environmental documents, including the County's Programmatic EIR for the General Plan Update, as well as CEQA-compliant environmental documents prepared for the various Area Plans and Specific Plans where base zones that would be eligible for commercial cannabis activities exist. These documents evaluate the impacts of future development based on land use and zoning designations, include mitigation measures addressing environmental impacts from future development, which may include requirements for site-specific environmental assessments and surveys, construction monitoring, and minimization and avoidance measures. These existing requirements, as well as applicable policies and regulations of the governing land use plan and LACC would continue to apply to future development projects where triggered by the County's land use and environmental review processes.

Further, the proposed Project does not propose any rezoning or upzoning of any parcels within the County, which could otherwise facilitate a change in anticipated land use patterns or encourage new development. Therefore, the proposed Project would not induce new development which could result in new, unanticipated and undisclosed impacts on the environment.

9.4.3 Master Response 3 – Description of Ordinance Amendments

Multiple commenters expressed concern that the Draft Program EIR was released before the proposed Title 8 and Title 22 amendments were circulated and that the amendments do not appear in the Program EIR. The Draft Title 22 Ordinance language was published for public review on May 29, 2025. The Proposed Operating Requirements Framework, which provides an overview framework of the proposed Amendments to Title 8, was also published for public review on April 6, 2025. Though the Draft Title 8 Ordinance language has not yet been published, the Draft Program EIR provides sufficient description of the

proposed Project to allow for programmatic analysis of potential environmental impacts. The CEQA Guidelines requires that an EIR includes a stable, finite, and accurate project description sufficient to inform the analysis of reasonably foreseeable environmental effects. Publication of the proposed ordinance revisions prior to circulation of a Draft Program EIR is not necessary to meet these CEQA requirements. As described in detail in Chapter 2, *Project Description*, the proposed Project consists of adoption of a countywide regulatory and licensing framework, including amendments to Titles 8 and 22 of the LACC. Discussion of the proposed amendments to the LACC to allow cannabis businesses subject to specific regulations is provided in Section 2.3.2, *Project Overview*. Section 2.3.3, *Proposed Allowable Cannabis Business Types* details the types of cannabis businesses that would be allowed under the proposed program, including details regarding the size, scale, and number of businesses that would be allowed. Section 2.3.4, *Proposed Areas Eligible for Cannabis Business Licensing* details the eligible zone districts where specific cannabis activities could be allowed. The details presented in these three referenced sections of the Program EIR form the basis for the description of the proposed Project and for the programmatic impact analysis presented in this Program EIR.

As part of final decision-maker approval for the proposed Project, the County would codify the proposed regulations and revisions to existing sections of the LACC in an ordinance, along with the mitigation measures identified to reduce the potential physical environmental effects associated with the uses and intensities that have been analyzed. The CEQA Guidelines and relevant case law clearly allow the description of uses and the intensities as presented in the Draft Program EIR, rather than the complete draft ordinance language, as it is the uses, the areas on which those uses could occur, and the range of intensities described for the uses, that could manifest in the physical environmental impacts that are the subject of CEQA. In fact, the presentation of these details allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts consistent with CEQA Guidelines 15168(b).

Thus, the proposed Project, as described in the Draft Program EIR, provides a suitable amount of information to allow for thorough and meaningful environmental review of the potential impacts of the proposed Project under CEQA, without the need for publication of the complete draft ordinance language prior to public review and comment on the Draft Program EIR.

9.4.4 Master Response 4 – Public Safety, Code Enforcement, and Crime

Several commenters raised concerns regarding code enforcement, past complaint response, business compliance, and potential crime associated with commercial cannabis businesses.

As discussed in Chapter XV, Public Services, of the IS (Appendix A), impacts related to public services were determined to be less than significant. This conclusion is based on the limited

number of commercial cannabis businesses authorized under the proposed Project, geographic restrictions on where businesses could be permitted, and the availability of existing public safety service infrastructure. The County does not anticipate that implementation of the proposed Project would require construction of new public safety facilities or physical expansion of existing Sheriff's Department or Los Angeles County Fire Department facilities.

Licensed commercial cannabis businesses would be subject to extensive State and local safety and compliance requirements. State regulations require security measures related to premises access, security plans, video surveillance, security personnel, locks, and alarm systems. These requirements are intended to reduce unauthorized access, theft, diversion, and other security risks.

OCM would administer commercial cannabis licensing and enforce most operating requirements for licensed commercial cannabis businesses in the unincorporated areas. Licensed businesses would be subject to ongoing inspections by regulatory agencies, including inspections of business premises, vehicles, equipment, and records. Failure to cooperate with an inspection or audit, or failure to comply with applicable requirements, may result in enforcement action, including notices to correct, fines, suspension, or revocation of a license.

Alternatively, OCM's role in addressing unlicensed cannabis business activity is limited to receiving and reviewing complaints and coordinating with the appropriate agencies. Enforcement against illicit businesses is handled primarily by the Sheriff's Department, County Counsel, and the District Attorney's Office.

For the purposes of CEQA, the public services analysis evaluates whether the proposed Project to license and regulate commercial cannabis businesses would result in substantial adverse physical environmental impacts associated with the need for new or physically altered public facilities, such as new Fire or Sheriff facilities. Given the extensive operating requirements for these businesses and limitations on eligible sites, the proposed Project is not expected to create substantial new demands on local law enforcement, fire protection, or emergency services requiring new or physically altered public safety facilities.

9.5 RESPONSE TO COMMENTS

The following pages contain copies of the comment letters. Presented first is a copy of the comment letter with vertical lines indicating the extent of specific numbered comments, and on the subsequent pages are the corresponding numbered response to individual comments.

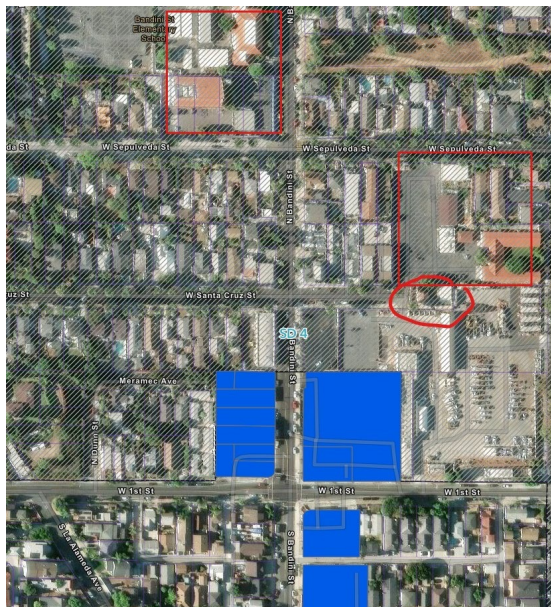
9.5.1 Agencies

From: [Fernandez, Bryan](#)
To: [Fernando Nieto](#)
Cc: [Meisinger, Nick](#); [DCBA CannabisEIR](#); [GODEK, GWENN \(Contract Professional\)](#)
Subject: Re: Commercial Cannabis Program Ordinance and EIR
Date: Wednesday, March 4, 2026 2:26:43 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image.png](#)

CAUTION: External Email. Proceed Responsibly.

Thank you Fernando for being on top of this. You have the right address for San Pedro CAS and to be specific, the "youth-oriented" use on the site per the ordinance's definition is the San Pedro Early Education Center [San Pedro Early Education Center](#).

If you're buffering from the site's parcels, you may miss school buildings that are on the right-of-way on Santa Cruz (circled). I also double checked and can confirm that Brandini Elementary School is within 600 feet of the same eligibility areas.



Sincerely,

Bryan Ramos Fernandez, AICP
[CEQA Project Manager](#)
Contract Professional
Los Angeles Unified School District (LAUSD)
Office of Environmental Health and Safety (OEHS)
333 S Beaudry Ave., 21st Floor, Los Angeles, CA 90017

A.1-1

O: (213) 241-4210
cp-bryan.fernandez@lausd.net

From: Fernando Nieto <FNieto@DCBA.lacounty.gov>
Sent: Wednesday, March 04, 2026 11:18 AM
To: Fernandez, Bryan <cp-bryan.fernandez@lausd.net>
Cc: Meisinger, Nick <nick.meisinger@wsp.com>; DCBA CannabisEIR
<CannabisEIR@dcba.lacounty.gov>; GODEK, GWENN (Contract Professional)
<gwenn.godek@lausd.net>
Subject: RE: Commercial Cannabis Program Ordinance and EIR

CAUTION: EXTERNAL EMAIL

Hi Bryan,

Appreciate your comment and for flagging this issue.

We are currently updating the buffered uses on the map. I have confirmed that White MS and Halldale ES are correctly shown in the updated version, which has not yet been published.

San Pedro CAS also appears to be showing the correct buffers. However, the image you sent did not load on my end, so I just want to confirm that San Pedro CAS is located at **950 W Santa Cruz St, San Pedro, CA 90731**.

I also want to clarify that while parcels within a buffered use may still appear as eligible on the map, any parcel where cannabis uses would otherwise be permitted that is intersected by a buffer would not be eligible. I'll check with our GIS team to see how we may be able to make this clearer on the map.

Thank you,

Fernando Nieto
Program Chief
Office of Cannabis Management
Department of Consumer and Business Affairs
320 W. Temple St. Room G-10,
Los Angeles, CA 90012
213.712.5459 | Fnieto@dcba.lacounty.gov

A.1-1
cont.



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From: Fernandez, Bryan <cp-bryan.fernandez@lausd.net>

Sent: Wednesday, March 4, 2026 9:19 AM

To: Fernando Nieto <FNieto@DCBA.lacounty.gov>

Cc: Meisinger, Nick <nick.meisinger@wsp.com>; DCBA CannabisEIR <CannabisEIR@dcba.lacounty.gov>; GODEK, GWENN (Contract Professional) <gwenn.godek@lausd.net>

Subject: Commercial Cannabis Program Ordinance and EIR

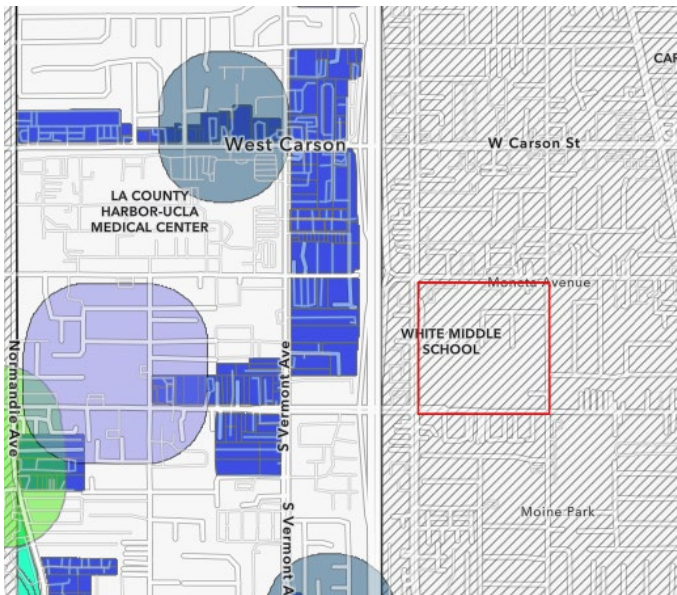
CAUTION: External Email. Proceed Responsibly.

Hi Fernando,

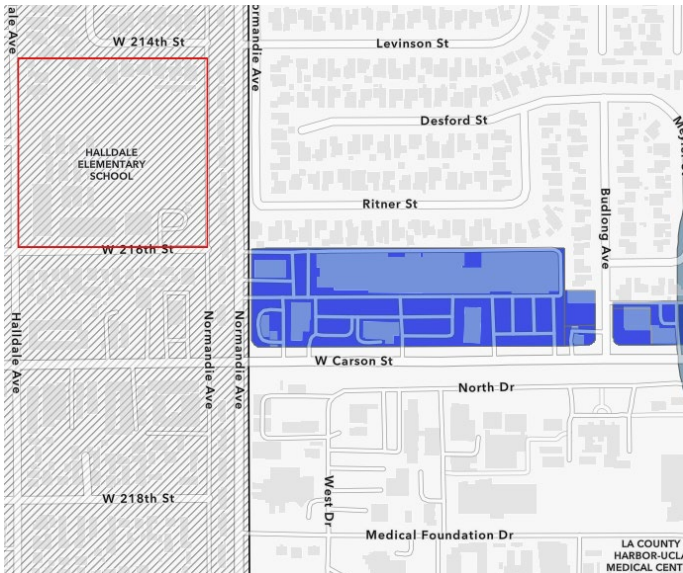
My name is Bryan Ramos Fernandez, CEQA Project Manager at LAUSD's Office of Environmental Health and Safety (OEHS). LA County is proposing an ordinance legalizing cannabis businesses and it will prohibit cannabis businesses within 600 feet of schools. The County created a [map](#) of Proposed Cannabis Business Permit Eligibility Areas. However, the map missed a handful of District schools leading to show areas within 600 feet of these schools as eligible for cannabis operations (schools are identified below). We're requesting that the map and the data underlying that map be updated. Please make sure that these schools are also appropriately analyzed in the [Draft](#) EIR and include LAUSD as an interested party.

White MS

A.1-1
cont.



Halldale ES



San Pedro CAS

Sincerely,

Bryan Ramos Fernandez, AICP

CEQA Project Manager

Contract Professional

Los Angeles Unified School District (LAUSD)

Office of Environmental Health and Safety (OEHS)

333 S Beaudry Ave., 21st Floor, Los Angeles, CA 90017

O: (213) 241-4210

cp-bryan.fernandez@lausd.net

A.1-1
cont.

Comment Letter A.1 – [Bryan Fernandez, Los Angeles Unified School District]***Comment Response A.1-1***

This comment provides site-specific information regarding the location of Los Angeles Unified School District (LAUSD) facilities relative to mapped cannabis eligibility areas, including the San Pedro Early Education Center, Brandini Elementary School, Halldale Elementary School, and White Middle School. The County appreciates LAUSD's assistance in identifying instances where school facilities or school-related structures located within public rights-of-way may not have been fully captured in the initial Geographic Information System (GIS) datasets used to prepare the initial eligibility figures referenced in the Program EIR.

The County acknowledges that the eligibility maps are programmatic screening tools prepared using available countywide GIS layers that were available at the time and are not intended to serve as final determinations for site eligibility. These maps may contain data gaps or omissions due to limitations in source data, including the depiction of school facilities located partially or wholly within rights-of-way. Further, the County acknowledges that development throughout the County would continue throughout the implementation of this ordinance. For example, new day care centers, public parks, or new school facilities may be constructed at various locations within the County.

Under the proposed Project, any potentially eligible parcel would be evaluated against the required buffer from existing land uses at the time of application (i.e., 600 feet from existing youth-oriented uses including public or private schools, child day care centers, public parks). Prior to issuance of any cannabis license, as part of the licensing application review process, the County would ensure that applications are consistent with the proposed site eligibility and buffer requirements. Any such, sites that are located within this buffer at the time of application would not be eligible for a commercial cannabis license.

The County updated its youth-oriented use data in April 2026 and will continue to periodically update the eligibility map to help ensure it remains a useful resource for community members. For instance, the County plans to conduct regular updates of the eligibility maps following decision-maker hearings and approval of the Project to address identified errors or omissions, incorporate updated GIS datasets, and depict licensed commercial cannabis sites that get approved under the Commercial Cannabis Business Licensing Program.



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

South Coast Region
3883 Ruffin Road
San Diego, CA 92123
wildlife.ca.gov

Via Electronic Mail Only

March 30, 2026

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: Draft Program Environmental Impact Report for the Los Angeles County Commercial Cannabis Business Licensing Program, SCH No. 2025030223, San Diego County, CA

Dear Fernando Nieto:

A.2-1

The California Department of Fish and Wildlife (CDFW) reviewed the draft Program Environmental Impact Report (DPEIR) from the County of Los Angeles, Department of Consumer and Business Affairs (County) for the Los Angeles County Commercial Cannabis Business Licensing Program (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹. 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 commends the County's efforts to regulate cannabis business activities. 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.

CDFW 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;

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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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, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources and are of regional and statewide significance (CCR 15086 and 15206).

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority pursuant to the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration program (Fish & G. Code, § 1600 et seq.). If the Project as proposed may result in "take" as defined by State law² of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

CDFW PERMITTING ROLE

A.2-1 cont.

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 shall provide a final LSA Agreement (Agreement) issued by CDFW, or written verification from CDFW that an Agreement is not required (Business and Professions Code 26060.1 (b) (3)). The proposed ordinance amendments in Section G (Prohibited Uses) recognizes this nexus and states that "[a]ny cannabis business or use that is not expressly recognized by both a County Cannabis License and a State cannabis license, and permitted by this Title 22, is prohibited."

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 final Program Environmental Impact Report (FPEIR) to facilitate implementation of LSA and CESA review for the State's cannabis permitting program in the County. To minimize the need for additional

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

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CEQA review when contemplating issuance of Agreements or CESA authorization for cannabis uses, CDFW recommends the FPEIR 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).

In addition, an entity must comply with guidelines for cannabis cultivation activities to protect water quality and instream flows including Fish & G. Code, §§ 1602, 5650, 5652, Water C. §§ 13260, 13264(a) & 13265. Compliance is typically provided through proof of enrollment in the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy and General Order that describes waste discharge requirements for cannabis cultivation, standards for setbacks to streams and forbearance provisions to protect flows (Fish & G. Code, § 5937).

PROJECT DESCRIPTION SUMMARY

A.2-1 cont.

Proponent: County of Los Angeles, Department of Consumer and Business Affairs

Objective: The Project is the adoption and implementation of a cannabis ordinance and regulatory licensing program for commercial cannabis activities/operations in the unincorporated areas of the County. The Project includes amendments to the Title 8 (Consumer Protection, Business and Wage Regulations) and Title 22 (Planning and Zoning) of the Los Angeles County Code (LACC) to allow for commercial cannabis cultivation (indoor only), manufacturing, distribution, retail sales, and testing on legal parcels in specific zones subject to County licensing. Amendments to LACC Title 22 will include changes to existing standards for personal cannabis cultivation, allowed or prohibited uses in each zone, required buffers from specified land uses, and a Site Plan approval requirement. The amendments would prohibit outdoor and mixed-light cultivation.

Indoor cultivation would be limited to a maximum of 22,000 square feet of canopy in eligible industrial zones (zones M-1, M-1.5, and M-2). Cultivation would be prohibited in all other zones, including agricultural zones. Cannabis distribution businesses would be allowed in eligible commercial (zone C-M) and industrial zones (zones M-1, M-1.5, and M-2). The Project would also allow cannabis microbusinesses in eligible commercial (zone C-M) and industrial zones (zones M-1, M-1.5, and M-2) that consist of at least three of the following: indoor cultivation (smaller than 10,000 square feet), non-volatile manufacturing, distribution, storefront retail sales, or non-storefront retail sales. Per Chapter 22.400 of the LACC, cannabis businesses would be permitted only where the unique zones of the respective Specific Plan are similar to the proposed eligible commercial, industrial, and institutional base zones. In addition to the buffers required in California Business and Professions Code § 26054, the Project would prohibit cannabis businesses within public lands or a Significant Ecological Area (LACC Chapter 22.102), within 600 feet of a youth-oriented use or drug abuse and

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recovery treatment center, and cannabis storefront retail businesses within 500 feet of another cannabis storefront retail business.

The Project would only allow commercial cannabis activities in existing (as of the time of application for a license), legally constructed, and permitted structures located in appropriate zoning. The Project would not permit the development of new buildings or the redevelopment of existing buildings to accommodate a proposed cannabis business. All commercial cannabis businesses would be required to conduct operations entirely within an enclosed building or structure. Any development or redevelopment associated with a potential cannabis business, or upgrades to comply with the LACC, would be subject to: (1) separate permitting and approval processes required under the existing LACC; and (2) consistency with policies of the General Plan/LCP. Initially, the Project would make available ten commercial cannabis cultivation licenses, ten manufacturing licenses, ten distribution licenses, ten testing licenses, and 50 retail licenses (25 storefront retail licenses and 25 non-storefront retail licenses).

Location: Unincorporated areas of Los Angeles County.

A.2-1 cont.

Biological Setting: The County is a regional biodiversity hotspot that provides habitat to support breeding, migration, and a high density of species, many of which are considered sensitive under CEQA (CEQA Guidelines, § 15380). Major habitat types in the County include chaparral, coastal sage scrub, riparian woodland, grassland, desert shrubland, riverine, and wetlands. While the Project area consists primarily of developed urban areas, undeveloped lands eligible for cannabis businesses are located within portions of Antelope Valley and Santa Clarita. The majority of eligible areas in Antelope Valley also lack structures sufficient for cannabis businesses.

According to the [California Natural Diversity Database](https://wildlife.ca.gov/Data/CNDDDB)³ (CNDDDB), 14 sensitive natural communities occur within five miles of areas eligible for cannabis businesses, including Southern Sycamore Alder Riparian Woodland, Southern Riparian Scrub, Southern Willow Scrub, Mojave Riparian Forest, Southern Mixed Riparian Forest, Southern Cottonwood Willow Riparian Forest, Southern Coast Live Oak Riparian Forest, Southern Riparian Forest, Canyon Live Oak Ravine Forest, Riversidian Alluvial Fan Sage Scrub, Southern Coastal Bluff Scrub, Valley Oak Woodland, California Walnut Woodland, and Open Engelmann Oak Woodland (CDFW 2026a, CDFW 2026b). In addition to the sensitive natural communities, the Project area also supports many California Endangered Species Act (CESA) listed, federal Endangered Species Act (ESA) listed, and/or Fully Protected species (collectively, Listed Species; CDFW 2026c, USFWS 2026), sensitive species, and rare plants species. CNDDDB records indicate 60 Listed Species (see Table 1), 79 rare plants (California Rare Plant Ranking of 1A, 1B.1, 1B.2, 1B.3, 2A, and 2B.2; see Table 2), and 46 California Species of Special

³ <https://wildlife.ca.gov/Data/CNDDDB>

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Concern (SSC; see Table 3) were observed within five miles of the Project area. Notable species that occur in Antelope Valley where there is the most undeveloped land eligible for cannabis businesses include, but are not limited to, burrowing owl (*Athene cunicularia*; CESA-candidate), western Joshua tree (*Yucca brevifolia*; CESA-candidate), and Mohave ground squirrel (*Xerospermophilus mohavensis*; CESA-threatened).

Project History: On February 15, 2022, the Los Angeles County Board of Supervisors (Board) directed Department of Consumer and Business Affairs' Office of Cannabis Management to move forward with the development and implementation of the Project 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 Notice of Preparation (NOP) of a draft programmatic environmental impact report (DPEIR) for the Project was received on March 5, 2025, and CDFW submitted comments on April 4, 2025. CDFW received the notice of available (NOA) of a DPEIR on February 13, 2026, which requested comments to be submitted by March 30, 2026. CDFW also appreciates the opportunity to meet with the County Office of Cannabis Management on March 3, 2026, regarding our NOP comments (CCR 15083).

A.2-1 cont.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Additional comments or other suggestions are also included to improve the document.

1. Development or Redevelopment of Land

Issue: The development or redevelopment of land at the site level for cannabis cultivation may impact biological resources.

Specific impact: The ordinance amendments included in the Project may result in the individual development or redevelopment of land to support cannabis cultivation activities. Land development to support cultivation can impact sensitive habitats, stream resources, special status species, and wildlife connectivity.

Why impact would occur: The DPEIR does not discuss potential impacts to biological resources from site land development or the potential for the Project to induce land development resulting in potentially significant unmitigated impacts to biological resources. The DPEIR also does not identify a mechanism to evaluate potential impacts to biological resources at the individual or site level (CCR 15168(c)). Information for the Project on Eligible zones for cannabis businesses (see [Eligibility Zones for Commercial](#)

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[Cannabis in Unincorporated Los Angeles County](#)⁴) contain undeveloped lands (see Figure 1). A large portion of the eligible areas within Antelope Valley are undeveloped or lack structures suitable for cannabis businesses. While the DPEIR states on that commercial cannabis businesses “would only be allowed in existing (as of the time of application for a license), legally constructed, and permitted structures located in commercial/mixed-use, industrial, and institutional zones” (DPEIR page 2-8), the Project does not preclude the development of a vacant property for the purpose of a cannabis business. Instead, it just requires the building be constructed at the time of application for a business license and does not identify a mechanism at the land use approval to evaluate potential impacts to biological resources from development of vacant land at the site level. While the development of a property for a cannabis business would require separate licenses, approvals, and/or policy consistency analyses before applying for a cannabis business license, the Project can provide an incentive for the development of land that may not otherwise occur without the Project. Examples where vacant land with resources were developed for the sole purpose of cannabis businesses include the Coachillin' Industrial Cultivation and Ancillary Canna-Business Park in the City of Desert Hot Springs and the High Season Industrial Park in the City of Adelanto. Similar to these areas with low land costs and sensitive resource, Antelope Valley may also provide a financial incentive for cannabis businesses to construct a new building rather than to lease or purchase an existing building in high land cost areas and redevelop the building to be suitable for cannabis business operations.

A.2-1 cont.

Land development or redevelopment can result in direct impacts to sensitive habitat and sensitive species from grading, clearing, type conversion, and grubbing of existing vegetation, which can have numerous impacts on the local ecosystem, stream resources, and to sensitive flora and fauna. For example, vegetation removal for pad development, site access, utility installation, and drainage improvements associated with cannabis uses may result in the loss of sensitive habitat that supports special status plant and animal species or the direct the direct take of these species. Land development can also result in habitat fragmentation and loss of wildlife connectivity.

Evidence impact may be significant: Through the development and redevelopment of land at the site level, the Project has the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines, §§ 15065, 15380). As a result, the Project may have a substantial adverse effect, either directly or through habitat modifications, on species identified as a

⁴<https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=df60d1a4b1014df7866949fe465197>

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candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or the United States Fish and Wildlife Service.

CEQA Guidelines section 15121 and section 15123 require the document to analyze if the Project may have a significant effect on the environment as well as review if the Project will “identify possible ways to minimize the significant effects.” To analyze if a project may have a significant effect on the environment, the Project related impacts need to be disclosed during the public comment period. This information is necessary to allow CDFW to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity). The DPEIR does not analyze impacts to the development or redevelopment of lands for the purpose of cannabis businesses and the DPEIR does not provide any alternatives discussion or any avoidance strategies to mitigate the loss of habitat, impacts to sensitive species, or wildlife connectivity.

Recommended Potentially Feasible Mitigation Measure(s)

A.2-1 cont.

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document and ordinance text:

Mitigation Measure #1: Biological Surveys. A survey for biological resources shall be conducted at the site level by a qualified biologist (i.e., familiar with wildlife, plants, streams and habitats in the County) approved by the County prior to any staging or development activities. The survey area shall include the proposed development area, including areas of anticipated construction and ground disturbance, as well as staging areas, areas of anticipated light or noise impact, ingress and egress routes, and utility routes. The survey area shall be large enough to encompass areas subject to both direct and indirect impacts. The qualified biologist shall map land cover, identify natural communities and species observed, and assess the habitat suitability of the proposed activity footprint for special-status plants and wildlife, and sensitive habitats including streambed resources. A report with evidence to support a conclusion as to whether special status species and sensitive habitats are present or are likely to occur within the proposed activity footprint shall be submitted to the County for review. If special status species and sensitive habitats will be impacted by the Project, additional mitigation measures, permitting, and/or mitigation may be required.

Recommendation #1: Subsequent Environmental Review. CDFW is unclear of the process for how individual projects would be determined to be consistent with the LACC and General Plan. The LACC and General Plan do not appear to have mechanisms for site level analysis of impacts to biological resources from development of vacant land for structures that could then apply for a cannabis business license. The PEIR should clearly identify the process and have a mechanism for CDFW review, particularly for undeveloped land that may be developed for cannabis businesses (CCR 15168(c)). CDFW understands that the review of individual projects for impacts to biological

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resources would be led by the County Department of Regional Planning for consistency of the LACC and General Plan. In CDFW's experience development of a structure can often be ministerial. CDFW believes the development of land should not be ministerial in cases where vacant land is developed with structures and site improvements that may impact biological resources. In addition, the FPEIR should cite the specific requirements in the General Plan and LACC that address site level review for biological resources, or include them as part of the Project, prior to obtaining a final cannabis business license.

Recommendation #2: Land Development and Redevelopment Discussion. The PEIR should include a discussion of the Project's potential to induce land development for the purpose of cannabis businesses and a discussion of impacts associated with the development and redevelopment of lands. Alternatively, the PEIR could be revised to state the building used for cannabis businesses must be existing as of the time the NOP was published, not at the time of application for a license, and that any new structures would require separate environmental review. This would ensure undeveloped land is not developed for the purpose of cannabis cultivation without proper environmental review.

Recommendation #3: Environmental Baseline. Because the Project would allow for existing structures and may also result in development of properties for cannabis cultivation that may not occur without Project, the Environmental Baseline should include an analysis of properties within areas eligible for cannabis businesses that have existing, legally constructed, and permitted structures sufficient for cannabis businesses and properties that are undeveloped and will require development. CEQA Guidelines section 15125, subdivision (a)(1) requires a description of the physical environmental conditions in the vicinity of the project as they exist at the time the notice of preparation is published, absent substantial evidence that an existing conditions analysis would be misleading or without informational value. In addition, *Environmental Planning and Information Council v. County of El Dorado* (1982) 131 Cal. App. 3d 350, 354 determined that CEQA is focused on the "effects of projects on the actual environment upon which the proposed project will operate". This disclosure of an accurate baseline analysis is necessary to allow CDFW to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).

A.2-1 cont.

2. Western Burrowing Owl

Issue: The development or redevelopment of lands at the site level may impact western burrowing owl and its habitat.

Specific impact: The development or redevelopment of a site for a cannabis business often requires ground-disturbing activities, such as vegetation removal and grading, which can result in habitat loss and can lead to death or injury of western burrowing owls. Development and redevelopment activities can also disrupt foraging behavior for western burrowing owl present on site.

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Why impact would occur: As discussed above in Comment 1, the Project does not preclude the development of a property for the purpose of a cannabis business. According to the CNDDDB, western burrowing owl have been historically observed near the Project area, including in undeveloped areas such as Antelope Valley. Urban development in Antelope Valley contributes to the ongoing loss of suitable habitat for burrowing owls and rapid decline of the burrowing owl population size on a regional scale. Due to various factors, including habitat loss and population decline, burrowing owls were recently petitioned to be listed as an endangered or threatened species under CESA by the Center of Biological Diversity (CBD 2024). According to the Antelope Valley Regional Conservation Investment Strategy (AVRCIS), suitable habitat for burrowing owl encompasses a variety of landscapes throughout the region, but it is imperative that burrows, typically from small mammals (e.g., California ground squirrel), already exist to allow burrowing owl to occupy them (DCMA 2021). Development and redevelopment induced by the Project can result in direct impacts western burrowing owl through take and indirect impacts through the removal of suitable habitat.

A.2-1 cont.

Evidence impact may be significant: Burrowing owl is a species designated as a candidate for listing as threatened or endangered pursuant to CESA (Fish & G. Code, § 2050 et seq.). Take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Additionally, take of individual western burrowing owl and their nests is defined by Fish and Game Code section 86 and prohibited by sections 3503, 3503.5, and 3513. Take is defined in Fish and Game Code section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill." Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #2: Burrowing Owl Surveys. A burrowing owl survey at the site level shall be conducted prior to any staging or development activities to avoid impacts to burrowing owls and/or occupied burrows. The survey shall be conducted by a qualified biologist and in accordance with the methods outlined in CDFW's [Staff Report on Burrowing Owl Mitigation](#)⁵ (CDFW 2012) or CDFW's most recent guidance. Documentation of surveys and findings shall be submitted to the County for review. If no burrowing owls or

⁵ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>

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occupied burrows are detected, project activities may begin, and no additional avoidance and minimization measures shall be required. If an active nest (i.e., occupied with eggs or fledglings) is found outside, but within 500 feet, of the development footprint, the qualified biologist shall establish a "no-disturbance" buffer around the burrow location(s). The size of the "no-disturbance" buffer shall be determined in consultation with CDFW and be based on the proposed level of disturbance. If an occupied burrow is found within the development footprint, the project proponent shall contact CDFW to develop appropriate mitigation and management procedures or obtain an Incidental Take Permit from CDFW. If burrowing owl presence is confirmed, the project proponent shall offset impacts by acquiring mitigation lands for the species. The potential mitigation land shall have the following: 1) have presence of burrowing owl; 2) sufficiently replace the impacted burrowing owl habitat area to ensure no net loss of habitat; and 3) be of equivalent or greater habitat value than that of the project site.

Mitigation Measure #3: Incidental Take Permit. If western burrowing owl is detected the Project and impacts cannot be avoided, the proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the County prior to implementing Project ground-disturbing activities and vegetation removal.

A.2-1 cont.

Recommendation #4: Analysis of Western Burrowing Owl Impacts. The FPEIR should include a discussion of the Project's impact to western burrowing owl from the development or redevelopment of land and include mitigation measures sufficient to reduce the impact less than significant. CDFW's issuance of an ITP for a Project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/Project proponent for the Project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 2081 and/or under CEQA, a project's CEQA document should fully identify the potential impacts to western Joshua trees and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.

3. Western Joshua Tree

Issue: The development or redevelopment of a site may result in take of western Joshua tree, a CESA candidate species.

Specific impact: Many of the eligible areas for cannabis businesses in Antelope Valley are undeveloped and may support western Joshua tree. The development of a site for a cannabis business requires ground-disturbing activities that can result in direct and

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indirect take of western Joshua tree. The DPEIR does not propose avoidance and minimization measures to reduce Project impacts to western Joshua tree to less than significant.

Why impact would occur: As discussed above in Comment 1, the Project does not preclude the development of a property for the purpose of a cannabis business. Western Joshua tree occurs in areas of Antelope Valley that are eligible for cannabis businesses (CDFW 2022). Primary threats to the western Joshua tree are climate change, development and other human activities, and wildfire (CDFW 2022). Much of the recent western Joshua tree habitat modification and destruction has been the result of ongoing urban development, typically on private property within the general vicinity of existing developed areas (CDFW 2022). In addition, development often results in habitat fragmentation, which could disrupt plant and pollinator population dynamics by altering pollinator densities and behavior (Xiao et al. 2016), and potentially leading to a reduction in reproductive output for western Joshua tree. As fragmentation increases, specialist species (i.e., organisms adapted to a specific habitat and/or specific diet) such as the yucca moth needed for western Joshua tree reproduction, may decrease in number from the fragmented area while generalists species (i.e., organism that occurs in a wide range of habitats and can use a wide variety of resources) become more prevalent (Xiao et al. 2016). Development of properties for purposes of a cannabis business or redeveloping a property to support cannabis business operations (e.g., access improvements and fencing) could result in the direct take of western Joshua tree through grading, habitat conversion, and construction and indirect take through habitat fragmentation and reduced dispersal.

A.2-1 cont.

Evidence impact may be significant: Western Joshua tree is a candidate for listing as threatened or endangered pursuant to CESA (Fish & G. Code, § 2050 et seq.). Take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Additionally, take of individual western burrowing owl and their nests is defined by Fish and Game Code section 86 and prohibited by sections 3503, 3503.5, and 3513. Take is defined in Fish and Game Code section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill." Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

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Mitigation Measure #4: Western Joshua Tree Survey. Prior to any staging or development activities at the site level, a western Joshua tree census shall be conducted by a qualified biologist within the Project site and an appropriate distance around the Project site. The census shall be conducted in accordance with CDFW's [Western Joshua Tree Census Instructions](#).⁶ Findings from the census shall be compiled in a report submitted to the County prior to the beginning of Project activities.

Mitigation Measure #5: Incidental Take Permit. If western Joshua tree is detected and will be impacted by development of the site, the Project proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the County prior to implementing Project ground-disturbing activities and vegetation removal.

A.2-1 cont.

Recommendation #5: Analysis of Western Joshua Tree Impacts. The FPEIR should include a discussion of the Project's impact to western Joshua tree from the development or redevelopment of land to support cannabis businesses and include mitigation measures sufficient to reduce the impact less than significant. CDFW's issuance of an ITP for a project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/Project proponent for the project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 2081 and/or under CEQA, a project's CEQA document should fully identify the potential impacts to western Joshua trees and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.

4. Mohave Ground Squirrel

Issue: The development or redevelopment of a site for cannabis uses may impact Mohave ground squirrel, a CESA-listed threatened species.

Specific Impact: Development and redevelopment construction activities (e.g., equipment staging, mobilization, and grading) at the site level may result in mortality or injury to Mohave ground squirrel. Project ground-disturbing activities such as vegetation removal may result in habitat destruction within the Project site and may contribute to further habitat decline within the range for this species.

⁶ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=238156&inline>

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Why Impacts would occur: As discussed above in Comment 1, the Project does not preclude the development of a property for the purpose of a cannabis business. Mohave ground squirrel has been documented historically to occur within the Antelope Valley region (CNDDDB 2026a). Some eligible areas for cannabis businesses area in Antelope Valley are either undeveloped or surrounded undeveloped land, which may support local movement of small wildlife, such as Mohave ground squirrel. The DPEIR does not propose avoidance and minimization measures to reduce Project impacts to Mohave ground squirrel to less than significant. Development of land for cannabis businesses without avoidance measures could result in potential injury or mortality of Mohave ground squirrel and contribute to permanent loss of habitat.

A.2-1 cont.

Evidence impact would be significant: The Mohave ground squirrel has a restricted geographic range in the western Mojave Desert, where it has suffered from habitat loss as a result of conversion or degradation of native vegetation for residential, industrial, and energy-related developments, agriculture, recreation, and other human uses. On-going development plans, including residential, industrial, energy-related, agricultural, and recreational projects, present a serious threat to remaining Mohave ground squirrel populations (CDFW 2010). CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. Inadequate avoidance, minimization, and mitigation measures for impacts on the Mohave ground squirrel will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a wildlife species identified as special status by CDFW and USFWS. As to CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9).

Recommended Potentially Feasible Mitigation Measure(s):

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #6: Mohave Ground Squirrel Surveys. Prior to any staging or development activities at the site level, a qualified biologist familiar with Mohave ground squirrel behavior and life history shall conduct focused surveys for Mohave ground squirrel throughout the Project site. Focused Mohave ground squirrel surveys shall follow CDFW's [Mohave Ground Squirrel Survey Guidelines](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975)⁷ (CDFW 2023).

If a survey conducted according to CDFW guidelines results in no capture or observation of Mohave ground squirrel on a Project site, this is not necessarily evidence that the

⁷ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975>

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Mohave ground squirrel does not exist on the site or that the site is not actual or potential habitat of the species. However, in the circumstance of such a negative result, CDFW may stipulate that the Project site harbors no Mohave ground squirrel. This stipulation would expire one year from the end date of the last trapping on the Project site conducted according to these guidelines. However, if Mohave ground squirrel or other listed species are discovered on the Project site, avoiding take of a listed species and or securing authorization for incidental take of a listed species pursuant to Fish and Game Code Section 2081(b) et seq. remains the responsibility of the Project applicant.

Mitigation Measure #7: Incidental Take Permit. The Project applicant may choose to forgo focused Mohave ground squirrel presence/absence surveys and assume presence of Mohave ground squirrel on site. Under this option, an ITP shall be obtained for Mohave ground squirrel prior to ground/vegetation disturbance activities. The Project shall mitigate for temporary and/or permanent impacts to Mohave ground squirrel habitat as specified in conditions of the ITP through habitat acquisition at a CDFW-approved location and mitigation ratio.

A.2-1 cont.

Recommendation #6: Analysis of Mohave Ground Squirrel Impacts. The FPEIR should include a discussion of the Project's impact to Mohave ground squirrel from the development or redevelopment of land to support cannabis businesses and include mitigation measures sufficient to reduce the impact less than significant. CDFW's issuance of an ITP for a Project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/Project proponent for the Project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 2081 and/or under CEQA, a project's CEQA document should fully identify the potential impacts to Mohave ground squirrel and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.

5. Other Special Status and Sensitive Species

Issue: The proposed Project may impact sensitive species protected under CESA and/or ESA, species designated as SSC, or rare plant species.

Specific Impact: Development and redevelopment activities (e.g., equipment staging, mobilization, and grading) may impact the many Listed, SSC, or rare plant species that may occur within the Project areas (see Tables 1 through 3 for lists of special status species identified within five miles of the Project area). Development can result in direct mortality, nest abandonment, decreased feeding frequency, and a loss of breeding and/or foraging habitat.

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Why Impacts would occur: The DPEIR does not discuss impacts to biological resources from the development or redevelopment of properties at the site level for the purpose of cannabis businesses or provide mitigation measures to reduce the impact to less than significant. Individual sites in the Project area may contain suitable habitat for many special status and sensitive species. Development and redevelopment activities could include vegetation removal, grading, and general construction. Project activities could create elevated levels of noise, human activity, dust, ground vibrations, and vegetation disturbance. These disturbances and stressors occurring near potential nests could cause individuals to abandon their nests, resulting in the loss of fertile eggs or nestlings. After construction activities are completed, the Project could continue to impact these species through an increase in noise from heavier road use.

A.2-1 cont.

Evidence impact would be significant: CDFW considers adverse impacts to a species protected by CESA, absent appropriate mitigation, to be significant under CEQA. Under CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). In addition, nests of all native bird species are protected under State laws and regulations, including Fish and Game Code, sections 3503 and 3503.5.

SCC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines § 15065). CDFW considers adverse impacts to an SSC, for the purposes of CEQA, to be significant without mitigation.

Plants with a California Rare Plant Rank (CRPR) of 1B and 2B meet the definition of endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380; CNPS 2022). Plants with a California Rare Plant Rank of 1B are rare throughout their range with the majority of them endemic to California. Most of the plants that are ranked 1B have declined significantly over the last century. California Rare Plant Rank 1B plants constitute the majority of taxa in the CNPS Inventory, with more than 1,000 plants assigned to this category of rarity. Impacts on rare plants could require a mandatory finding of significance. The Project's impact on special-status plants has yet to be mitigated below a significant level. Accordingly, the Project continues to have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species by CDFW or USFWS. Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law under CESA (Fish and Game Code, §§ 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, title 14, § 786.9).

All the plants constituting California Rare Plant Rank 1B meet the definitions of the California Endangered Species Act of the California Fish and Game Code and are eligible for state listing. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, or those considered to be

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functionally equivalent to CEQA, as they meet the definition of Rare or Endangered under CEQA Guidelines section 15125; (c) and/or section 15380.

Recommended Potentially Feasible Mitigation Measure(s):

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

A.2-1 cont.

Mitigation Measure #8: Sensitive Species Surveys. Prior to any staging or development activities at the site level, a qualified biologist shall conduct biological surveys of any areas where potential special status biological resources (special status species and SSC), or sensitive natural communities may occur. During the design of the project, and prior to construction, the project proponent shall employ a qualified biologist to review the proposed project. To the extent feasible, the location(s) of a proposed project shall be on previously disturbed or developed sites and shall avoid undisturbed, high-quality, natural habitat that supports special status biological resources, areas that are used for regional or local wildlife movement, and jurisdictional wetlands and associated waters. If a desktop review indicates that special status biological resources or natural communities may occur in the project area, the project proponent shall either assume presence and mitigate accordingly, or a qualified biologist shall conduct species-specific biological surveys or botanical field surveys to confirm the presence and extent of special status biological resources and/or sensitive natural communities prior to the start of construction. Surveys shall be conducted according to protocols currently accepted by CDFW and/or USFWS. If no accepted survey protocol exists, the project proponent shall consult CDFW for guidance. To determine presence/absence or accurately identify rare plants, a qualified botanist shall conduct multiple rare plant surveys throughout the growing season for any given year. Surveys shall occur during the time of year when rare plants are more likely to be visually detectable. Rare plant surveys proceeding after a low water year should be supplemented with one or two additional rare plant surveys over a number of years depending on the rare plant species, annual weather patterns, and whether the project area was recently disturbed (e.g., fire). If special status biological resources or their sign (e.g., scat, burrows) are observed, the project proponent shall report the observation to CDFW through an entry in the California Natural Diversity Database (CNDDB) and develop a plan to avoid impacts that is specific to each species. If impacts cannot be avoided, the project proponent shall consult with CDFW to obtain appropriate authorization for take of species protected under CESA (pursuant to Fish & G. Code, § 2080 et seq.). The project proponent shall have a copy of a fully executed take authorization prior to any activity that may result in take of CESA-protected species. If the desktop review indicates that no special status biological resources or natural communities may occur in the project area, then biological surveys are not required.

Recommendation #7: Analysis of Special Status Species Impacts. The FPEIR should include a discussion and disclosure of potential impacts to biological resources from the

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development or redevelopment of sites for the purpose of cannabis businesses. This information is necessary to allow CDFW to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).

6. Security Fencing

A.2-1 cont.

Issue: Site alterations required for security fencing to obtain a license may impact biological resources.

Specific impact: Cannabis businesses often require specific types of fencing and lighting for security purposes as a requirement for licensing. If not located and designed properly, 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.

Why impact would occur: Cannabis businesses generally require the installation of security fencing to prevent theft and unauthorized access. The Initial Study on page 28 states “[a]ny 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.” The Initial Study indicates that new fencing may be a permitting requirement for cannabis businesses. The Initial Study and DPEIR do not describe the fencing that would be required, nor does the Initial Study or DPEIR cite the section of the LACC that specifies the type and design of fencing that would be required.

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.

Evidence impact may be significant: The Project may require security fencing for new cannabis businesses, which may create a new or increased barrier and interfere substantially with the movement of wildlife especially in rural areas like Antelope Valley and Santa Clarita where many properties currently have no fencing. The Project has the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines, §§ 15065, 15380). As a result, the Project may have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

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Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #9: Fencing Plan. A fencing plan should be provided for each cannabis operation at the site level to demonstrate that wildlife entrapment and mortality and connectivity are mitigated to less than significant. Should any subsequent proposed project occur in a location that has been identified as a wildlife movement corridor or found to impede the free movement of wildlife, the FPEIR should include mechanisms at the site level to provide compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification) to sensitive and special status plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring.

Recommendation #8: Analysis of Fencing Impact. FPEIR should analyze impacts from required security measures and other fencing/barriers required for cannabis projects to animal species and wildlife movement/connectivity. The FPEIR should include information on the height, length, type of materials, maintenance requirements, and location of fencing that would be needed for cannabis businesses. The FPEIR should also provide a mechanism for analyzing and mitigating potential impacts from fencing at the individual (site) level.

7. Stream Crossings

A.2-1 cont.

Issue: Site alterations required to obtain a license may impact stream resources.

Specific impact: Individual cannabis businesses may require construction, replacement, paving, and maintenance for site access, including stream crossings, which can result in temporary and permanent impacts to stream resources and sensitive habitats.

Why impact would occur: Cannabis businesses often require site and access improvements to support business operations. Access improvements can include the construction, replacement, or maintenance of stream crossings or other activities like road rolling, compaction and paving in or near stream areas. Stream crossings are often located sensitive habitat that can support wildlife and wildlife movement. Crossings can be at-grade, culverts, and bridges to allow access to cannabis businesses. If not designed

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or maintained 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. Paving, grading and other maintenance activities for site access can also occur within or adjacent to streams.

Evidence impact may be significant: CDFW exercises its regulatory authority pursuant to Fish and Game Code section 1600 et seq. to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated natural communities. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- 1) Divert or obstruct the natural flow of any river, stream, or lake;
- 2) Change the bed, channel, or bank of any river, stream, or lake;
- 3) Use material from any river, stream, or lake; or,
- 4) Deposit or dispose of material into any river, stream, or lake.

A.2-1 cont.

The Project may adversely affect streams through the construction, replacement, paving, or maintenance of crossings or other or other activities required for access. Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #10: LSA. Individual businesses shall notify the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code 1602 and obtain an LSA Agreement from CDFW prior to Project activities that will impact streams. For projects requiring a LSA, the Notification shall include a hydrology report to evaluate whether altering streams within the Project site may impact hydrologic activity. The hydrology report shall also include a hydrological evaluation of any potential scour or erosion at the

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Project site due to a storm event for existing and proposed conditions. Please visit CDFW's [Lake and Streambed Alteration Program webpage](#)⁸ for more information (CDFW 2026d).

Mitigation Measure #11: Compensatory Mitigation. If impacts to streams are unavoidable, the cannabis business shall provide compensatory mitigation for impacts on streams and associated plant communities as part of the County land use and business license process. Any off-site mitigation shall occur where a stream supports the same plant communities impacted by the project and preferably within the same watershed.

A.2-1 cont.

Recommendation #9: Analysis of Stream Crossing Impacts. The FPEIR should analyze impacts from construction, replacement, paving, and maintenance of stream crossings for cannabis business access to plant and animal species and wildlife movement/connectivity. The FPEIR should also provide a mechanism for analyzing and mitigating potential impacts from stream crossings at the individual (site) level.

ADDITIONAL COMMENTS

1. **Mitigation and Monitoring Reporting Plan.** CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A).
2. **Prior Business Occupancy Requirement.** The DPEIR states "commercial cannabis activities would either replace existing businesses that currently occupy these sites or would occupy currently vacant (yet previously occupied and currently developed) properties." (DPEIR page 2-8). The DPEIR further states that it is a requirement that cannabis businesses occupy existing buildings that are either currently or were previously occupied by other businesses (DPEIR page 3.2-22). As discussed above in Comment 1, the Project does not preclude the development of a property for the purpose of a cannabis business, rather it requires the building be constructed at the time of application for a license. A cannabis business would not replace an existing business in a building if a building was constructed for the purpose of a cannabis business.

A.2-2

A.2-3

The DPEIR uses the requirement that a building be occupied or previously occupied as justification for determining the Project will have less than significant impacts. For

⁸ <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>

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example, the DPEIR on page 3.7-33 states “[p]otential locations for indoor cultivation either currently are, or were previously, occupied by industrial uses of similar utility profiles and possess the necessary infrastructure to support cannabis cultivation. Therefore, future cannabis cultivation operations would not likely exceed utility service capacities, hinder providers (e.g., wastewater treatment providers and water suppliers), or require the construction of infrastructure to accommodate commercial cannabis businesses plus other existing and planned future customers of utilities, which may cause a significant environmental impact.” This statement may not be accurate as undeveloped areas are eligible for cannabis businesses (see Figure 1) and the DPEIR only requires the building be constructed at the time of application for licensing. In this example, some of the undeveloped land eligible for cannabis businesses may not have available utilities; therefore, these areas would require construction of infrastructure to accommodate the cannabis businesses and, as the DPEIR notes, may cause significant environmental impacts. These impacts are not analyzed in the PEIR.

A.2-3 cont.

The FPEIR should clarify the meaning of the requirement for cannabis businesses to occupy existing buildings that are either currently occupied or were previously occupied by other businesses. The FPEIR should also include a minimum duration a non-cannabis business must occupy the building prior to the building being eligible for cannabis businesses. Alternatively, as discussed above in Comment 1, the PEIR could be revised to state the building must be existing as of the time the NOP was published, and not the time of application for a license. If a building does not need to be previously occupied by another business, the FPEIR should remove this as justification that the Project will have less than significant impacts.

3. **Updated Eligibility Map.** The [Eligibility Zones for Commercial Cannabis in Unincorporated Los Angeles County](#)⁹ map included in the NOP and DPEIR should be updated to remove locations that are not eligible for cannabis businesses per the requirements in the PEIR. For example, the Project would prohibit cannabis businesses in Significant Ecological Areas, but the eligibility map includes areas within Significant Ecological Areas (see Figure 2). This would provide a full disclosure of areas eligible for cannabis businesses.
4. **Unpermitted Cannabis Environmental Baseline.** 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). The DPEIR Environmental Baseline includes an estimated number of unpermitted cannabis storefront retail businesses operating within unincorporated County but does not include an estimate of unpermitted cannabis cultivation, which may be greater than unpermitted cannabis storefront retail businesses, nor does the DPEIR identify measures to address associated impacts to environmental resources

⁹ <https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=df60d1a4b1014df7866949fe46519711>

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affected by unpermitted cultivation sites (CEQA Guidelines, § 15125, Pub. Resources Code §§ 21060, 21068).

A.2-5 cont.

As discussed in CDFW comments on the NOP, all unpermitted facilities should be evaluated. CDFW and partner law enforcement agencies have investigated over 160 unpermitted cannabis cultivation sites in the Antelope Valley area of the County. County Sheriffs also participate, both independently and with CDFW, in the investigation of unpermitted cultivation and should have additional data available for the FPEIR.

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 FPEIR 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 the County.

5. **LACC Title 8 and 22 Amendments and Operating Requirements Framework.** The DPEIR does not include the specific amendments to Title 8 and Title 22 of the LACC or the proposed requirements for cannabis businesses. The [proposed operating requirements framework](#)¹⁰ and the [amendments to Title 8 and 22 of the LACC in redline/strike](#)¹¹ are found on the [County's website](#);¹² however, these documents should also be incorporated into the FPEIR since they are part of the Project.

A.2-6

6. **Expansion of Licensing Program.** The DPEIR states "[i]nitially, the County would issue a maximum of 10 cultivation licenses, 10 manufacturing licenses, 10 distribution licenses, 10 testing licenses, 25 delivery licenses, and 25 retail licenses with the potential to increase the number of licenses in the future." (DPEIR page 1-7). CDFW requests to be notified when the County proposes to increase the number of available licenses. The PEIR should

A.2-7

¹⁰ https://dcba.lacounty.gov/wp-content/uploads/2025/04/Commercial-Cannabis-Business-Operating-Requirements-Framework_revised-04.06.25.pdf

¹¹ https://dcba.lacounty.gov/wp-content/uploads/2025/09/Draft-Title-22-Cannabis-Ordinance_updated-052925.pdf

¹² <https://dcba.lacounty.gov/cannabis/>

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A.2-7
cont.

also identify the mechanism for environmental review of any increase in cultivation licenses.

- 7. Agency Collaboration.** 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. 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 also 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. 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.

ENVIRONMENTAL DATA

A.2-8

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the CNDDDB. The [CNDDDB website](https://wildlife.ca.gov/Data/CNDDDB)¹³ provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit)¹⁴.

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

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for

¹³ <https://wildlife.ca.gov/Data/CNDDDB>

¹⁴ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

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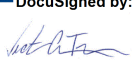
the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the draft PEIR to assist the County in identifying and mitigating Project impacts on biological resources. We look forward to partnering with the County. CDFW requests an opportunity to review and comment on any response that the County has to our comments and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)).

Questions regarding this letter or further coordination should be directed to [Keith Yaeger](#)¹⁵, Senior Environmental Scientist (Specialist)

Sincerely,

DocuSigned by:

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Victoria Tang
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

Attachment B: Figures and Tables

cc: California Department of Fish and Wildlife
Victoria Tang, Environmental Program Manager
Randy Rodriguez, Senior Environmental Scientist (Supervisor)
Keith Yaeger, Senior Environmental Scientist (Specialist)

Office of Planning and Research
State.Clearinghouse@opr.ca.gov

REFERENCES

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¹⁵ Phone: 562-519-7144; Email: Keith.Yaeger@wildlife.ca.gov

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Attachment A: Draft Mitigation Monitoring and Reporting Program (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Mitigation Measure	Timing	Responsible Party
Mitigation Measure #1: Biological Surveys. A survey for biological resources shall be conducted at the site level by a qualified biologist (i.e., familiar with wildlife, plants, streams and habitats in the County) approved by the County prior to any staging or development activities. The survey area shall include the proposed development area, including areas of anticipated construction and ground disturbance, as well as staging areas, areas of anticipated light or noise impact, ingress and egress routes, and utility routes. The survey area shall be large enough to encompass areas subject to both direct and indirect impacts. The qualified biologist shall map land cover, identify natural communities and species observed, and assess the habitat suitability of the proposed activity footprint for special-status plants and wildlife, and sensitive habitats including streambed resources. A report with evidence to support a conclusion as to whether special status species and sensitive habitats are present or are likely to occur within the proposed activity footprint shall be submitted to the County for review. If special status species and sensitive habitats will be impacted by the Project, additional mitigation measures, permitting, and/or mitigation may be required.	Prior to Project construction and activities	Lead Agency/ Applicant
Recommendation #1: Subsequent Environmental Review. CDFW is unclear of the process for how individual projects would be determined to be consistent with the LACC and General Plan. The LACC and General Plan do not appear to have mechanisms for site level analysis of impacts to biological resources from development of vacant land for structures that could then apply for a	Prior to finalizing CEQA document	Lead Agency

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Mitigation Measure	Timing	Responsible Party
cannabis business license. The PEIR should clearly identify the process and have a mechanism for CDFW review, particularly for undeveloped land that may be developed for cannabis businesses (CCR 15168(c)). CDFW understands that the review of individual projects for impacts to biological resources would be led by the County Department of Regional Planning for consistency of the LACC and General Plan. In CDFW's experience development of a structure can often be ministerial. CDFW believes the development of land should not be ministerial in cases where vacant land is developed with structures and site improvements that may impact biological resources. In addition, the FPEIR should cite the specific requirements in the General Plan and LACC that address site level review for biological resources, or include them as part of the Project, prior to obtaining a final cannabis business license.		
Recommendation #2: Land Development and Redevelopment Discussion. The PEIR should include a discussion of the Project's potential to induce land development for the purpose of cannabis businesses and a discussion of impacts associated with the development and redevelopment of lands. Alternatively, the PEIR could be revised to state the building used for cannabis businesses must be existing as of the time the NOP was published, not at the time of application for a license, and that any new structures would require separate environmental review. This would ensure undeveloped land is not developed for the purpose of cannabis cultivation without proper environmental review.	Prior to finalizing CEQA document	Lead Agency
Recommendation #3: Environmental Baseline. Because the Project would allow for existing structures and may also result in development of properties for cannabis cultivation that may not occur without Project, the Environmental Baseline should include an analysis of properties within areas	Prior to finalizing CEQA document	Lead Agency

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Mitigation Measure	Timing	Responsible Party
eligible for cannabis businesses that have existing, legally constructed, and permitted structures sufficient for cannabis businesses and properties that are undeveloped and will require development. CEQA Guidelines section 15125, subdivision (a)(1) requires a description of the physical environmental conditions in the vicinity of the project as they exist at the time the notice of preparation is published, absent substantial evidence that an existing conditions analysis would be misleading or without informational value. In addition, Environmental Planning and Information Council v. County of El Dorado (1982) 131 Cal. App. 3rd 350, 354 determined that CEQA is focused on the “effects of projects on the actual environment upon which the proposed project will operate”. This disclosure of an accurate baseline analysis is necessary to allow CDFW to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution, population trends, and connectivity).		
Mitigation Measure #2: Burrowing Owl Surveys. A burrowing owl survey at the site level shall be conducted prior to any staging or development activities to avoid impacts to burrowing owls and/or occupied burrows. The survey shall be conducted by a qualified biologist and in accordance with the methods outlined in CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012) or CDFW’s most recent guidance. Documentation of surveys and findings shall be submitted to the County for review. If no burrowing owls or occupied burrows are detected, project activities may begin, and no additional avoidance and minimization measures shall be required. If an active nest (i.e., occupied with eggs or fledglings) is found outside, but within 500 feet, of the development footprint, the qualified biologist shall establish a “no-disturbance” buffer around the burrow location(s). The size of the “no-disturbance” buffer shall be determined in consultation with CDFW and be	Prior to Project construction and activities	Lead Agency/ Applicant

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Mitigation Measure	Timing	Responsible Party
based on the proposed level of disturbance. If an occupied burrow is found within the development footprint, the project proponent shall contact CDFW to develop appropriate mitigation and management procedures or obtain an Incidental Take Permit from CDFW. If burrowing owl presence is confirmed, the project proponent shall offset impacts by acquiring mitigation lands for the species. The potential mitigation land shall have the following: 1) have presence of burrowing owl; 2) sufficiently replace the impacted burrowing owl habitat area to ensure no net loss of habitat; and 3) be of equivalent or greater habitat value than that of the project site.		
Mitigation Measure #3: Incidental Take Permit. If western burrowing owl is detected the Project and impacts cannot be avoided, the proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the County prior to implementing Project ground-disturbing activities and vegetation removal.	Prior to Project construction and activities	Lead Agency/ Applicant

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Mitigation Measure	Timing	Responsible Party
Recommendation #4: Analysis of Western Burrowing Owl Impacts. The FPEIR should include a discussion of the Project's impact to western burrowing owl from the development or redevelopment of land and include mitigation measures sufficient to reduce the impact less than significant. CDFW's issuance of an ITP for a Project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/Project proponent for the Project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 2081 and/or under CEQA, a project's CEQA document should fully identify the potential impacts to western Joshua trees and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.	Prior to finalizing CEQA document	Lead Agency
Mitigation Measure #4: Western Joshua Tree Survey. Prior to any staging or development activities at the site level, a western Joshua tree census shall be conducted by a qualified biologist within the Project site and an appropriate distance around the Project site. The census shall be conducted in accordance with CDFW's Western Joshua Tree Census Instructions.¹⁶ Findings from the census shall be compiled in a report submitted to the County prior to the beginning of Project activities.	Prior to Project construction and activities	Lead Agency/ Applicant
Mitigation Measure #5: Incidental Take Permit. If western Joshua tree is detected and will be impacted by development of the site, the Project proponent shall coordinate with CDFW and obtain appropriate take	Prior to Project construction and activities	Lead Agency/ Applicant

¹⁶ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=238156&inline>

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Mitigation Measure	Timing	Responsible Party
authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the County prior to implementing Project ground-disturbing activities and vegetation removal.		
Recommendation #5: Analysis of Western Joshua Tree Impacts. The FPEIR should include a discussion of the Project's impact to western Joshua tree from the development or redevelopment of land to support cannabis businesses and include mitigation measures sufficient to reduce the impact less than significant. CDFW's issuance of an ITP for a project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/Project proponent for the project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 2081 and/or under CEQA, a project's CEQA document should fully identify the potential impacts to western Joshua trees and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.	Prior to finalizing CEQA document	Lead Agency
Mitigation Measure #6: Mohave Ground Squirrel Surveys. Prior to any staging or development activities at the site level, a qualified biologist familiar with Mohave ground squirrel behavior and life history shall conduct focused surveys for Mohave ground squirrel throughout the Project site. Focused Mohave ground squirrel surveys shall follow CDFW's Mohave Ground Squirrel	Prior to Project construction and activities	Lead Agency/ Applicant

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Mitigation Measure	Timing	Responsible Party
<u>Survey Guidelines</u>¹⁷ (CDFW 2023). If a survey conducted according to CDFW guidelines results in no capture or observation of Mohave ground squirrel on a Project site, this is not necessarily evidence that the Mohave ground squirrel does not exist on the site or that the site is not actual or potential habitat of the species. However, in the circumstance of such a negative result, CDFW may stipulate that the Project site harbors no Mohave ground squirrel. This stipulation would expire one year from the end date of the last trapping on the Project site conducted according to these guidelines. However, if Mohave ground squirrel or other listed species are discovered on the Project site, avoiding take of a listed species and or securing authorization for incidental take of a listed species pursuant to Fish and Game Code Section 2081 (b) et seq. remains the responsibility of the Project applicant.		
Mitigation Measure #7: Incidental Take Permit. The Project applicant may choose to forgo focused Mohave ground squirrel presence/absence surveys and assume presence of Mohave ground squirrel on site. Under this option, an ITP shall be obtained for Mohave ground squirrel prior to ground/vegetation disturbance activities. The Project shall mitigate for temporary and/or permanent impacts to Mohave ground squirrel habitat as specified in conditions of the ITP through habitat acquisition at a CDFW-approved location and mitigation ratio.	Prior to Project construction and activities	Lead Agency/ Applicant
Recommendation #6: Analysis of Mohave Ground Squirrel Impacts. The FPEIR should include a discussion of the Project's impact to Mohave ground squirrel from the development or redevelopment of land to support cannabis	Prior to finalizing CEQA	Lead Agency

¹⁷ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975>

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Mitigation Measure	Timing	Responsible Party
businesses and include mitigation measures sufficient to reduce the impact less than significant. CDFW's issuance of an ITP for a Project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/Project proponent for the Project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 2081 and/or under CEQA, a project's CEQA document should fully identify the potential impacts to Mohave ground squirrel and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.	document	
Mitigation Measure #8: Sensitive Species Surveys. Prior to any staging or development activities at the site level, a qualified biologist shall conduct biological surveys of any areas where potential special status biological resources (special status species and SSC), or sensitive natural communities may occur. During the design of the project, and prior to construction, the project proponent shall employ a qualified biologist to review the proposed project. To the extent feasible, the location(s) of a proposed project shall be on previously disturbed or developed sites and shall avoid undisturbed, high-quality, natural habitat that supports special status biological resources, areas that are used for regional or local wildlife movement, and jurisdictional wetlands and associated waters. If a desktop review indicates that special status biological resources or natural communities may occur in the project area, the project proponent shall either assume presence and mitigate accordingly, or a qualified biologist shall conduct species-specific biological surveys or botanical field surveys to confirm the presence and extent of special status biological resources and/or sensitive natural communities prior	Prior to Project construction and activities	Lead Agency/ Applicant

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Mitigation Measure	Timing	Responsible Party
to the start of construction. Surveys shall be conducted according to protocols currently accepted by CDFW and/or USFWS. If no accepted survey protocol exists, the project proponent shall consult CDFW for guidance. To determine presence/absence or accurately identify rare plants, a qualified botanist shall conduct multiple rare plant surveys throughout the growing season for any given year. Surveys shall occur during the time of year when rare plants are more likely to be visually detectable. Rare plant surveys proceeding after a low water year should be supplemented with one or two additional rare plant surveys over a number of years depending on the rare plant species, annual weather patterns, and whether the project area was recently disturbed (e.g., fire). If special status biological resources or their sign (e.g., scat, burrows) are observed, the project proponent shall report the observation to CDFW through an entry in the California Natural Diversity Database (CNDDDB) and develop a plan to avoid impacts that is specific to each species. If impacts cannot be avoided, the project proponent shall consult with CDFW to obtain appropriate authorization for take of species protected under CESA (pursuant to Fish & G. Code, § 2080 et seq.). The project proponent shall have a copy of a fully executed take authorization prior to any activity that may result in take of CESA-protected species. If the desktop review indicates that no special status biological resources or natural communities may occur in the project area, then biological surveys are not required.		
Recommendation #7: Analysis of Special Status Species Impacts. The FPEIR should include a discussion and disclosure of potential impacts to biological resources from the development or redevelopment of sites for the purpose of cannabis businesses. This information is necessary to allow CDFW to comment on alternatives to avoid impacts, as well as to assess the significance of the specific impact relative to the species (e.g., current range, distribution,	Prior to finalizing CEQA document	Lead Agency

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Mitigation Measure	Timing	Responsible Party
population trends, and connectivity).		
Mitigation Measure #9: Fencing Plan. A fencing plan should be provided for each cannabis operation at the site level to demonstrate that wildlife entrapment and mortality and connectivity are mitigated to less than significant. Should any subsequent proposed project occur in a location that has been identified as a wildlife movement corridor or found to impede the free movement of wildlife, the FPEIR should include mechanisms at the site level to provide compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification) to sensitive and special status plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring.	Prior to Project construction and activities	Lead Agency/ Applicant
Recommendation #8: Analysis of Fencing Impact. FPEIR should analyze impacts from required security measures and other fencing/barriers required for cannabis projects to animal species and wildlife movement/connectivity. The FPEIR should include information on the height, length, type of materials, maintenance requirements, and location of fencing that would be needed for cannabis businesses. The FPEIR should also provide a mechanism for analyzing and mitigating potential impacts from fencing at the individual (site) level.	Prior to finalizing CEQA document	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Mitigation Measure #10: LSA. Individual businesses shall notify the California Department of Fish and Wildlife (CDFW) pursuant to Fish and Game Code 1602 and obtain an LSA Agreement from CDFW prior to Project activities that will impact streams. For projects requiring a LSA, the Notification shall include a hydrology report to evaluate whether altering streams within the Project site may impact hydrologic activity. The hydrology report shall also include a hydrological evaluation of any potential scour or erosion at the Project site due to a storm event for existing and proposed conditions. Please visit CDFW's Lake and Streambed Alteration Program webpage¹⁸ for more information (CDFW 2026d).	Prior to Project construction and activities	Lead Agency/ Applicant
Mitigation Measure #11: Compensatory Mitigation. If impacts to streams are unavoidable, the cannabis business shall provide compensatory mitigation for impacts on streams and associated plant communities as part of the County land use and business license process. Any off-site mitigation shall occur where a stream supports the same plant communities impacted by the project and preferably within the same watershed.	Prior to Project construction and activities	Lead Agency/ Applicant
Recommendation #9: Analysis of Stream Crossing Impacts. The FPEIR should analyze impacts from construction, replacement, paving, and maintenance of stream crossings for cannabis business access to plant and animal species and wildlife movement/connectivity. The FPEIR should also provide a mechanism for analyzing and mitigating potential impacts from stream crossings at the individual (site) level.	Prior to finalizing CEQA document	Lead Agency

¹⁸ <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>

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Attachment B: Figures and Tables

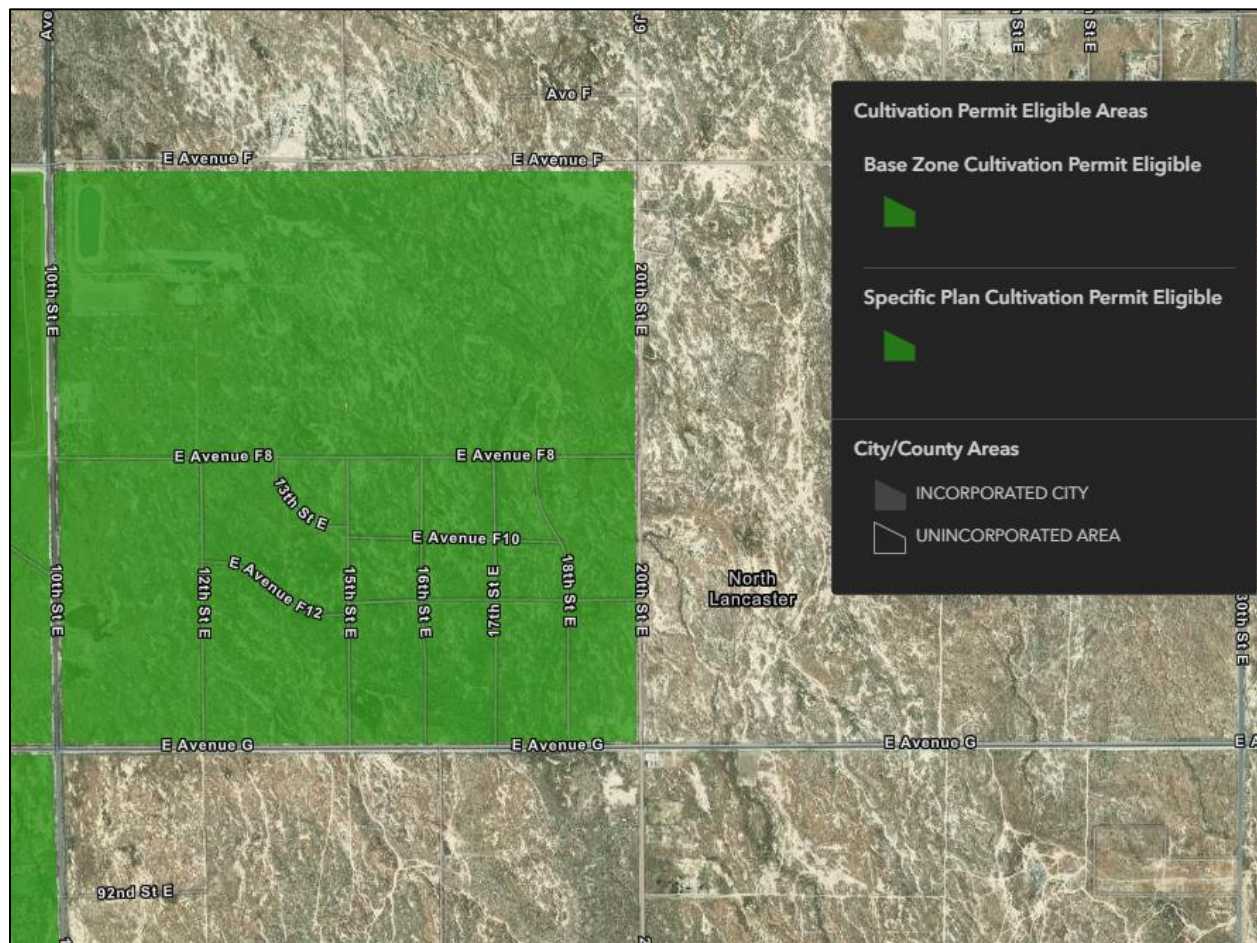


Figure 1. Map from the County's [Eligibility Zones for Commercial Cannabis in Unincorporated Los Angeles County](https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=df60d1a4b1014df7866949fe46519711)¹⁹ showing an example of undeveloped land that is eligible for commercial cannabis cultivation, non-storefront retail, testing, distribution, volatile and non-volatile manufacturing, and microbusinesses (approximately Latitude 34.742646, Longitude - 118.099724).

¹⁹ <https://lacounty.maps.arcgis.com/apps/instant/sidebar/index.html?appid=df60d1a4b1014df7866949fe46519711>

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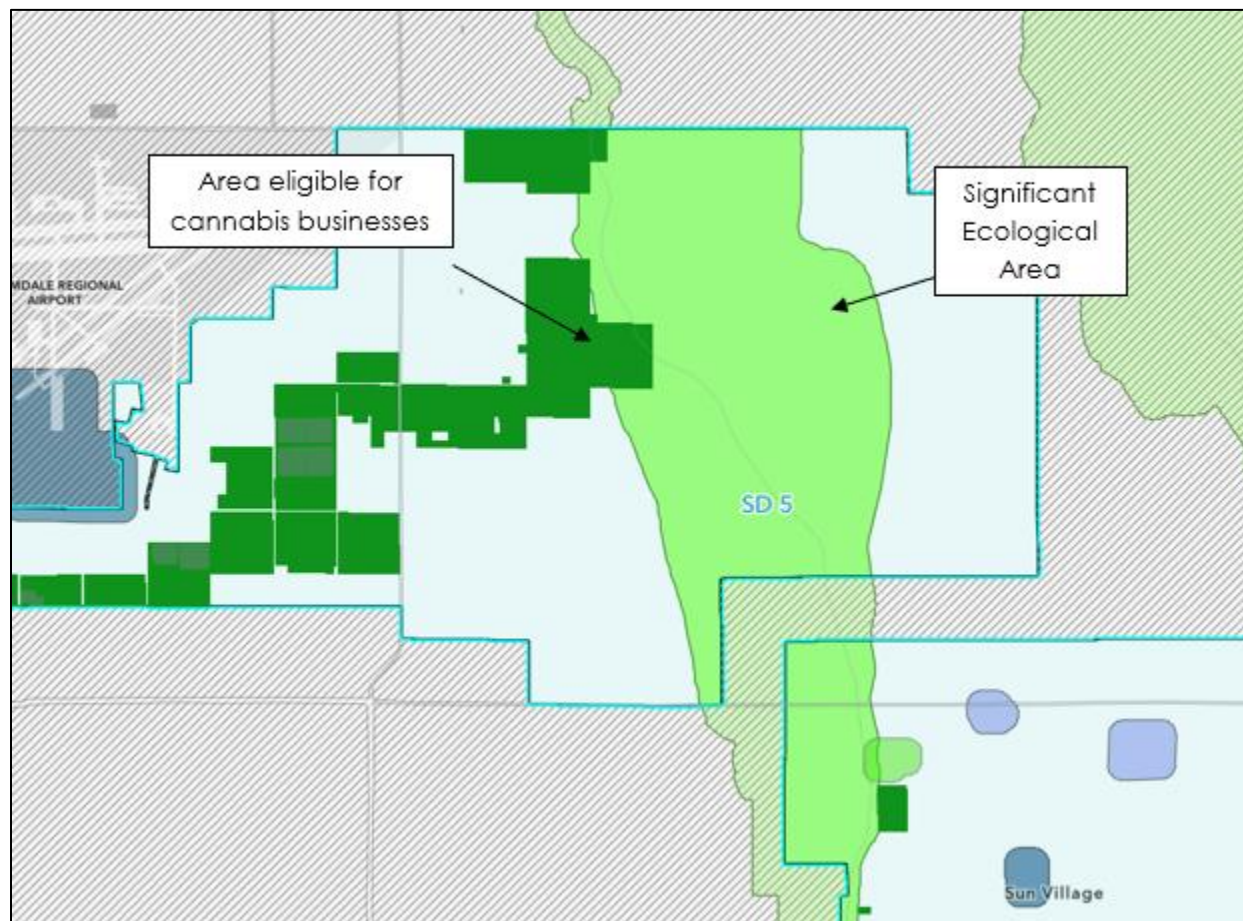


Figure 2: Map from the County's Eligibility Zones for Commercial Cannabis in Unincorporated Los Angeles County showing an example of a location within a Significant Ecological Area that is eligible for commercial cannabis cultivation, non-storefront retail, testing, distribution, volatile and non-volatile manufacturing, and microbusinesses (approximately Latitude 34.61928, Longitude -118.00811). However, this location does not meet the eligibility requirements of the PEIR as the location is within a Significant Ecological Area.

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Table 1: CNDDDB Records of Listed Species Occurring within Five Miles of the Project Area

Common Name	Scientific Name	Federal Listing Status	State Listing Status
southern mountain yellow-legged frog	<i>Rana muscosa</i>	Endangered	Endangered
foothill yellow-legged frog - south coast DPS	<i>Rana boylei</i> pop. 6	Endangered	Endangered
arroyo toad	<i>Anaxyrus californicus</i>	Endangered	SSC
western spadefoot	<i>Spea hammondi</i>	Proposed Threatened	SSC
California red-legged frog	<i>Rana draytonii</i>	Threatened	None
burrowing owl	<i>Athene cunicularia</i>	None	Candidate Endangered
bald eagle	<i>Haliaeetus leucocephalus</i>	Delisted	Endangered
least Bell's vireo	<i>Vireo bellii pusillus</i>	Endangered	Endangered
California condor	<i>Gymnogyps californianus</i>	Endangered	Endangered
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	Endangered	Endangered
California least tern	<i>Sternula antillarum browni</i>	Endangered	Endangered
Belding's savannah sparrow	<i>Passerculus sandwichensis beldingi</i>	None	Endangered
western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	Threatened	Endangered
coastal California gnatcatcher	<i>Polioptila californica californica</i>	Threatened	None
western snowy plover	<i>Anarhynchus nivosus nivosus</i>	Threatened	None
tricolored blackbird	<i>Agelaius tricolor</i>	None	Threatened
Swainson's hawk	<i>Buteo swainsoni</i>	None	Threatened
bank swallow	<i>Riparia riparia</i>	None	Threatened
California black rail	<i>Laterallus jamaicensis coturniculus</i>	None	Threatened
Riverside fairy shrimp	<i>Streptocephalus woottoni</i>	Endangered	None
vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	Threatened	None
western Joshua tree	<i>Yucca brevifolia</i>	None	Candidate Threatened
slender-horned spineflower	<i>Dodecahema leptoceras</i>	Endangered	Endangered
Nevin's barberry	<i>Berberis nevinii</i>	Endangered	Endangered
Lyon's pentachaeta	<i>Pentachaeta lyonii</i>	Endangered	Endangered
salt marsh bird's-beak	<i>Chloropyron maritimum ssp. maritimum</i>	Endangered	Endangered

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Common Name	Scientific Name	Federal Listing Status	State Listing Status
Ventura Marsh milk-vetch	<i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i>	Endangered	Endangered
coastal dunes milk-vetch	<i>Astragalus tener</i> var. <i>titi</i>	Endangered	Endangered
marsh sandwort	<i>Arenaria paludicola</i>	Endangered	Endangered
San Diego button-celery	<i>Eryngium aristulatum</i> var. <i>parishii</i>	Endangered	Endangered
San Fernando Valley spineflower	<i>Chorizanthe parryi</i> var. <i>fernandina</i>	None	Endangered
Braunton's milk-vetch	<i>Astragalus brauntonii</i>	Endangered	None
spreading navarretia	<i>Navarretia fossalis</i>	Threatened	None
Agoura Hills dudleya	<i>Dudleya cymosa</i> ssp. <i>agourensis</i>	Threatened	None
Santa Monica dudleya	<i>Dudleya cymosa</i> ssp. <i>ovatifolia</i>	Threatened	None
Mt. Gleason paintbrush	<i>Castilleja gleasoni</i>	None	Rare
Santa Susana tarplant	<i>Deinandra minthornii</i>	None	Rare
Conejo buckwheat	<i>Eriogonum crocatum</i>	None	Rare
marcescent dudleya	<i>Dudleya cymosa</i> ssp. <i>marcescens</i>	Threatened	Rare
Gambel's water cress	<i>Nasturtium gambelii</i>	Endangered	Threatened
beach spectaclepod	<i>Dithyrea maritima</i>	None	Threatened
unarmored threespine stickleback	<i>Gasterosteus aculeatus williamsoni</i>	Endangered	Endangered
Mohave tui chub	<i>Siphateles bicolor mohavensis</i>	Endangered	Endangered
steelhead - southern California DPS	<i>Oncorhynchus mykiss irideus</i> pop. 10	Endangered	Endangered
tidewater goby	<i>Eucyclogobius newberryi</i>	Endangered	SSC
Santa Ana speckled dace	<i>Rhinichthys gabrielino</i>	Proposed Threatened	SSC
Santa Ana sucker	<i>Pantosteus santaanae</i>	Threatened	None
quino checkerspot butterfly	<i>Euphydryas editha quino</i>	Endangered	Candidate Endangered
Crotch's bumble bee	<i>Bombus crotchii</i>	None	Candidate Endangered
Palos Verdes blue butterfly	<i>Glaucopsyche lygdamus palosverdesensis</i>	Endangered	None
El Segundo blue butterfly	<i>Euphilotes allyni</i>	Endangered	None

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Common Name	Scientific Name	Federal Listing Status	State Listing Status
monarch - California overwintering population	<i>Danaus plexippus plexippus pop. 1</i>	Proposed Threatened	None
Pacific pocket mouse	<i>Perognathus longimembris pacificus</i>	Endangered	Candidate Endangered
Mohave ground squirrel	<i>Xerospermophilus mohavensis</i>	None	Threatened
Nelson's (=San Joaquin) antelope squirrel	<i>Ammospermophilus nelsoni</i>	None	Threatened
California Orcutt grass	<i>Orcuttia californica</i>	Endangered	Endangered
thread-leaved brodiaea	<i>Brodiaea filifolia</i>	Threatened	Endangered
blunt-nosed leopard lizard	<i>Gambelia sila</i>	Endangered	Endangered
desert tortoise	<i>Gopherus agassizii</i>	Threatened	Endangered
southwestern pond turtle	<i>Actinemys pallida</i>	Proposed Threatened	SSC
northwestern pond turtle	<i>Actinemys marmorata</i>	Proposed Threatened	SSC

Table 2: CNDDDB Records of Rare Plant Species Occurring within Five Miles of the Project Area

Common Name	Scientific Name	California Rare Plant Rank
Los Angeles sunflower	<i>Helianthus nuttallii</i> ssp. <i>parishii</i>	1A
Parish's gooseberry	<i>Ribes divaricatum</i> var. <i>parishii</i>	1A
Ballona cinquefoil	<i>Potentilla multijuga</i>	1A
Mason's neststraw	<i>Stylocline masonii</i>	1B.1
Parish's popcornflower	<i>Plagiobothrys parishii</i>	1B.1
Parry's spineflower	<i>Chorizanthe parryi</i> var. <i>parryi</i>	1B.1
Piute Mountains navarretia	<i>Navarretia setiloba</i>	1B.1
Newhall sunflower	<i>Helianthus inexpectatus</i>	1B.1
Ojai navarretia	<i>Navarretia ojaiensis</i>	1B.1
Horn's milk-vetch	<i>Astragalus hornii</i> var. <i>hornii</i>	1B.1
Malibu baccharis	<i>Baccharis malibuensis</i>	1B.1
Blochman's dudleya	<i>Dudleya blochmaniae</i> ssp. <i>blochmaniae</i>	1B.1
Parish's brittlescale	<i>Atriplex parishii</i>	1B.1
southern tarplant	<i>Centromadia parryi</i> ssp. <i>australis</i>	1B.1
Brand's star phacelia	<i>Phacelia stellaris</i>	1B.1
Coulter's goldfields	<i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	1B.1
Lancaster milk-vetch	<i>Astragalus preussii</i> var. <i>laxiflorus</i>	1B.1

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Common Name	Scientific Name	California Rare Plant Rank
San Gabriel Mountains dudleya	Dudleya densiflora	1B.1
Orcutt's pincushion	Chaenactis glabriuscula var. orcuttiana	1B.1
mesa horkelia	Horkelia cuneata var. puberula	1B.1
Rosamond eriastrum	Eriastrum rosamondense	1B.1
Nuttall's scrub oak	Quercus dumosa	1B.1
lucky morning-glory	Calystegia felix	1B.1
smooth tarplant	Centromadia pungens ssp. laevis	1B.1
Payne's bush lupine	Lupinus paynei	1B.1
slender mariposa-lily	Calochortus clavatus var. gracilis	1B.2
short-joint beavertail	Opuntia basilaris var. brachyclada	1B.2
chaparral ragwort	Senecio aphanactis	1B.2
alkali mariposa-lily	Calochortus striatus	1B.2
Ross' pitcher sage	Lepechinia rossii	1B.2
San Gabriel linanthus	Linanthus concinnus	1B.2
Robbins' nemacladus	Nemacladus secundiflorus var. robbinsii	1B.2
Palmer's mariposa-lily	Calochortus palmeri var. palmeri	1B.2
Davidson's bushmallow	Malacothamnus davidsonii	1B.2
rigid fringe-pod	Thysanocarpus rigidus	1B.2
many-stemmed dudleya	Dudleya multicaulis	1B.2
Coulter's saltbush	Atriplex coulteri	1B.2
southern mountains skullcap	Scutellaria bolanderi ssp. austromontana	1B.2
San Gabriel River dudleya	Dudleya cymosa ssp. crebrifolia	1B.2
south coast salt-scale	Atriplex pacifica	1B.2
Davidson's salt-scale	Atriplex serenana var. davidsonii	1B.2
aphanisma	Aphanisma blitoides	1B.2
intermediate mariposa-lily	Calochortus weedii var. intermedius	1B.2
coast woolly-heads	Nemacaulis denudata var. denudata	1B.2
dune larkspur	Delphinium parryi ssp. blochmaniae	1B.2
island green dudleya	Dudleya virens ssp. insularis	1B.2
prostrate vernal pool navarretia	Navarretia prostrata	1B.2
estuary seablite	Suaeda esteroa	1B.2

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Common Name	Scientific Name	California Rare Plant Rank
Catalina crossosoma	Crossosoma californicum	1B.2
San Bernardino aster	Symphyotrichum defoliatum	1B.2
Clokey's cryptantha	Cryptantha clokeyi	1B.2
coastal goosefoot	Chenopodium littoreum	1B.2
Baja navarretia	Navarretia peninsularis	1B.2
decumbent goldenbush	Isocoma menziesii var. decumbens	1B.2
California screw moss	Tortula californica	1B.2
chaparral nolina	Nolina cismontana	1B.2
San Gabriel bedstraw	Galium grande	1B.2
Sanford's arrowhead	Sagittaria sanfordii	1B.2
Big Bear Valley woollypod	Astragalus leucolobus	1B.2
San Antonio milk-vetch	Astragalus lentiginosus var. antonius	1B.3
Greata's aster	Symphyotrichum greatae	1B.3
late-flowered mariposa-lily	Calochortus fimbriatus	1B.3
southern jewelflower	Streptanthus campestris	1B.3
Raven's blazing-star	Mentzelia ravenii	1B.3
white-veined monardella	Monardella hypoleuca ssp. hypoleuca	1B.3
Mt. Pinos onion	Allium howellii var. clokeyi	1B.3
western bristly scaleseed	Spermolepis lateriflora	2A
Rocky Mountain bulrush	Schoenoplectiella saximontana	2B.1
California satintail	Imperata brevifolia	2B.1
sagebrush loeflingia	Loeflingia squarrosa var. artemisiarum	2B.2
white rabbit-tobacco	Pseudognaphalium leucocephalum	2B.2
Sonoran maiden fern	Pelazoneuron puberulum var. sonorensis	2B.2
salt spring checkerbloom	Sidalcea neomexicana	2B.2
California saw-grass	Cladium californicum	2B.2
mud nama	Nama stenocarpa	2B.2
Peruvian dodder	Cuscuta obtusiflora var. glandulosa	2B.2
Mt. Gleason paintbrush	Castilleja gleasoni	1B.2
Santa Susana tarplant	Deinandra minthornii	1B.2
Conejo buckwheat	Eriogonum crocatum	1B.2

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Table 3: CNDDDB Records of SSC Occurring within Five Miles of the Project Area

Common Name	Scientific Name
tidewater goby	<i>Eucyclogobius newberryi</i>
Santa Ana sucker	<i>Pantosteus santaanae</i>
Santa Ana speckled dace	<i>Rhinichthys gabrielino</i>
arroyo chub	<i>Gila orcuttii</i>
western mastiff bat	<i>Eumops perotis californicus</i>
coast horned lizard	<i>Phrynosoma blainvillii</i>
spotted bat	<i>Euderma maculatum</i>
California leaf-nosed bat	<i>Macrotus californicus</i>
two-striped gartersnake	<i>Thamnophis hammondi</i>
pallid bat	<i>Antrozous pallidus</i>
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>
Le Conte's thrasher	<i>Toxostoma lecontei</i>
western spadefoot	<i>Spea hammondi</i>
mountain plover	<i>Anarhynchus montanus</i>
southwestern pond turtle	<i>Actinemys pallida</i>
northwestern pond turtle	<i>Actinemys marmorata</i>
arroyo toad	<i>Anaxyrus californicus</i>
yellow-breasted chat	<i>Icteria virens</i>
yellow warbler	<i>Setophaga petechia</i>
American badger	<i>Taxidea taxus</i>
grasshopper sparrow	<i>Ammodramus savannarum</i>
western yellow bat	<i>Lasiurus xanthinus</i>
big free-tailed bat	<i>Nyctinomops macrotis</i>
western red bat	<i>Lasiurus frantzii</i>
pocketed free-tailed bat	<i>Nyctinomops femorosaccus</i>
red-diamond rattlesnake	<i>Crotalus ruber</i>
yellow rail	<i>Coturnicops noveboracensis</i>
short-eared owl	<i>Asio flammeus</i>
northern harrier	<i>Circus hudsonius</i>
loggerhead shrike	<i>Lanius ludovicianus</i>
California red-legged frog	<i>Rana draytonii</i>
Tehachapi pocket mouse	<i>Perognathus alticolus inexpectatus</i>
black swift	<i>Cypseloides niger</i>
Northern California legless lizard	<i>Anniella pulchra</i>
Southern California legless lizard	<i>Anniella stebbinsi</i>
coastal cactus wren	<i>Campylorhynchus brunneicapillus sandiegensis</i>
southern grasshopper mouse	<i>Onychomys torridus ramona</i>

Fernando Nieto
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California legless lizard	<i>Anniella spp.</i>
coastal whiptail	<i>Aspidoscelis tigris stejnegeri</i>
coastal California gnatcatcher	<i>Polioptila californica californica</i>
Coast Range newt	<i>Taricha torosa</i>
California glossy snake	<i>Arizona elegans occidentalis</i>
south coast gartersnake	<i>Thamnophis sirtalis pop. 1</i>
western snowy plover	<i>Anarhynchus nivosus nivosus</i>
south coast marsh vole	<i>Microtus californicus stephensi</i>
southern California saltmarsh shrew	<i>Sorex ornatus salicornicus</i>

Comment Letter A.2 – [Victoria Tang, California Department of Fish and Wildlife]

Comment Response A.2-1

This comment provides a summary of the California Department of Fish and Wildlife's (CDFW's) regulatory authority and their role in the management of fish and wildlife resources. Further, it provides a brief overview of CDFW's understanding of the proposed Project and outlines the biological setting of the County. The County understands CDFW's roles and responsibilities regarding the conservation, protection, and management, of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. The County appreciates CDFW's review of the Draft Program EIR.

This comment expresses concerns that land development or redevelopment for cannabis projects may impact biological resources, and states that these impacts were not analyzed in the Program EIR. However, an analysis of the potential impacts on biological resources is presented in the IS (Appendix A). As discussed therein and throughout this Program EIR in Chapter 2, *Project Description* and Chapter 3, *Environmental Impact Analysis*, the proposed Project involves the development of an ordinance and amendments to existing regulations intended to establish a regulatory program for the licensing and permitting of commercial cannabis businesses within the unincorporated areas of the County. The proposed Project does not involve the development, licensing, or permitting approval of any individual commercial cannabis businesses. Please refer to Master Response 1 – Use of a Program EIR, for a detailed discussion of the programmatic nature of the proposed Project, the absence of site-specific project approvals, and the appropriate use of a Program EIR under CEQA. Please also refer to Master Response 2 – New Development, for a detailed response to concerns regarding the potential for new development under the proposed Project which could affect biological resources.

Further, as stated in the IS, under the proposed Project, commercial cannabis activities would not be permissible within proximity to habitat or natural communities supporting sensitive species identified in local or regional plans, policies, or regulations. Commercial cannabis activities would be permitted only in existing, legally constructed and permitted structures in eligible commercial/commercial-only mixed-use, industrial, and institutional zones of the county. 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 within existing development. Further, commercial cannabis activities would be prohibited in any area identified as a Sensitive Ecological Area, as well as on public lands. Finally, cannabis businesses would be subject to policies included in the General Plan / Local Coastal Program (LCP), as well as other federal, State, and local regulations regarding sensitive natural communities.

The IS also states that any site alterations occurring as an indirect result of the proposed 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. The commenter noted that fencing may have impacts to wildlife movement. However, individual project fencing plans would be subject to County review before any cannabis permitting would occur. Given the nature of the proposed Project, limitations on development and site alterations, and requirements outlined in proposed and existing County and State regulations, impacts to biological resources were identified as less than significant, and no mitigation measures were deemed necessary to reduce or avoid a potentially significant impact. Thus, impacts to biological resources were not evaluated further in the Program EIR.

Comment Response A.2-2

This comment offers several recommended mitigation measures to address concerns for impacts to biological resources described in Comment A.2-1. However, as previously described in Comment Response A.2-1, impacts to biological resources were identified as less than significant, and no mitigation measures were deemed necessary to reduce or avoid a potentially significant impact.

Comment Response A.2-3

This comment states that undeveloped land is shown as eligible for cannabis businesses, and as these undeveloped areas would require construction of infrastructure to accommodate businesses. The comment continues that the logic for the justification of less than significant impacts hinges on sites having existing utilities. The County acknowledges that the initial eligibility maps are programmatic screening tools prepared using countywide GIS layers that were available at the time and are not intended to serve as final determinations of site eligibility. Please refer to Master Response 2 – New Development for detailed response to concerns regarding potential impacts from development of sites as a result of the proposed Project.

For a site to be eligible for commercial cannabis activities, it must be located on an eligible zoned parcel and restricted to developed lots that have existing public infrastructure and utilities (e.g., roadways, water systems, sewer systems, flood control infrastructure, energy infrastructure, and telecommunications infrastructure), as well as public services (e.g., police and fire) currently serving the site. An applicant that cannot demonstrate adequacy of public infrastructure, utility service, and public services would not be eligible for a license. Potential eligibly zoned sites identified in the initial eligibility maps may not be able to demonstrate such services exist to serve the proposed cannabis business, therefore making the sites ineligible.

The comment also suggests that the Program EIR should provide detail about previously-occupied buildings that could be eligible for future cannabis uses, suggesting that the proposed Project include a minimum duration for non-cannabis businesses to occupy the building or stating that the building must be existing at the time the Notice of Preparation (NOP) was published. The County appreciates these recommendations, however, as

previously described, the proposed Project includes sufficient restrictions on site eligibility and prohibitions on proposals for new development as part of the commercial cannabis business licensing process. The Program EIR is meant to provide environmental review over the proposed commercial cannabis licensing program, which would be implemented for many years to come. As such, it would not be practical to require that any buildings eligible for commercial cannabis uses must have been constructed at the time the NOP was published (March 2025). As explained further in Master Response 2 – New Development, if a developer wishes to develop or redevelop a site for commercial cannabis activities, they would be reviewed through the County's existing land use, building, and permitting processes, separate from the cannabis licensing process and before an applicant could seek a cannabis license. Depending on the type, size, location, and characteristics of the proposed development, that process may include site plan or conceptual review, Building and Safety and Fire plan check, and any other applicable permits or approvals. If a proposed development requires discretionary approval and no CEQA exemption applies, the County would conduct the appropriate CEQA review, which may include preparation of an IS and any required project-level analysis.

Further, in communities such as Altadena that experienced severe fire damage, a requirement that eligible buildings be constructed at the time of NOP publishing could potentially render those communities completely ineligible for future commercial cannabis activities. This EIR is meant to serve Los Angeles County communities for potentially decades, and must be flexible enough to build an equitable program. Policy programs thus should not ban future development, but instead use the existing regulatory framework to ensure all future development minimizes environmental impacts.

Comment Response A.2-4

This comment notes some discrepancies in the online eligibility maps and requests the maps be updated to more accurately reflect site eligibility. The County acknowledges that the initial eligibility maps referenced in the Draft Program EIR are programmatic screening tools prepared using countywide GIS layers that were available at the time and are not intended to serve as final determinations of site eligibility. These maps may contain data gaps or omissions due to limitations in source data, including the depiction of eligible sites within Significant Ecological Areas. Under the proposed Project, any potentially eligible zoned parcel that overlaps with a required buffer (i.e., no sites within Significant Ecological Areas), would not be eligible for a commercial cannabis license, regardless of what is shown in the initial eligibility maps. Prior to issuance of any cannabis license, as part of the licensing application review process, the County would ensure that applications are consistent with the proposed site eligibility and buffer requirements based on existing land uses at the time of application.

Comment Response A.2-5

This comment states that the environmental baseline described in Chapter 3, *Environmental Impact Analysis*, includes details on illegal cannabis storefront retail businesses, but should include data on the number of unpermitted cannabis cultivation sites. However, the proposed Project is not intended to remediate existing illegal cannabis operations or provide a pathway to legalize unpermitted cultivation operations. The proposed Project would only permit indoor, fully enclosed cultivation in existing legal, permitted structures in industrial zones only, whereas the majority of illicit cultivation operations take place in remote areas of the County zoned for agriculture or resource conservation. Most of these illegal operations are outdoor or mixed light cultivation sites, which would not be permitted under the proposed Project. Under the proposed Project, such activities would remain illegal and subject to enforcement by local law enforcement, as well as state and federal enforcement agencies.

Comment Response A.2-6

This comment states that the specific amendments to Titles 8 and 22 are not included in the Program EIR. Please see Master Response 3 – Description of Ordinance Amendments for a description of how the environmental review was conducted alongside ordinance updates. Please refer to Master Response 3 – Description of Ordinance Amendments for a description of how the environmental review was conducted alongside ordinance updates. The proposed ordinance amendments will be published and made publicly available in accordance with standard County protocols and presented alongside the Final Program EIR for County decision-maker review and consideration.

Comment Response A.2-7

This comment includes a request to be notified if/when the County proposes to increase the number of available licenses. The County values its partnership with CDFW and other State agencies that play a role in enforcing cannabis regulations. The County would be sure to notify CDFW, along with other responsible agencies involved in commercial cannabis permitting and enforcement, of any future modifications to the proposed program. It should also be noted that the County understands its responsibility to evaluate any future modifications to the proposed program consistent with the requirements of CEQA.

Comment Response A.2-8

This comment includes a recommendation for regular meetings between the County and CDFW regional staff to discuss permitting, enforcement, and compliance topics related to cannabis cultivation. The comment also requests the County develop a mechanism that includes CDFW and other responsible agency review to provide input on individual applications for commercial cannabis licensing and permitting as early in the process as possible. The County looks forward to future coordination with CDFW and will submit this comment to the County Board of Supervisors for consideration.



March 30, 2026

Fernando Nieto
Los Angeles County
320 W Temple St, Los Angeles,
CA 90012
(213) 712-5459
Fnieto@dcba.lacounty.gov

Re: Environmental Impact Report (SCH No. 2025030223) – Los Angeles County
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 Environmental Impact Report (EIR) prepared by the County of Los Angeles for the Los Angeles County 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 amended EIR 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 EIR.

General Comments (GCs)

A.3-1

GC 1: Proposed Project Description

Certain comments provided in the specific comment table below relate to the need for additional detail regarding the description of the Proposed Project. In general, a more detailed project

description would be helpful to DCC. The following information would make the EIR more informative:

- 1) The types of equipment anticipated for operations and maintenance activities;
- 2) Description of facility operations and maintenance, including:
 - a. The number of workers employed at the cultivation site;
 - b. Estimated number of weekly trips to and from the site for delivery of materials or supplies, shipment of products, and disposal of all waste generated by the Project;
 - c. Any water efficiency equipment that would be used; and
 - d. Details about proposed landscaping.
- 3) The source (equipment) and amounts of energy expected to be used in operating the cultivation facility, including any energy management and efficiency features incorporated into the Proposed Project.

A.3-1 cont.

The EIR should include local street maps, topographic maps, aerial photographs, site plans, property diagrams, and/or other graphics to show the existing site conditions, the Proposed Project, and the surrounding area. The site plans that are provided in the EIR are not included at a resolution or scale that would allow the reviewer to understand the general location and surrounding features, or to visualize the layout of existing and proposed features of the Project.

GC 2: 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 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 EIR 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.

A.3-2

GC 3: 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.

A.3-3

GC 4: Acknowledgement of DCC Regulations

The EIR 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

A.3-4

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)

A.3-4
cont.

GC 5: 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.

A.3-5

The EIR 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.

GC 6: Site-Specific Reports and Studies

The EIR references several project-specific plans, studies, and reports, including a Waste Management Plan; Site Management Plan; and Letter from CDFW. To ensure that DCC has supporting documentation for the EIR, DCC requests that the County advise applicants to provide copies of all project-specific plans and supporting documentation with their state application package for an annual cultivation license to DCC.

A.3-6

Specific Comments and Recommendations

In addition to the general comments provide above, DCC provides the following specific comments regarding the analysis in the EIR.

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A.3-7

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
1	Appendix B.	B-7	Response to Scoping Comments	The EIR could be more informative if it responded to all of the comments provided by the DCC in the comment letter dated April 2, 2025. The Draft EIR responds to comments in the body of the letter with comments 8-1, 8-2, 8-3, and 8-4. The Draft EIR does not respond to DCC's comments included in the table on pages 5, 6, and 7.
2	N/A	N/A	General Mitigation	The EIR could be more informative if it provided the permit(s) or approval(s) required from each of the agencies required for cannabis cultivation.
3	N/A	N/A	Aesthetics	The EIR could be improved if it included a section for Aesthetics. The Initial Study included a section for Aesthetics, but there is no section that discusses Aesthetics in the EIR.
4	N/A	N/A	Aesthetics	The EIR 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)).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)).
5	N/A	N/A	Cultural	The EIR could be improved if it included a section for Cultural Resources. The Initial Study included a section for Aesthetics, but there is no section that discusses Aesthetics in the EIR.
6	N/A	N/A	Cultural	The EIR could be improved by including the following mitigation: "Suspend Cultivation Immediately if Cultural Resources Are Discovered, Evaluate All Identified Cultural Resources for California

A.3-7 cont.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
				Register of Historical Resources Eligibility, and Implement Appropriate Mitigation Measures for Eligible Resources.”
	N/A	N/A	Tribal Cultural Resources	The EIR could be improved if it included a section for Cultural Resources. The Initial Study included a section for Aesthetics, but there is no section that discusses Aesthetics in the EIR.
33	N/A	N/A	Tribal Cultural Resources	The EIR would be more informative by providing details pertaining to tribal consultations that have occurred for the Proposed Project, as required by Assembly Bill 52.
34	N/A	N/A	Tribal Cultural Resources	The EIR 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).
38	3.6	3.6-1 to 3.6-30	Transportation	The EIR 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 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

A.3-7 cont.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
				City/County provide applicants with supporting information relied upon in the City/County's findings, for DCC's subsequent consideration.

A.3-7 cont.

Conclusion

DCC appreciates the opportunity to provide comments on the EIR 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
Senior Environmental Scientist Supervisor

Comment Letter A.3 – [Kevin Ponce, California Department of Cannabis Control]

Comment Response A.3-1

This comment requests additional detail regarding future cannabis cultivation and other operations, including equipment types, workforce size, trip generation, water and energy use, landscaping, and site-specific mapping to better understand potential impacts. As described in Chapter 2, *Project Description*, the proposed Project is a countywide regulatory and licensing program and does not approve or authorize specific development sites or facility designs. Accordingly, project-specific information such as site plans, detailed equipment inventories, staffing levels, utility demand calculations, and landscaping layouts are not available at the programmatic stage. Please refer to Master Response 1 – Use of a Program EIR for a detailed discussion of the programmatic nature of the proposed Project, the absence of site-specific project approvals, and the appropriate use of a Program EIR under CEQA. For details on expected amounts of energy used for operating cultivation facilities and other proposed cannabis business types, please refer to Section 3.2, *Energy*.

Comment Response A.3-2

This comment asserts that the Program EIR's impact conclusions require additional substantiation and requests expanded discussion of regulatory settings, methodologies, and factual support across multiple resource areas. Please refer to Master Response 1 – Use of a Program EIR for detailed discussion of the programmatic nature of the proposed Project, the absence of site-specific approvals, and the appropriate use of a Program EIR under CEQA.

Comment Response A.3-3

This comment asserts that several mitigation measures lack specificity and enforceability, and requests greater clarity regarding how mitigation would reduce environmental impacts. As disclosed in the Draft Program EIR, the only impact identified as potentially significant under the proposed Project is Impact TR-2, related to project-level increases in vehicle miles traveled (VMT) attributable to new cannabis businesses – particularly cannabis retail uses – operating in the unincorporated County. To address Impact TR-2, the Program EIR identifies Mitigation Measure (MM) TR-1, which would require future cannabis applicants to implement Transportation Demand Management (TDM) strategies aimed at reducing VMT to the maximum extent feasible. MM TR-1 provides a programmatic mitigation framework appropriate for this Program EIR by identifying a suite of representative, feasible TDM measures derived from the County's Transportation Impact Analysis (TIA) Guidelines that may be applicable to commercial cannabis businesses, while allowing flexibility for applicants to propose alternative or equivalent measures that achieve comparable VMT reduction outcomes. Included in Chapter 8, *Mitigation Monitoring and Reporting Program* is additional detail regarding plan requirements, timing, and monitoring responsibilities for implementation of MM TR-1. As presented there, site-based TDM strategies shall be prepared by each individual commercial cannabis license applicant

and submitted as part of project application materials. County OCM and Department of Public Works Transportation Division shall review and confirm that all feasible site-based TDM measures are reflected in project plans and permit requirements. The applicant shall estimate the effectiveness of the site-based TDM measures in reducing project VMT and demonstrate to County compliance monitoring staff that all required TDM measures have been implemented.

Comment Response A.3-4

This comment requests that the EIR more clearly recognize the DCC's role as the State cannabis licensing authority and explain how DCC regulations influence environmental protections. The County recognizes DCC as the State agency responsible for licensing, regulation, and enforcement of commercial cannabis activities pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). The Program EIR contains the appropriate level discussion of DCC's regulatory role, licensing requirements, and operational standards that apply to future cannabis businesses, including provisions that protect environmental resources. This discussion can be found in Chapter 2, *Project Description* of the Program EIR. More specifically, Section 2.3.1, *Existing Cannabis Regulations* presents an overview of DCC's responsibilities and the requirements included in DCC licenses for commercial cannabis activities in California. Section 2.3.2, *Project Overview* also describes the proposed requirements for commercial cannabis businesses allowed under the proposed Project. This includes statements that all licensed cannabis businesses in the unincorporated County would be required to operate in compliance with the County and State license requirements at all times. All cannabis business licenses would be subject to mandatory annual renewal with both the County and the State, and any business that fails to comply with all County and State regulations may be subject to enforcement actions, including fines, license suspension, or revocation. Where applicable to the environmental resource analysis presented in the Draft Program EIR, additional discussion of the relevant State regulations cited by the commenter has been added.

Comment Response A.3-5

This comment requests expanded analysis of cumulative impacts associated with multiple cannabis businesses countywide, including effects on transportation, air quality, noise, groundwater, and odors. The Program EIR includes a cumulative impacts analysis that evaluates the reasonably foreseeable effects of cannabis businesses operating under the proposed program, in combination with other past, present, and probable future development in the unincorporated County.

The cumulative scenario appropriately reflects the program's license caps, zoning limitations, and operational restrictions, which constrain the scale and distribution of cannabis activities. Please refer to Section 3.1.4, *Cumulative Impact Analyses* for a detailed discussion of methodology for analysis of the Project's cumulative environmental impacts. Additionally, please refer to Sections 3.1, *Air Quality* and 3.6, *Transportation* for detailed

discussions of the potential cumulative impacts related to air quality (including odors) and transportation, respectively.

Discussion of impacts related to groundwater, stream-related resources, and noise was presented in the IS (Appendix A). As presented therein and summarized in Chapter 1, *Introduction* of the Program EIR, impacts to those resources were determined to be less than significant and were not analyzed further in this EIR.

Comment Response A.3-6

This comment requests clarification regarding how project-specific plans and studies referenced in the EIR will be provided to DCC as part of State license applications. The Program EIR does not govern State licensing procedures; however, the County agrees that applicants bear responsibility for complying with all State application and documentation requirements administered by DCC. The Final Program EIR clarifies that future cannabis applicants are responsible for preparing and submitting required project-specific documentation, such as waste management plans and operational materials to the appropriate reviewing agencies, including DCC, as part of the State licensing process. This clarification has been added to Chapter 2, *Project Description* for informational purposes.

Comment Response A.3-7

This comment consolidates concerns regarding the analysis of specific resource topics (i.e., aesthetics, cultural resources, tribal cultural resources) as well as other concerns related to mitigation measures, and prior scoping responses provided by DCC. The Program EIR builds upon the IS and scoping process, including prior responses to DCC comments submitted during NOP scoping. The scope and organization of the Program EIR reflect the programmatic nature of the proposed Project and the absence of site-specific details or applications (refer also to Master Response 1 – Use of a Program EIR). Please refer to Section 5.6, *Effects Found Not to be Significant* for a discussion of resource areas for which the proposed Project was determined to result in less than significant impacts. These resource areas were not carried forward for further analysis in the Program EIR.

With regard to DCC's prior comments included on Pages 5 through 7 of their letter submitted during the NOP scoping period, these comments either: 1) request information that has been further expanded on in the Program EIR; or 2) are otherwise not applicable because the proposed Project does not allow for any new development/ground disturbance, and/or impacts were deemed to be less than significant due to mandatory compliance with existing regulations.

This comment goes on to provide additional recommendations relating to topics of general mitigation, aesthetics/visual resources, cultural resources, tribal cultural resources, and transportation impacts. As previously discussed, impacts to aesthetics/visual resources, cultural resources, and tribal cultural resources were determined in the IS to be less than significant, and were therefore not discussed further in this Program EIR. Impacts to these resources were determined to be less than significant primarily due to the fact that the

proposed Project would not allow for new development or substantial redevelopment of existing eligibly zoned parcels for commercial cannabis activities. As described in Chapter 2, *Project Description*, commercial cannabis businesses would be permitted only in existing, legally constructed and permitted structures, and the proposed Project does not authorize new construction for cannabis uses, per Title 22 of the LACC. Any new construction or redevelopment would be subject to separate County permitting and environmental review processes independent of the cannabis licensing program. The IS also states that any site alterations occurring as an indirect result of the proposed 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, minor site alterations would be subject to mandatory compliance with existing State and local plans, policies, and regulations applicable to the proposed site and use, including, but not limited to, County and DCC regulations governing exterior lighting.

With regard to the specific recommendation for inclusion of details pertaining to tribal consultations that have occurred for the proposed Project, a summary discussion of the results of the tribal consultation process has been added to Section 5.6, *Effects Found not to be Significant*. As presented therein, to initiate Assembly Bill (AB) 52 consultation for the proposed Project, OCM requested a contact list from the California Native American Heritage Commission (NAHC), which identified 45 tribal contacts for potential consultation.

OCM sent certified notification letters to each contact provided by the NAHC that included a summary of the proposed Project, location information, OCM contact information, and an invitation to request formal consultation. OCM also followed up by email and phone with contacts that did not initially respond to ensure adequate notice and provide additional opportunities for engagement.

Twelve tribal representatives responded by acknowledging receipt or requesting additional information, and one tribe requested formal consultation. In September 2025, OCM met with representatives of the State-recognized Native American tribe, whose ancestral lands include areas within Los Angeles County.

During the consultation, OCM provided an overview of the proposed commercial cannabis licensing program and the Program EIR process, including zoning eligibility, the environmental resource areas under evaluation, and findings from the Initial Study indicating that the program is unlikely to cause significant ground disturbance or adversely affect tribal cultural resources. OCM also shared the interactive zoning map and invited feedback. Tribal representatives did not identify additional concerns related to the proposed licensing program.

With regard to comments on transportation impacts, please refer to Comment Response A.3-3 above. The Program EIR does not identify any significant and unavoidable impacts to air quality, energy, greenhouse gas (GHG) emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, and utilities and service systems.

9.5.2 Non-Governmental Organizations and Community Groups



March 20, 2026

Delivered via Mail and Email

Los Angeles County
Department of Consumer and Business Affairs
Office of Cannabis Management
320 West Temple Street, Room G-10
Los Angeles, CA 90012
CannabisEIR@dcba.lacounty.gov

Re: Comments on Proposed Los Angeles County Cannabis Ordinance

Dear Office of Cannabis Management:

The Newhall Land and Farming Company, a wholly owned subsidiary of Five Point Holdings, LLC ("Newhall"), appreciates the opportunity to comment on Los Angeles County's proposed Cannabis Ordinance. Newhall is currently developing Valencia, a mixed-use master-planned community consisting of up to 21,500 residential units and 11.5 million square feet of planned commercial space. Valencia will offer a mix of homes, including affordable units, offices, retail, and entertainment options, while preserving 10,000 acres of open space. Valencia is among the first communities of its size to commit to net zero greenhouse gas emissions.

In our prior comment letter on the Cannabis Ordinance, attached, Newhall expressed concern that the proposal would amend the Newhall Ranch Specific Plan to allow cannabis-related businesses in certain land use areas, even though the Specific Plan was adopted by the Board of Supervisors in 2003 as the long-term planning framework for the area and a critical tool for delivering much-needed homes and jobs to the region. We also raised concerns about the proposed ministerial licensing process and the lack of local control. We asked the County to require a Conditional Use Permit ("CUP") process for any cannabis-related uses.

O.1-1

We have reviewed the current Cannabis Ordinance and are disappointed that our key prior comments were not addressed. Accordingly, we respectfully request that the County consider and incorporate the following two comments on the proposed Ordinance.

First, Newhall opposes allowing cannabis uses within the Newhall Ranch Specific Plan land use categories. The Board-approved Specific Plan underwent extensive environmental review and withstood years of legal challenges. Amending the Specific Plan to permit cannabis-related businesses in certain areas would disrupt the intended community character, residential development, and economic benefits envisioned by the Board. The approved Newhall Ranch Specific Plan should be exempted from the Cannabis Ordinance to preserve the integrity of this master-planned community.

Second, if the Board decides to approve any cannabis-related uses, such uses should be subject to a CUP. A CUP requirement would preserve the County's discretionary authority and ensure meaningful public input before cannabis operations are established in proximity to residential neighborhoods and sensitive receptors. A ministerial licensing process, by contrast,

O.1-2

would deprive the County and its residents of the opportunity to evaluate the appropriateness of individual cannabis proposals on a case-by-case basis.

We remain committed to working with the County to ensure that the proposed Cannabis Ordinance reflects our comments and stated concerns. Thank you for considering our comments.

Sincerely,



Don Kimball
Executive Vice President, Valencia

O.1-2 cont.



November 15, 2024

Delivered via Mail and Email

Los Angeles Consumer & Business Affairs
Office of Cannabis Management
Fernando Nieto, Senior Analyst
Attn: OCM
320 W Temple St., Room G-10
Los Angeles, CA 90012
cannabis@lacounty.gov

Re: Public Comment: Proposed Cannabis Business License Program

O.1-3

Dear Mr. Nieto,

The Newhall Land and Farming Company thanks you for the opportunity to provide comments on the proposed Cannabis Business License Program for unincorporated Los Angeles County. Newhall is currently developing Valencia—a mixed-use development consisting of up to 21,500 residential units and 11.5 million square feet of planned commercial space. Valencia is designed to offer a mix of homes, including affordable units, offices, retail, and entertainment options, while also devoting 10,000 acres of open space to protect native habitat. Valencia is among the first communities of its size to commit to net zero greenhouse gas emissions and is poised to become one of the most sustainable developments of its kind in the nation.

We have reviewed the draft cannabis ordinance and operating requirements by the Office of Cannabis Management. We are concerned that the proposed licensing program will adversely impact the carefully designed and previously approved Newhall Ranch Specific Plan, as well as other Valencia villages outside the Specific Plan.

Particularly, the proposal would amend the Newhall Ranch Specific Plan to allow cannabis-related businesses in certain land use areas. The Specific Plan was adopted by the Board of Supervisors in 2003 as the long term planning framework for the area and a critical tool to delivering much needed homes and jobs to the region. Mission Village, the first phase of development in the Specific Plan, is under construction, with over a thousand homes already delivered. The Specific Plan underwent extensive environmental review and withstood legal challenges. Indeed, this emerging master planned community has endured years and years of legal challenges that has only proved to increase the cost of housing for the region. For that reason, the approved Specific Plan should be exempted from any amendment, let alone from cannabis-related proposals, to avoid disrupting the intended community character, residential development, and economic benefits envisioned by the Board.

We are also concerned by the proposed ministerial licensing process and lack of local control. Newhall's villages located outside of the Specific Plan would be impacted by the proposal even if the Specific Plan is exempted. If the Board decides to approve this proposed

amendment, which we oppose, any cannabis-related uses should be subject to a Conditional Use Permit (CUP) to preserve the County's discretion and ensure public input. Adequate buffers should be required around any cannabis-related uses to avoid contact with sensitive receptors and businesses that attract members of the public. Lastly, the "Administrative Ordinance" process, which will govern the specifics of cannabis use, must be described in more detail. It is crucial that this process is fully transparent and vetted during the public review to ensure comprehensive community input and understanding.

We ask the Office of Cannabis Management to reconsider the current proposal, engage in further community outreach, and recirculate a narrower proposal for additional public review. Thank you for considering our comments. We look forward to continued dialogue on this topic.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Kimball".

Don Kimball
Executive Vice President, Valencia

O.1-3
cont.

Comment Letter O.1 – [Don Kimball, Five Points LLC]***Comment Response O.1-1***

This comment opposes allowing commercial cannabis uses within land use categories governed by the Newhall Ranch Specific Plan, asserting that such uses would undermine a long-standing, Board-approved planning framework that was subject to extensive environmental review. The County acknowledges FivePoint's concerns regarding the relationship between the proposed Cannabis Ordinance and the Newhall Ranch Specific Plan. As described in Chapter 2, *Project Description*, the proposed Project establishes a countywide regulatory and licensing framework that applies uniformly to eligible zoning districts within the unincorporated County, including zones located within Specific Plan areas where those zones are comparable to eligible base zones under Title 22 of the LACC.

The Program EIR does not amend or modify the land use designations, development standards, or implementation framework of the Newhall Ranch Specific Plan. Rather, it evaluates the potential environmental effects of allowing cannabis businesses only where existing zoning already permits comparable commercial, industrial, or institutional uses, subject to all applicable Specific Plan standards, General Plan policies, and County land use regulations.

Whether to exempt specific areas or planning frameworks, such as the Newhall Ranch Specific Plan, from the proposed program is a policy determination that falls within the discretion of the County Board of Supervisors and is not a question of environmental adequacy under CEQA. These comments will be forwarded to the County decision-makers for their consideration.

Comment Response O.1-2

This comment requests that any cannabis-related uses be subject to discretionary review through a Conditional Use Permit (CUP), rather than a ministerial licensing process, to retain local discretion and ensure public input. The proposed Project would establish a ministerial licensing process based on fixed, objective zoning, siting, and operational standards adopted by the County. As described in Chapter 2, *Project Description*, ministerial approvals are appropriate where compliance with clearly defined requirements can be verified without discretionary judgment.

CEQA does not require discretionary review where a legislative body has determined that ministerial processing is appropriate for a regulated use. The Program EIR evaluates the environmental effects of this policy choice at a programmatic level and discloses that cannabis businesses would be allowed only in existing, legally constructed structures located in eligible zones and subject to extensive operational requirements, buffers, inspections, and enforcement provisions. Please refer to Master Response 1 – Use of a Program EIR for a detailed discussion of the programmatic nature of the proposed Project, the absence of site-specific project approvals, and the appropriate use of a Program EIR under CEQA.

While a CUP process would provide an alternative approach, the selection of ministerial versus discretionary permitting is a policy decision, not an environmental deficiency. The absence of discretionary review does not preclude public input at the legislative stage, nor does it limit the County's enforcement authority. These comments will be forwarded to the County's decision makers for their consideration.

Comment Response O.1-3

This comment includes a copy of the commenter's November 15, 2024 letter, submitted during a 45-day public comment period, held from October 1, 2024 to November 15, 2024, to gather stakeholder feedback on the proposed program, draft zoning ordinance, and business operating requirements. The letter raised concerns regarding impacts to the Newhall Ranch Specific Plan, the ministerial licensing process, buffers from sensitive receptors, and the transparency of future administrative regulations.

Issues raised during this comment period were summarized in a report submitted to the Board of Supervisors for review and consideration on February 25, 2025.¹ The comments also informed subsequent revisions to the proposed program and draft zoning ordinance.

¹ [Twelfth Quarterly Report Regarding Implementation of an Equitable Commercial Cannabis Regulatory Framework-February 25, 2025](#)

From: [Sam Arabadjyan](#)
To: [DCBA CannabisEIR](#)
Subject: Draft PEIR – Deadline March 30
Date: Thursday, March 26, 2026 2:43:46 PM

CAUTION: External Email. Proceed Responsibly.

Good afternoon,

My name is Sam Arabadjyan, with Easy Waste Management. I wanted to take a moment to share our support and appreciation for the County of Los Angeles as you move forward with the proposed Commercial Cannabis Licensing Program and the preparation of the Draft PEIR.

We are encouraged to see the County taking a thoughtful and structured approach to developing a compliant, well-regulated cannabis industry. Efforts like this are critical in ensuring environmental responsibility, public safety, and long-term sustainability for operators across all license types.

As a licensed and experienced cannabis waste hauler, our team specializes in compliant and environmentally responsible waste management solutions. We work closely with cannabis operators to ensure waste is handled in a way that not only meets regulatory requirements, but also minimizes environmental impact and promotes sustainable practices.

Our services include:

- Routine non-hazardous and hazardous cannabis waste removal
- On-site product destruction in compliance with DCC requirements
- Support for embargoed, recalled, or mandated destructions
- Secure handling, transportation, and full documentation (manifests, tracking, and reporting)
- A variety of container solutions tailored to each facility's needs

We also utilize airtight, compliant containers with proper labeling to ensure waste is securely stored, clearly identified, and handled in accordance with all state and local regulations. This helps prevent contamination, odor issues, and improper handling while maintaining full compliance throughout the waste management process.

We make every effort to divert waste from landfills whenever possible and support environmentally conscious methods such as composting and responsible material processing. Our goal is to help operators stay compliant while also contributing to a cleaner, healthier environment.

We would welcome the opportunity to serve as a resource to the County as this program continues to develop—particularly in areas related to cannabis waste handling, destruction protocols, and environmental compliance.

Thank you again for your leadership and for the opportunity to provide input.

O.2-1

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The content of this email is confidential and intended only for the recipient specified in the message. It is strictly forbidden to share any part of this message with any third party without a written consent of the sender. If you received this message in error, please reply to let us know and then delete it, so we can ensure this does not happen again.

Comment Letter O.2 – [Sam Arabadiyam, Easy Waste Management]

Comment Response O.2-1

The County appreciates the commenter's perspective and the information provided regarding cannabis waste handling services and environmentally responsible practices. These comments will be forwarded to the County's decision makers for their consideration.



March 30, 2026

Rafael Carbajal, Director of DCBA
County of Los Angeles
320 W. Temple Street, Room G-10
Los Angeles, CA 90012.
Electronic transmission of fourteen (14) pages to:
CannabisEIR@dcba.lacounty.gov

Subject: Acton Town Council Comments on the Draft Programmatic Environmental Impact Report for the Commercial Cannabis Business Licensing Program.

Dear Director Carbajal;

The Acton Town Council respectfully submits the following comments to the Department of Consumer and Business Affairs (DCBA) in response to the Draft Programmatic Environmental Impact Report (DEIR) issued for the proposed Los Angeles County Commercial Cannabis Business Licensing Program (Program). These comments are timely filed by the March 30, 2026 deadline set forth in the NOP.

THE DEIR SHOULD NOT HAVE BEEN ISSUED BEFORE THE PROPOSED TITLE 8 ORDINANCE/COMPLIANCE REQUIREMENTS WERE RELEASED.

Section 2.0 of the DEIR devotes 26 pages to describing the “project” at issue here. However, what the “project” actually consists of is just two things: an ordinance amending the Title 22 Zoning Code to allow cannabis uses, and an ordinance amending Title 8 to establish licensing and enforcement procedures, operating conditions, and monitoring requirements. CEQA requires all the elements of the “project” to be fully disclosed to the public either before or when a DEIR is issued; in this case, full disclosure means the release of both the proposed Title 22 ordinance and the proposed Title 8 ordinance. The reason is simple: without access to the proposed ordinances which comprise the “project” the public cannot assess whether they “deliver” the environmental protections that are committed to by the DEIR. Unfortunately, the County has not released any information about the Title 8 ordinance, so it is impossible to assess whether the operating, monitoring, compliance and enforcement provisions that will be included in the Title 8 ordinance will indeed mitigate environmental impacts to the extent that the DEIR alleges. Without the proposed Title 8 ordinance, the Acton Town Council is unable to provide full and comprehensive comments on the DEIR.

O.3-1

INCONSISTENCY BETWEEN THE DEIR AND THE DRAFT ORDINANCE.

The DEIR finds that at least some impacts caused by the ordinance are not minimized or reduced to a level that is less than significant; additionally (and as explained in more detail below), the Acton Town Council contends that some of the impacts deemed to be less than significant are in fact significant and that the DEIR is wrong to declare otherwise. Given that the DEIR finds that the ordinance *does* result in significant impacts on the environment and thus *does not* minimize such impacts, it is improper for the “Purpose” statement in the Title 22 ordinance to declare that the ordinance *minimizes* the “potential for adverse impacts on people, communities, and the environment”. Furthermore, *every* cannabis business authorized by the County will be ministerially approved and thus will *never* be subject to land use requirements beyond those expressly set forth in the Title 22 ordinance. In other words, the cannabis business land use restrictions imposed by Title 22 are the *only* land use restrictions that will be imposed; therefore, they are not *minimum* land use requirements. Accordingly, the “Purpose” statement claim that the Title 22 Ordinance establishes “minimum land use requirements” is substantially erroneous given that the Ordinance sets forth *all* the land use requirements that will *ever* be imposed. To correct these errors, the Acton Town Council recommends the following revision to the draft cannabis ordinance

22.140.134 Cannabis.

Purpose. To promote the health, safety, and general welfare of the County, this Section regulates legally established commercial cannabis businesses and personal use cannabis cultivation in compliance with State law. This Section establishes ~~minimum~~ **all** land use requirements for all medical and adult-use cannabis uses, including cultivation, processing, distribution, manufacturing, testing, retail sales, and microbusinesses, as defined in Chapter 22.14 of Division 2 (Definitions). Commercial cannabis businesses shall first obtain a County Cannabis License issued by the Office of Cannabis Management (OCM) before business operations commence. The regulations in this Section provide permitted cannabis uses in unincorporated areas of the County a reasonable opportunity to access legal cannabis ~~while minimizing the potential for adverse impacts on people, communities, and the environment.~~

Additionally, page 2-13 of the DEIR states “All cannabis business licenses would be subject to mandatory annual renewal. Any business that fails to comply with all County and State regulations may be subject to enforcement actions, including fines, license suspension, or revocation”. This statement establishes two fundamental principles that are applicable to all the impacts which are assessed in the DEIR along with their associated mitigation measures. The first principle is that enforcement is essential for ensuring compliance with County and State regulations and that, without enforcement, compliance is not guaranteed. The second principle is that the County does not consider enforcement to be a compulsory act because the DEIR states that enforcement *may* occur which, by extension, means that it also *may not* occur. Together, these principles

O.3-2

lead to just one conclusion: because the County does not commit to enforcing any of the compliance provisions set in the County Code or in State regulations, there is no evidence to support a conclusion that the environmental impacts which result from noncompliance will be mitigated. In other words, the DEIR presumes that significant impacts will be mitigated through compliance; yet, it acknowledges that compliance is only achieved through enforcement and that the County does not consider enforcement to be a compulsory act. Accordingly, the DEIR cannot conclude that impacts will be mitigated to a level that is less than significant if the mitigation measure is contingent on compliance with applicable regulations that will not be enforced. Nonetheless, the DEIR **does** conclude that impacts of the cannabis ordinances are less than significant simply because cannabis businesses will be subject to the County Code. Such conclusions are not supported by substantial evidence. In fact, they are controverted by substantial evidence including the statement on page 2-13 which clarifies that the County does not consider enforcement (and therefore compliance) to be obligatory.

The Acton Town Council has substantial evidence proving that it is a standard County “pattern and practice” to not enforce applicable County Code provisions. For example, in the scoping comments, we provided nearly 30 pages of substantial evidence proving that Regional Planning **does not** enforce the Title 22 Zoning Code; this evidence substantiates our claim that compliance with applicable cannabis regulations in Title 22 is not guaranteed because enforcement is not compulsory. We now supplement the evidence we have already provided with additional substantial evidence showing that the DCBA and the County Department of Health **do not** enforce applicable Title 8 code provisions that fall under their jurisdiction. Specifically, Attachment 1 provides photographs taken on March 27, 2026 which show numerous food vendors in Acton that persistently and blatantly violate all Title 8 “Sidewalk Vendor” regulations for which the Health Department and DCBA are responsible. These businesses create significant traffic hazards because they induce customers to block traffic with their cars, park in red zones, even extend their tables and chairs into the County Right of Way. These businesses pose a significant wildfire danger because they cook with open flames in areas of heavy brush during windy conditions; they also operate generators sitting on the ground near brush. These businesses create significant trash impacts because they all dump their grease, food waste and trash in gullies and open space areas. For more than a year, the Acton Town Council has tried to eliminate these significant environmental impacts by getting the County to enforce Title 8 and other applicable code provisions. The County refuses. All of this proves that the County does not enforce Title 8 business codes or Title 11 health codes or Title 22 zoning codes; it also constitutes substantial evidence that the environmental impacts of the project are not mitigated simply because cannabis businesses will be subject to these codes.

O.3-2
cont.

The DEIR appears to vaguely acknowledge the importance of enforcing mitigation measures to ensure impacts are reduced to a level that is “less than significant” because it states on page 3-12 that mitigation measures **must be** “fully enforceable” through “measures incorporated directly into the adopted ordinance” such as “permitting requirements, licensing requirements, or development standards” and/or “standard conditions of approval for individual projects”. However, there is a significant difference between the “enforceability” of a mitigation measure and the “enforcement” of the mitigation measure; it only the latter which actually constructively reduces environmental impacts to a level that is “less than significant”. Accordingly, while it is likely that the measures developed by the County to mitigate environmental impacts of cannabis businesses will be enforceable, there is substantial record evidence proving that these measures will not be enforced and, by extension, that environmental impacts will not be mitigated to a level that is “less than significant”. Consistent with this principle, there is no substantial evidence to support DEIR conclusions that cannabis businesses will not result in significant air quality, public safety, or other impacts because they are subject to County Code requirements.

O.3-2
cont.

THE TITLE 22 ORDINANCE DOES NOT APPEAR TO RESTRICT CANNABIS BUSINESSES TO EXISTING BUILDINGS.

DCBA and Regional Planning previously asserted that cannabis businesses would only be permitted in existing buildings and that the “Project” would not result in any new construction. This is reflected on page 3.5-38 of the DEIR and in the “Initial Study”¹ both of which aver that cannabis businesses would only be permitted in existing structures. Because the Title 8 Ordinance has not been released, it is not known whether this restriction will be included therein (which is another reason why the County should not have released the DEIR until after the Title 8 Ordinance was issued). Moreover, the Acton Town Council has carefully reviewed the proposed Title 22 Ordinance but cannot find any restriction that limits cannabis businesses to just existing structures (though we apologize in advance if the restriction is there and we somehow missed it). This restriction does not appear in the proposed “Development Standards” set forth in Section 22.140.134. In fact, Section 22.140.134.F.4 merely states that “commercial cannabis businesses shall conduct operations entirely within an enclosed building or structure” and “cannabis businesses shall be permitted only within a permanent structure”; these statements do not restrict cannabis businesses to existing structures. Because the Title 22 Ordinance does not restrict cannabis businesses to existing structures, the DEIR cannot conclude that impacts are less than significant because cannabis businesses are restricted to existing structures.

O.3-3

¹ Pages 25, 38, and 44 of the “Initial Study” in Appendix A of the DEIR.

AIR QUALITY IMPACTS OF THE “PROJECT” ARE NOT “LESS THAN SIGNIFICANT”.

According to pages 3.1-30 to 3.1-31 of the DEIR, air quality impacts and in particular odor impacts of the “Project” are “less than significant” because cannabis businesses “would be subject to all applicable LACC regulations” including “Section 11.37.070, that requires the development and implementation of an odor management plan that would be subject to the Public Health Department’s review and approval”. Of course, a plan is nothing more than a document and as such, it is intrinsically incapable of mitigating anything *particularly when there is no inclination to enforce the plan*. More importantly, the County has no commitment to enforcing the “LACC regulations” upon which this “finding of no significance” is based (as discussed above). Accordingly, the conclusion that odor impacts from cannabis businesses will be “less than significant” is *not supported by substantial evidence* because it is based solely on the applicability of County Code provisions which, according to the DEIR, may (or may not) be enforced.

The DEIR also claims that odor impacts will be less than significant because cannabis businesses will comply with SCAQMD and AVAQMD regulations²; however, the SCAQMD does not regulate any cannabis operations and the AVAQMD does not regulation cannabis cultivation operations³. Accordingly, any enforcement undertaken against cannabis businesses by SCAQMD and AVAQMD will be complaint driven. And, since both SCAQMD and AVAQMD odor regulations require multiple complainants over a substantial period of time⁴, they can take more than a year to resolve and there will not even be an investigation unless “a considerable number” of people complain. Meanwhile, significant odor impacts will persist throughout the “odor investigation” (if there even is an investigation). And in those instances where the District with jurisdiction concludes that there are not sufficient complainants to satisfy the “considerable number of people” standard, no investigation will be done and no odor control requirements will be imposed; under such circumstances, the significant air quality (odor) impacts will be permitted to continue *with impunity*.

² SCAQMD has not promulgated any rules for cannabis operations; however, Rule 425 to regulate cannabis businesses may be developed someday. https://www.aqmd.gov/docs/default-source/agendas/governing-board/2026/2026-mar6-013.pdf?sfvrsn=1158697e_2.

³ AVAQMD merely requires an odor control plan for cannabis cultivation; no pollution control is required. However, “plans” are intrinsically incapable of mitigating anything.

⁴ Neither the SCAQMD nor the AVAQMD investigate odors until a “considerable number of people” file complaints [<https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf?sfvrsn=4>, <https://www.avaqmd.ca.gov/files/597409879/AV402+1976+07+Apr+reformatted.pdf>]. Only after multiple complaints from multiple individuals are received will SCAQMD and AVAQMD launch an odor investigation *which takes months and even years*. After the investigation, it is not a certainty that emission controls will be required. As the AVAQMD states “the District *may* require a public or nuisance odor to be abated in response to an odor investigation, which *may* effectively require an odor control device” (emphasis added) [<https://www.avaqmd.ca.gov/files/0e7d9f545/FAQ+Cannabis+2020.pdf>].

In a nutshell, because there is no guaranteed enforcement of Title 8, Title 11, and Title 22 County Code provisions, and because SCAQMD has no substantive compliance requirement for any cannabis businesses and AVAQMD has no substantive compliance requirements for cannabis cultivation operations, there is no substantial evidence to support the conclusion set forth in the DEIR that air quality (odor) impacts from the “project” will be reduced to a level that is “less than significant”. The DEIR is fatally flawed in concluding otherwise. Furthermore, this fatal flaw precludes the County from making the finding required by CEQA Guidelines Section 15091 that odor and air quality impacts will be less than significant because such a findings must be supported by substantial evidence. Equally important, the County’s established pattern and practice of not enforcing applicable code provisions constitutes substantial evidence that significant air quality/odor impacts *will* occur because the Health Department *will not* enforce any “odor control plans” and the DCBA *will not* rescind or revoke the license of any cannabis business that does not comply with its “odor control plan”. Accordingly, the County must find that the “project” will result in significant air quality impacts and adopt a statement of overriding considerations pursuant thereto.

O.3-4
cont.

THE DEIR IGNORES THE SIGNIFICANT PUBLIC SAFETY IMPACTS THAT WILL RESULT FROM THE “PROJECT”.

The “Scoping Comments” provided by the Acton Town Council expressed substantial concern regarding public safety impacts and in particular, we provided substantial evidence that cannabis businesses will pose a significant public safety threat in rural areas where sheriff department response is often substantially delayed. We also expressed concerns that, because every conceivable type of cannabis business will be permitted on M-1 land and because all the M-1 zoned properties in Acton are in residential neighborhoods and because cannabis businesses always have armed guards and are targeted by armed criminals, the “Project” poses a direct and substantial public safety risk to Acton residents. The Acton Town Council specifically requested that the EIR address these safety concerns in the hope that mitigation measures would be offered. Our request was ignored. Worse yet, the DEIR does not even consider such public safety concerns even though the initial study affirms that crimes associated with permitted cannabis activities will likely occur particularly at cultivation and retail facilities⁵! All of this renders the DEIR is substantially deficient.

O.3-5

⁵ Page 61. The Initial Study dismisses such concerns because cannabis businesses are limited to existing structures and because a pathway is provided for legal operations. These reasons are not substantive or dispositive. Sheriff response and public safety are intrinsically intertwined *particularly in incidents that involve armed criminals and occur in remote rural areas that already have long sheriff response delays*; thus, it is irrelevant that cannabis businesses are limited to existing buildings. Furthermore, developers frequently initiate “bait and switch” scams where they get County approval to construct a building for one alleged purpose and then turn around and submit an application to use the structure for an entirely different purpose. This is how developers will sidestep the “existing structure” requirement.

The DEIR asserts that Policy S 7.1 and Policy S 7.5 from the Safety Element of the County General Plan are applicable to the “Project”; Policy S 7.1 states “Ensure that residents are protected from the public health consequences of natural or human-made disasters through increased readiness and response capabilities, risk communication, and the dissemination of public information” and Policy S 7.5 states “Ensure that there are adequate resources, such as sheriff and fire services, for emergency response”. However, the DEIR does not explain how the “Project” is consistent with these policies. Perhaps this is because the “Project” actually controverts these policies. For instance, the “Project” allows the conversion of an existing structure in a residential area that is established with an existing benign use which does not attract armed criminals or pose explosion or wildfire risks into a cannabis business that requires armed security guards and even utilizes dangerous solvent extraction processes. Accordingly, the “Project” does not ensure residents “are protected from public health consequences” of “human-made disasters”; to the contrary, it invites “human-made disasters” into residential areas!

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cont.

Furthermore, because the “Project” establishes a ministerial approval process for all cannabis businesses, there will never be any consideration given to whether any cannabis business location has “adequate resources, such as sheriff and fire services, for emergency response”. And, because the DEIR completely ignores these public safety concerns and never addresses whether the locations identified for future cannabis business development have adequate sheriff and fire services, there is no substantial record evidence which shows the “Project” is consistent with these policies. In fact, the evidence provided by the Acton Town Council shows that the “Project” controverts these policies because it authorizes ministerial approval of all cannabis businesses with no regard for fire or sheriff resources! Furthermore, because Policies S 7.1 and S 7.5 were adopted for the purpose of reducing environmental impacts⁶, and because the “Project” is inconsistent with these policies, it can be argued that these inconsistencies are significant environmental impacts that must be addressed in the DEIR⁷.

⁶ It is self-evident from the language in Policy S 7.1 that it was adopted for the purpose of reducing the environmental impacts of development (particularly hazard and safety impacts) because its whole purpose is to ensure the safety of residents. It is also self-evident from the language in Policy S 7.5 that it was also adopted for the purpose of reducing environmental impacts. Furthermore, the environmental document that was certified when the Safety Element was adopted in 2022 states that Policy S 7.1 was adopted to ensure “that there are enough sheriff and fire services that can handle emergency response situation” and that adequate “emergency response coverage exists” (page 22) and that “required fire suppression and other emergency response services for the County” are provided (page 64).

⁷ Courts have held that an inconsistency between a proposed project and an adopted General Plan Land Use Policy will implicate CEQA when the Policy was adopted for the purpose of mitigating environmental impacts (*Joshua Tree Downtown Business Alliance v. County of San Bernardino* 1 Cal.App.5th 677; *Pocket Protectors v. City Of Sacramento* 124 Cal.App.4th 903). It is a logical extension to conclude that inconsistencies with other general plan policies would also constitute significant environmental impacts.

The DEIR claims on page 3.5-28 that the “Project” is consistent with General Plan Policy PS/F 1.1 which “discourage[s] development in areas without adequate public services and facilities” because the DEIR asserts that the “Project” is limited to “suburban and urban areas” that have “existing public services and facilities” including “sewer, solid waste, law enforcement, fire services, emergency response, and transportation/circulation systems that facilitate multiple modes of transportation”. However, Acton is not an urban or suburban area, it does not have sewers, it does not have law enforcement, it does not have a “circulation system” that has multiple modes of transportation”, and the fire department is quite small. Accordingly, the “Project” is inconsistent with General Plan Policy PS/F 1.1 and this inconsistency constitutes a significant environmental impact that must be mitigated before the “Project” can be approved.

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cont

THE “PROJECT” WILL RESULT IN SIGNIFICANT LAND USE IMPACTS.

The Acton Town Council notes several deficiencies in the DEIR pertaining to land use impacts. For example, the DEIR states on page 3.5-18 that the “Project” is consistent with several Land Use Policies adopted in the County General Plan because “commercial cannabis businesses would be required to occupy only existing, legally established buildings located in urban and suburban areas of Los Angeles County which have existing multimodal transportation infrastructure”. This statement is categorically false. The “Project” allows every conceivable type of cannabis business throughout the Community of Acton which is neither an urban nor a suburban area and these locations do not have “existing multimodal transportation infrastructure”. Page 3.5-19 states that cannabis businesses would be “established urban and suburban areas of Los Angeles County that have existing public utilities and services”. This statement is categorically false. Acton is not an urban or suburban area and, as explained above, it has no dedicated Sheriff presence and only a small fire department.

O.3-6

Perhaps worst of all, the DEIR claims that the “Project” is consistent with Land Use Policy LU 7.1 which calls for buffers to “reduce and mitigate the impacts of incompatible land uses”; the DEIR claims consistency with Policy LU 7.1 because the “Project” imposes a 600 foot buffer between cannabis businesses and “youth-oriented uses”. However, Policy LU 7.1 is *not* just concerned with buffers for “youth-oriented uses”; to the contrary, it requires buffers for *all* uses that are intrinsically incompatible with cannabis businesses because of the armed guards they employ, the significant odors that they create, and the explosion potential that is posed by their solvent based extraction operations. Because these are all characteristics of cannabis businesses, and because these characteristics are all intrinsically incompatible with residential uses, Policy LU 7.1 *compels* the County to require at least some buffer distance around residential areas. To ensure consistency with Policy LU 7.1 for *all* incompatible land uses and not just

“youth-oriented uses”, the Acton Town Council recommends that the “Project” include a buffer of at least 200 feet for residential uses because of the intrinsic incompatibility between residential and cannabis business uses. Anything less would result in a substantial inconsistency with Land Use Policy LU 7.1. And, given that Land Use Policy LU 7.1 was adopted for the purpose of mitigating environmental impacts⁸ and that the “Project” is substantially inconsistent with Policy LU 7.1 because it fails to provide buffers for incompatible residential uses, this inconsistency constitutes a significant environmental impact⁹ that must be mitigated before the “Project” is approved.

The DEIR also claims on page 3.5-19 that the “Project” is consistent with Land Use Policy LU 6.1 that protects “rural communities from the encroachment of incompatible development that conflict with existing land use patterns and service standards” because the “Project” will only locate cannabis businesses “in established urban and suburban areas of Los Angeles County that have existing public utilities and services”. This statement is categorically false. The “Project” authorizes every conceivable type of cannabis business throughout the Community of Acton which is not an urban or suburban area; to the contrary, it is a designated rural community under every land use standard adopted by the County. Furthermore, Acton does not have the “services” that are needed to support cannabis business development: we have no Sheriff presence, our Fire Department is very small, we have no sewers, and our roads are almost all dirt. The “Project” is not consistent with Land Use Policy LU 6.1, and because Land Use Policy LU 6.1. was adopted for the purpose of mitigating environmental effects¹⁰, this inconsistency constitutes a significant environmental impact that must be mitigated before the “Project” is approved.

The DEIR also claims on page 3.5-30 that the “Project” is consistent with General Plan Policy ED 2.2 which requires the use of “adequate buffering and other land use practices to facilitate the compatibility between industrial and nonindustrial uses”. However, the “Project” provides no buffers between industrial cannabis operations and residential uses *even though residential uses are intrinsically incompatible with cannabis operations* (as explained in detail above). This is particularly true in Acton where there is nearly 100 acres of industrially zoned land and *all of it* is within residential areas. The “Project” is substantially inconsistent with General Plan Policy ED 2.2, and this inconsistency constitutes a significant environmental impact that must be mitigated.

⁸ Policy LU 1.7 and other policies (such as EDD 2.2) were adopted to “reduce adverse effects”. Pages 5.10-11 to 5.10-32.

⁹ A potentially significant environmental impact exists when a proposed project is inconsistent with a General Plan Policy that was adopted for the purpose of mitigating environmental impacts [*Joshua Tree Downtown Business Alliance v. County of San Bernardino* 1 Cal.App.5th 677, *Pocket Protectors v. City Of Sacramento* (2004) 124 Cal.App.4th 903].

¹⁰ Policy LU 6.1 was adopted to “reduce adverse effects”. Pages 5.10-11 to 5.10-17.

CANNABIS MANUFACTURING IN RURAL, HIGH FIRE HAZARD AREAS WILL RESULT IN SIGNIFICANT PUBLIC SAFETY IMPACTS.

The Title 22 ordinance allows cannabis manufacturing (including solvent-based extraction operations also known as volatile extraction operations) in rural, residential, and very high fire hazard areas despite the explosion and wildfire risks and hazards that they pose. The DEIR sets forth various why such impacts should be deemed “less than significant”; however, the following paragraphs explain how these reasons are not supported by substantial evidence.

Reason 1 on Page 3.4-22. All cannabis business types are “prohibited in residential, agricultural, open space, and other zones that have substantial numbers of sensitive receptors and/or characteristics that would exacerbate hazardous conditions (e.g., fuel loads)”. What this statement fails to account for is that the industrial properties in Acton where cannabis manufacturing is permitted *do* have substantial numbers of sensitive receptors because they are in residential neighborhoods; they also have fuel load characteristics that *do* exacerbate hazardous conditions because they are all VHFHSZs. Accordingly, the claims made in this statement are not applicable to Acton and they do not constitute substantial evidence that the “Project” will have “less than significant” hazard risks.

Reason 2 on Page 3.4-22. Because cannabis businesses are subject to buffer requirements from youth oriented uses, rehab facilities, and cannabis retail businesses, this will “limit the potential for the routine use of hazardous materials to adversely affect the public and the environment”. The fallacy in this statement is that “the public” does not consist solely of youth oriented uses, rehabs, and other cannabis businesses. Thus, while buffers which protect youth oriented uses, rehabs, and other cannabis businesses may be effective at protecting the small portion of the public that is represented by youth oriented uses, rehabs, and other cannabis businesses, they are ineffective at protecting the broader public and they are certainly useless at protecting residences (which, incidentally, are defined as a “sensitive use” under the Zoning Code). Accordingly, while the claim made in this statement does constitute substantial evidence that the “Project” will have “less than significant” hazard impacts on the youth oriented uses, rehabs, and other cannabis businesses, it does not constitute substantial evidence that “Project” will have “less than significant” hazard impacts on the public. This is particularly true in rural communities like Acton where industrial properties are in residential neighborhoods and all of it is in a VHFHSZ.

Reason 3 on Page 3.4-22. Because cannabis businesses are governed by a regulatory framework, the “potential for the routine use, storage, transport, and disposal of hazardous materials to create substantial hazards to the public” is minimized. However, there is no commitment by the County to actually enforce the “regulatory framework”

O.3-7

that the “Project” creates. Moreover, the mere existence of a “regulatory framework” for cannabis manufacturing operations is not dispositive, and it certainly does not constitute substantial evidence that the public safety and wildfire hazards posed by cannabis manufacturing will be “less than significant”.

Reason 4 on Page 3.4-23. The “Project” restricts cannabis manufacturing to industrial zones which minimizes “risks resulting from potential, accidental exposure to sensitive receptors and ensuring land use compatibility”. This argument fails to take into consideration that, in rural communities like Acton, individual industrial lots are actually *inside* residential neighborhoods and are thus adjacent to, and even surrounded by, sensitive land uses. Accordingly, the “Project” does not “ensure land use compatibility” in rural communities and it certainly does not minimize “risks resulting from potential, accidental exposure to sensitive receptors”. Accordingly, the restriction of cannabis manufacturing to just industrial zones does not “minimize” the risks of potential accidental exposure to sensitive receptors in rural areas; therefore, it does not constitute substantial evidence that the “Project” will have “less than significant” hazard risks.

Reason 5 on Page 3.4-23. The adverse impacts of a hazardous release during an operational upset or accident (such as an explosion at a solvent extraction plant) is minimal because all cannabis businesses are “subject to federal, state, and local Regulations”. However, the County is not committed to enforcing such regulations; therefore, the mere existence of such regulations is not dispositive and it certainly does not constitute substantial evidence that significant adverse impacts from operational upset or accident are “less than significant”

Reason 6 on Page 3.4-23. The adverse impacts of a hazardous release during an operational upset or accident (such as an explosion at a solvent extraction plant) is minimal because all cannabis businesses are “subject to federal, state, and local Regulations”. However, the County is not committed to enforcing such regulations; therefore, the mere existence of such regulations is not dispositive and it certainly does not constitute substantial evidence that significant adverse impacts from operational upset or accident are “less than significant”

Reason 7 on Page 3.4-23. The “Project” will “ensure separation of hazardous materials from sensitive uses” and thereby “reduce the risk of exposure during an accidental release” because it provides buffers for a small subset of land uses. However, the “Project” **does not** ensure separation of hazardous material from sensitive uses. To the contrary, it authorizes cannabis manufacturing and solvent extraction operations right next door to residences! This *fact* is evident from the DCBA map titled “Eligibility Zones for Commercial Cannabis in Unincorporated LA County” which shows homes are

O.3-7
cont.

adjacent to nearly all the lots where cannabis manufacturing is permitted in Acton. An excerpt of this map is provided in Figure 1. Because the buffers established by the “Project” do not “ensure separation of hazardous materials from sensitive uses”, there is no substantial evidence to support a conclusion that the buffers ensure that adverse impacts from exposure during an accidental release are “less than significant”.

Figure 1. Excerpt from the DCBA Map of Commercial Cannabis Eligibility Zones.



O.3-7
cont.

Reason 8 on Pages 3.4-23 to 3.4-24. Because the “Project” initially limits the number of cannabis manufacturing licenses in each General Plan Planning Area, the “risk of significant exposure to hazardous materials in the event of an accidental release or emergency condition” is lowered because there will be no overconcentration. This is a strawman argument. A single manufacturing facility in Acton poses a significant hazard exposure risk during an accident or emergency condition; this significant hazard risk to Acton residents is not reduced or in any way altered by the fact that, for the time being, only a certain number of licenses are permitted in the Antelope Valley Planning Area. Accordingly, imposing a limiting on the number of cannabis manufacturing licenses that are issued does not reduce the public safety hazard posed by each manufacturing facility and it certainly does not constitute substantial evidence that the public safety hazard posed by each manufacturing facility is “less than significant”.

Reason 9 on Page 3.4-24. Existing and new regulations and buffers will “prevent significant impacts associated with hazardous emissions, materials, substances, and/or wastes, to schools and/or sensitive uses.” While a 600 foot buffer around schools may help reduce impacts of hazardous emissions on schools, the “Project” provides no buffers for other sensitive uses, including residences. Accordingly, the “hazardous emissions, materials, substances, and/or waste” impacts on sensitive residential

receptors that are created by the “Project” will remain significant and unmitigated and there is no substantial evidence to support a contrary conclusion.

Reason 10 on Pages 3.4-24 to 3.4-25. The “Project” will not expose sensitive uses to hazardous emissions or materials or waste because cannabis manufacturing is restricted to industrial lots that “typically do not include” large number of residents. This statement is so troubling that it is difficult to know where to begin. As explained above, industrial properties in Acton are surrounded by residences, so restricting cannabis manufacturing to industrial lots does not protect sensitive uses. Furthermore, what makes an environmental impact significant is not whether it affects “large numbers” of people; rather, it is the magnitude of the effect itself regardless of the number of people who experience the effect. The attitude behind this argument is alarming; it suggests that an impact is less than significant when only a handful of people experience a significant impact. That is not how CEQA works. A significant impact is a significant impact regardless of the number of people who experience it. It is an undisputed fact that a hazardous release or explosion at a cannabis manufacturing operation on an industrial lot in Acton will substantially and adversely affect the surrounding residents. That is the only relevant standard, and these impacts are not reduced simply because the impact does not involve a “large number” (whatever that means).

O.3-7
cont.

Reason 11 on Pages 3.4-26 to 3.4-27. The “Project” will not expose the public to a risk of wildland fire or create a potentially dangerous fire hazard because cannabis manufacturing will comply with the fire code. However, compliance with the fire code is not a panacea; plenty of structures that comply with the fire code catch on fire anyway. Therefore, compliance with the fire code is not sufficient to support a conclusion that fire and wildfire impacts are less than significant. Equally important, the risks of fire and wildland fire are exacerbated by locational circumstances. For instance, a fire in an industrial building in an urban or suburban area that is surrounded by other industrial buildings is unlikely to spread. However, that same fire in an industrial building that is isolated and surrounded by dry chaparral and homes is likely to spread and ignite a very dangerous wildfire particularly during windy conditions. Fire and wildfire impacts differ considerably across locations; yet, the “Project” fails to take any of this into account. In short, there is simply no substantial evidence that the fire and wildfire impacts posed by the “Project” are reduced to a level that is “less than significant”.

DCBA PERSISTENTLY IGNORES THE PRIVATE SCHOOL APPROVED AT ACTON FAITH BIBLE

For reasons that have never been made clear, the cannabis maps that DCBA has prepared persistently ignore the approved private school operated by the “Acton Faith Bible” organization located on APN 3208-011-052. The school is adjacent to a large

O.3-8

industrially zoned area and it must be recognized to prevent cannabis business development in these areas.

THE TITLE 22 ORDINANCE DOES NOT RESTRICT THE NUMBER OF LICENSES THAT WILL BE ISSUED

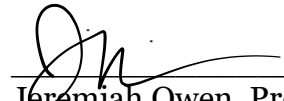
The DEIR is premised on the assumption that only 90 cannabis licenses will be issued (page 1-7); these licenses are supposed to be evenly distributed throughout the five supervisorial districts. However, no such restrictions are found anywhere in the draft Title 22 ordinance. Additionally, the County still has not released the Draft Title 8 ordinance, so it is impossible for the public to assess whether this fundamental assumption expressed in the DEIR will indeed be implemented by the County. This is another reason why the Acton Town Council believes that the DEIR has been released prematurely; it is also why we believe that the public should be permitted to file additional comments on the DEIR after the Title 8 ordinance is finally released.

O.3-9

CONCLUSION

The Acton Town Council hopes that DCBA and Regional Planning considers the comments provided herein and makes adjustments to the DEIR and the County Code to address our concerns. If you have any questions, please do not hesitate to contact the Acton Town Council at atc@actontowncouncil.org

Sincerely;


Jeremiah Owen, President
The Acton Town Council

ATTACHMENT 1

PHOTOGRAPHS TAKEN MARCH 27, 2026 OF FOOD VENDORS IN ACTON THAT VIOLATE TITLE 8 “SIDEWALK VENDOR” REGULATIONS





Comment Letter O.3 – [Jeremiah Owen, Acton Town Council]***Comment Response O.3-1***

This comment asserts that the Draft Program EIR should not have been released before the proposed Title 8 ordinance was circulated, arguing that the absence of finalized operating and enforcement provisions prevents meaningful public review of environmental protections. Please refer to Master Response 3 – Description of Ordinance Amendments for more details on why the ordinance amendments were not specifically included in the Program EIR.

Comment Response O.3-2

This comment argues that statements in the Program EIR regarding minimization of impacts and enforcement are inconsistent with the purpose and provisions of the proposed Title 22 ordinance. The comment also asserts that impacts cannot be reduced without guaranteed enforcement. The Program EIR acknowledges that certain impacts, most notably transportation-related VMT impacts, would remain significant and unavoidable, and it does not assert that all impacts would be fully eliminated. For all other environmental resource areas; however, the IS and Program EIR demonstrate that impacts would be avoided, minimized, or reduced to a less-than-significant level through the proposed restrictions and/or regulatory requirements.

As presented in the IS and Program EIR, the proposed Project includes specific restrictions and regulatory requirements that would avoid or minimize environmental impacts. With the exception of transportation-related VMT, all potential impacts were determined to be less than significant with implementation of the proposed Project. This outcome is due to the reliance on existing regulations and permitting requirements, as well as the proposed Title 22 standards, which are designed to limit the scale and location of cannabis uses and reduce the potential for physical environmental effects.

In compliance with the proposed Title 22 amendments, approval of a Site Plan Review (a type of ministerial zoning permit) would be a mandatory component of each cannabis business license. By their nature, each proposed license must be consistent with fixed, objective standards and regulatory requirements that extend beyond the land use regulations of the ordinance (e.g., building standards, consumer protection business and wage regulations of Title 8, zone-specific standards of Title 22, Department of Public Health [Title 11], and licensing, operating, reporting, and inspection requirements from DCC). If an applicant cannot demonstrate consistency with all applicable requirements and provisions, the application cannot be approved, and the business cannot be permitted and licensed.

The Program EIR's conclusion regarding impact minimization is therefore not dependent on speculative enforcement, but on the mandatory implementation of these regulatory requirements as a condition of approval for the proposed Project. For example, as discussed in in detail in Chapter 2, *Project Description*, commercial cannabis businesses licensed under the proposed Project would be subject to various regulations governing site eligibility,

including requirements that cannabis operations be limited to existing, legally constructed, permitted, and permanent structures. This requirement substantially avoids potential physical environmental effects by precluding new ground disturbance, grading, or construction activities that could otherwise impact biological resources, cultural resources, hydrology, and other environmental resource areas. Please also refer to Master Response 2 – New Development for detailed response to concerns regarding potential for new development under the proposed Project.

Comment Response O.3-3

This comment asserts that the Program EIR incorrectly concludes cannabis businesses would be limited to existing structures because this restriction is not expressly stated in the draft Title 22 ordinance language. Please refer to Master Response 2 – New Development for detailed discussion of the potential for new development under the proposed Project.

Comment Response O.3-4

This comment contends that odor impacts would be significant because odor control plans and air district regulations would not be effectively enforced. Chapter 11.37 of the LACC, administered by the Los Angeles County Department of Public Health, Environmental Health Division, requires commercial cannabis retail, distribution, manufacturing, and cultivation businesses to obtain a Public Health Permit. Among other requirements, applicants and licensees must submit an odor management plan describing the measures that will be used to prevent odors from being detected outside the facility or indoor cultivation site.

Operators are responsible for implementing the odor management plan, maintaining records related to odor control, including system malfunctions and complaints, and making modifications to the odor management plan when required following an inspection. If modifications are made that may affect odor control, an updated odor management plan must be submitted to the Environmental Health Division within 30 days. The Environmental Health Division may also require corrections within a reasonable period of time, as determined by the Division.

Please refer to Master Response 4 – Public Safety, Code Enforcement, and Crime for further information on how the County would enforce compliance by licensed businesses.

Comment Response O.3-5

This comment asserts that the proposed Project would create significant public safety risks in rural areas such as Acton due to delayed emergency response, armed security, and potential criminal activity. Please refer to Master Response 4 – Public Safety, Code Enforcement, and Crime.

Comment Response O.3-6

This comment alleges that the proposed Project is inconsistent with multiple General Plan policies and requests additional buffers from residential uses. The Program EIR includes a detailed analysis of General Plan consistency and concludes that the proposed Project is consistent with applicable land use policies when evaluated at a countywide programmatic scale. As described in Section 2.3.2, *Existing Cannabis Regulations*, all cannabis businesses would be located only within eligible commercial, commercial-only mixed-use, industrial, and institutional zones and subject to limitations on maximum concentrations within each of the five Supervisorial Districts and established Planning Areas.

Consistent with Policy LU 7.1, which calls for reducing and mitigating impacts of incompatible land uses through buffers, building enclosure, and other design techniques, under the proposed Project commercial cannabis businesses would be allowed only in existing, legally-established buildings in commercial, industrial, institutional, and commercial-only mixed-use zones deemed suitable for the proposed cannabis activity. The proposed Project would also prohibit commercial cannabis businesses within 600 feet of a youth-oriented use, including public or private schools, child day care centers, public libraries, public parks, and public recreational facilities, licensed game arcades, and Drug Abuse and Recovery Treatment Centers. In addition, cannabis storefront retail businesses would be prohibited within 500 feet of another cannabis storefront retail business.

Regarding the Program EIR's analysis of consistency with Policy LU 6.1, the County acknowledges the rural setting of the community of Acton and clarifies that for a site to be eligible for commercial cannabis activities, it must be located on an eligible zoned parcel and restricted to developed lots that have existing public infrastructure and utilities (e.g., roadways, water systems, sewer systems, flood control infrastructure, energy infrastructure, and telecommunications infrastructure), as well as public services (e.g., police, fire, schools, and libraries) currently serving the site. An applicant that cannot demonstrate adequacy of public infrastructure, utility service, and public services would not be eligible for a license. Potentially eligible zoned sites in the community of Acton and other rural communities may not be able to demonstrate such services exist to serve the proposed cannabis business, therefore making rural sites ineligible. For these reasons, the Program EIR's discussion of consistency with policies of the General Plan emphasizes that commercial cannabis activities would be allowed in urban and suburban areas of the County where such services exist.

The proposed Project is also consistent with Policy ED 2.2 which requires the utilization of adequate buffering and other land use practices to facilitate the compatibility between industrial and non-industrial uses. As discussed in Chapter 3.5, *Land Use and Planning*, Section 3.5.4, *Environmental Impact Analysis*, only industrially compatible cannabis activities (e.g., indoor cultivation, manufacturing, and distribution) would be permitted within industrial zones. Commercial cannabis businesses would be subject to the same buffering requirements identified above, including mandatory 600-foot separations from

youth-oriented uses, as well as compliance with zoning, site plan review, and operational requirements that govern noise, lighting, odors, circulation, and safety. These limitations ensure that cannabis activities are compatible with surrounding land uses and do not interfere with non-industrial uses.

Comment Response O.3-7

This comment asserts that allowing cannabis manufacturing, including volatile extraction, in rural and high fire hazard areas would create significant and unmitigated safety risks. The Chapter 3.4, *Hazards and Hazardous Materials* of the Program EIR evaluates fire and hazardous materials risks associated with cannabis manufacturing and concludes that compliance with applicable fire codes, hazardous materials regulations, and licensing limits would reduce risks to less than significant levels.

The proposed Project does not approve specific locations for manufacturing facilities, and any future proposals would be subject to building permits and applicable safety standards. The EIR appropriately evaluates these risks at a programmatic level without assuming site-specific conditions. Please refer to Master Response 1 – Use of a Program EIR for a detailed discussion of the programmatic nature of the Project, the absence of site-specific project approvals, and the appropriate use of a Program EIR under CEQA.

Comment Response O.3-8

This comment asserts that the County's eligibility maps fail to identify a private school operated by Acton Faith Bible Church, potentially allowing incompatible cannabis uses nearby. The County appreciates the Acton Town Council's assistance in identifying instances where school facilities or school-related structures may not have been fully captured in the GIS datasets referenced in the Program EIR.

The County acknowledges that the initial eligibility maps are programmatic screening tools prepared using Countywide GIS layers that were available at the time and are not intended to serve as final determinations of site eligibility. These maps may contain data gaps or omissions due to limitations in source data, including the depiction of school facilities located partially or wholly within rights-of-way.

Under the proposed Project, any potentially eligible zoned parcel that overlaps with a required buffer (i.e., 600 feet from youth-oriented uses including public or private schools, child day care centers, public parks), would not be eligible for a commercial cannabis license. Prior to issuance of any cannabis license, as part of the licensing application review process, the County would ensure that applications are consistent with the proposed site eligibility and buffer requirements based on existing land uses at the time of application.

The public and private schools shown on the County's eligibility map are identified using publicly available data from the California Department of Education (CDE)². OCM staff conducted additional research to determine why Acton Faith Bible Church was not included on the map. Based on that review, OCM did not find CDE records identifying Acton Faith Bible Church as a public or private school. The County updated its youth-oriented use data in April 2026 and will continue to periodically update the eligibility map to help ensure it remains a useful resource for community members. For instance, the County plans to conduct regular updates of the eligibility maps following decision-maker hearings and approval of the proposed Project to address identified errors or omissions, incorporate updated GIS datasets, and depict licensed commercial cannabis sites that get approved under the Commercial Cannabis Business Licensing Program.

Comment Response O.3-9

This comment asserts that the Program EIR's assumptions regarding license caps are unsupported because those limits are not explicitly included in draft ordinance language. However, the license caps analyzed in the Program EIR are not intended to be established in Title 22. Title 22 establishes zoning, siting, and land use standards for where commercial cannabis businesses may be allowed. The number and type of commercial cannabis licenses would be established through the proposed amendments to Title 8 of the LACC, which will govern the Commercial Cannabis Business License Program.

As described in Section 2.3.3, *Project Overview*, the Program EIR's 90-license assumption is based on the commercial cannabis license framework approved for implementation by the Board of Supervisors through its February 15, 2022 motion.³ Under this framework, the proposed program would include up to 90 licenses: 25 retail storefront licenses, 25 delivery-only licenses, 10 manufacturing licenses, 10 distribution licenses, 10 cultivation licenses, and 10 testing licenses. Microbusinesses are not counted as a separate license type under this framework. Rather, a microbusiness is a designation for a business conducting three or more commercial cannabis activities at the same site. Each commercial cannabis activity conducted as part of a microbusiness would count against, or draw down from, the number of available licenses for that activity type. For example, if a microbusiness includes cultivation, manufacturing, and distribution, those activities would count against the available cultivation, manufacturing, and distribution license totals.

Supervisory District limits would apply to retail storefront and delivery-only licenses. No more than 5 retail storefront licenses and 5 delivery-only licenses would be allowed in each Supervisory District. Manufacturing, distribution, cultivation, and testing licenses would not be required to be evenly distributed across Supervisory Districts. Instead, these

² [California Department of Education Geo Hub](#)

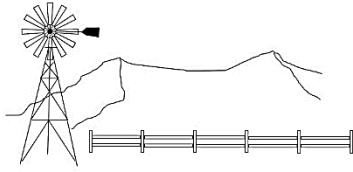
³ <https://file.lacounty.gov/SDSInter/bos/supdocs/166358.pdf>

businesses would be subject to other restrictions intended to limit overconcentration based on Planning Area.

The proposed Title 8 amendments are the appropriate mechanism for implementing the license caps and licensing procedures. The Title 8 and Title 22 ordinance amendments will be made available to the public before the applicable public hearings, consistent with standard County practices. The public, interested stakeholders, and decision makers will have the opportunity to review and comment on the proposed Title 8 amendments before the Board of Supervisors considers final action on the proposed program.

If the County should consider revisions to the proposed program to allow for issuance of an additional number of licenses, these changes may be subject to further environmental review as the environmental consequences of such actions have not been analyzed in this Program EIR. However, the County Board of Supervisors has made clear their intent to limit the number of licenses and distribution of licenses as described in Section 2.3.2, *Project Overview*. Please also refer to Master Response 3 – Description of Ordinance Amendments.

With this clarification, the absence of license caps from the draft Title 22 ordinance does not undermine the analysis of the Program EIR. The Program EIR properly analyzes the anticipated licensing framework, while the implementing license caps and procedures would be established through Title 8. The proposed amendments package to be submitted to the County decision-makers will include all mandatory elements of the program, including restrictions on the number of licenses to be issued and proposed geographic distribution requirements.



SAVE OUR RURAL TOWN

The Office of Cannabis Management
CannabisEIR@dcba.lacounty.gov

March 30, 2026

Subject: Save Our Rural Town Comments on the Draft Programmatic Environmental Impact Report for the Los Angeles County Cannabis Program.

To the Office of Cannabis Management Staff;

Save Our Rural Town (SORT) respectfully offers the following comments on the Draft Programmatic Environmental Impact Report (DPEIR) prepared for the County's proposed cannabis program. SORT has a number of concerns with the DPEIR and its associated ordinances; these concerns are set forth below.

MANY OF THE "MITIGATION MEASURES" HINGE ON ENFORCEMENT THAT IS NOT LIKELY TO OCCUR.

SORT is substantially concerned by the DPEIR's conclusion that, other than matters pertaining to transportation, the County's cannabis program has **no** potential to result in any significant environmental impacts. Even more concerning, the principal basis for this conclusion is that the County will enforce all applicable laws and standards and that is why impacts will all be less than significant. This is a startling conclusion, given that the County does not have a particularly good "track record" in enforcing existing codes and regulations in the rural areas of North Los Angeles County. Accordingly, the impacts that the DPEIR declares to be "less than significant" because cannabis businesses will comply with applicable regulations enforced by the County are in fact likely to be significant because the County is unlikely to enforce them.

O.4-1

SORT is particularly concerned with the mitigation measures pertaining to odor control from cannabis cultivation, manufacturing, storage, and other operations because they are all contingent on either the development of an odor control plan that will be implemented and enforced by the Health Department (for which enforcement is unlikely to occur) or the enforcement of nuisance odor rules promulgated by various air quality management districts over which the County has no control or oversight. AQMD nuisance odor regulations are cumbersome, require a large number of complaints, and take years to resolve. And, while the affected public waits for the Health Department and/or Air Quality Management District to bring a non-compliant cannabis operation into compliance with odor control requirements, significant odor impacts will occur. Therefore, the DPEIR is flat out wrong to conclude otherwise.

THE DPEIR DOES NOT PROPERLY ACCOUNT FOR PUBLIC SAFETY RISKS POSED BY THE CANNABIS PROGRAM.

SORT is troubled by the DPEIR conclusion that the cannabis program poses no public safety or emergency responses impacts because cannabis businesses will be housed in existing buildings that are served by existing police and fire services. This conclusion presupposes that all existing buildings are adequately served by existing police and fire services. While this may be true in urban and suburban areas, it is certainly not true in rural areas where there is no standing police presence and where fire departments are very small. This conclusion also presumes that a cannabis business which is newly installed in an existing building will have the same demand for police and fire protection as the business that previously occupied the space. Such a presumption is absurd. Cannabis operations are magnets for armed and violent criminals and they require substantially more police resources than a local tack store or a print shop. Similarly, cannabis manufacturing facilities that utilize volatile extraction operations which are prone to explosion and fire hazard severity zone require more fire protection resources than a storage building. The conclusion that the cannabis program does not pose any significant public safety impacts is unsupportable and lacks foundation.

O.4-2

CANNABIS CULTIVATION OPERATIONS HAVE THE POTENTIAL TO RESULT IN SIGNIFICANT WATER RESOURCE IMPACTS

Cannabis cultivation operations require a significant amount of water; this is a particular concern in rural areas of the high desert where water resources are stretched thin. For example, in the Community of Acton, a resident was told by the local waterworks district that he could not construct a riding arena because it would require substantial upgrades to the existing water infrastructure. Nonetheless, the DPEIR concludes that water resource impacts will be less than significant because cannabis businesses will only be permitted in existing buildings that have “existing infrastructure” and “municipal water service”. However, this presupposes that a proposed cannabis operation will have the same water demand as the business that previously occupied the space. This may be true for retail operations, but it is certainly not true for cultivation operations.

O.4-3

Additionally, the term “municipal water service” that is used in the DPEIR is vague and ill defined. In many rural areas, there are small mutual water companies and small public water systems that serve localized areas; SORT does not believe that such operations should be considered to satisfy the “municipal water service” threshold that the DPEIR appears to establish. Accordingly, DCBA must further define what is meant by “municipal water service”; perhaps a minimum number of service connections or storage capacity should be identified. This is particularly true for cultivation operations which are likely to overwhelm small municipal systems such as that in Acton.

THE CANNABIS PROGRAM DOES NOT MEET CRITICAL OBJECTIVES

SORT is concerned that the proposed cannabis program does not meet several of the critical objectives set forth in the DPEIR. For instance:

Page 2-25 of the DPEIR states that objectives of the cannabis project include the establishment of “land use requirements for commercial cannabis activities to minimize the risks associated with criminal activity, degradation of visual resources and neighborhood character, groundwater basin overdraft, obnoxious odors, noise nuisances, hazardous materials, and fire hazards”. Presumably, such “land use requirements” are incorporated into the proposed revision to Title 22 because Title 22 is the County’s Zoning Ordinance adopted for the purpose of implementing County land use objectives. However, the proposed revision to Title 22 does not address the “land use requirements” listed on page 2-25. It does not require controls to minimize obnoxious odors. It does not include security measures to minimize criminal activities. It provides no measures to prevent degradation of neighborhood character. It certainly contains no provisions that address fire hazards; to the contrary, it actually authorizes explosion- and fire-prone volatile extraction operations in Very High Fire Hazard Areas! Nothing that the DPEIR states regarding land use objectives are secured by the proposed Title 22 revision, so it is not clear how the cannabis project actually meets this project objective.

O.4-4

Pages 2-25- 2-26 of the DPEIR also states that an objective of the cannabis project is to develop “a regulatory program that protects the public health, safety, and welfare through effective enforcement controls (e.g., ensuring adequate law enforcement and fire protection services) for cannabis activities in compliance with State law, to protect neighborhood character and minimize potential negative effects on people, communities, and other components of the environment”. However, there is no evidence of any such “regulatory program” that provides “effective enforcement controls” in either the DPEIR or the proposed Title 22 revision. In fact, page 2-13 of the DPEIR indicates that enforcement by the County will be an entirely optional activity which may (or may not) occur. Certainly nothing in the proposed Title 22 revision establishes a framework that “ensures adequate law enforcement or fire protection services”. To the contrary, the proposed Title 22 revision authorizes all types of cannabis businesses in rural residential areas that have no standing law enforcement presence and minimal fire response facilities. It also incorporates no provisions that address neighborhood character or minimize negative effects of odor, or criminal activity. There is simply no evidence that the cannabis project actually achieves this project objective.

Pages 2-26 of the DPEIR also states that an objective of the cannabis project is to “limit potential for adverse impacts on children and sensitive populations by ensuring compatibility of commercial cannabis activities with surrounding existing land uses,

including residential neighborhoods, agricultural operations, youth facilities, recreational amenities, and educational institutions”. However, the proposed cannabis project does not “limit potential for adverse impacts” by ensuring “compatibility of commercial cannabis activities” in “residential neighborhoods”. To the contrary, the cannabis project provides *no* compatibility assurances to many established residential neighborhoods because it authorizes all cannabis operations right in their midst and without imposing any odor control requirements or establishing minimum sheriff responses or fire protection standards or security standards to minimize the effects of criminal activities. This fact demonstrates that the cannabis project does not achieve this project objective.

O.4-4
cont.

THE CANNABIS PROGRAM WILL RESULT IN SUBSTANTIAL IMPACTS ON RESIDENTIAL USES

Because the County’s cannabis program does not establish any buffers for sensitive residential uses, such uses will experience substantial adverse odor and public safety impacts. This is particularly true in rural areas where industrially zoned properties are imbedded in residential neighborhoods.

O.4-5

CONCLUSION

SORT respectfully requests that the County factor the above information into any and all future decisions that are made regarding the cannabis program.

Regards;

/S/ Jacqueline Ayer

Jacqueline Ayer, Director

Save Our Rural Town

Comment Letter O.4 – [Jacqueline Ayer, Save Our Rural Town]***Comment Response O.4-1***

This comment asserts that many mitigation measures in the Program EIR improperly rely on enforcement of County and State regulations that the commenter believes are unlikely to occur, particularly in rural areas, and therefore concludes that impacts characterized as less than significant would in fact be significant. As thoroughly discussed in Chapter 2, *Project Description* and throughout the Program EIR, the proposed Project would establish a regulated licensing framework for commercial cannabis businesses. Licensed businesses would be subject to State law, LACC requirements, permit conditions, license conditions, inspections, complaint investigations, and enforcement remedies.

With respect to odor, the County clarifies that odor control would not rely solely on air district nuisance enforcement. Chapter 11.37 of the LACC, administered by the Los Angeles County Department of Public Health, Environmental Health Division, requires commercial cannabis retail, distribution, manufacturing, and cultivation businesses to obtain a Public Health Permit. Among other requirements, applicants and licensees must submit an odor management plan describing the measures that will be used to prevent odors from being detected outside the facility or indoor cultivation site.

Operators are responsible for implementing the odor management plan, maintaining records related to odor control, including system malfunctions and complaints, and making modifications to the odor management plan when required following an inspection. If modifications are made that may affect odor control, an updated odor management plan must be submitted to Environmental Health Division within 30 days.

Please refer to Master Response 4 – Public Safety, Code Enforcement, and Crime for further information on how the County would enforce compliance by licensed businesses.

Comment Response O.4-2

This comment contends that cannabis businesses would create significant public safety and emergency response impacts in rural communities due to increased criminal activity, armed security, and higher fire risks not adequately addressed in the Draft Program EIR. Please refer to Master Response 4 – Public Safety, Code Enforcement, and Crime.

Comment Response O.4-3

This comment asserts that cannabis cultivation could significantly strain water resources in rural areas and requests clarification of the term “municipal water service,” particularly with respect to small or mutual water systems. However, for a site to be eligible for cannabis, it must be located on an eligibly zoned parcel and restricted to developed lots that have existing public infrastructure and utilities (e.g., roadways, water systems, sewer systems, flood control infrastructure, energy infrastructure, and telecommunications infrastructure), as well as public services (e.g., police and fire) currently serving the site. An applicant that cannot demonstrate adequacy of public infrastructure, utility service, and public services

would not be eligible for a license. Potentially eligibly zoned sites in the community of Acton and other rural communities may not be able to demonstrate such services exist to serve the proposed cannabis business, therefore making rural sites ineligible.

Further, impacts to water supply and utility systems from potential future cannabis operations, including indoor cannabis cultivation, are discussed in detail in Section 3.7, *Utilities/Service Systems*. As described therein, “[p]ursuant to the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy, each cultivation licensee applicant would be required to provide a service agreement from a municipal or permitted water supplier that identifies the water supply source and demonstrates that adequate water supply exists to serve the intended cannabis operations.” Under this policy, a municipal or permitted water supply is defined under Water Code Section 13575(b)(6) as a “[r]etail water supplier”, which means any local entity, including a public agency, city, county, or private water company that provides retail water service. The proposed Project would not approve any specific cannabis cultivation operation, nor does it authorize expansions of water system capacity. Any future cultivation proposal would be reviewed by the applicable water purveyor to ensure adequate supply is available without adverse effects on existing users.

Comment Response O.4-4

This comment claims that the proposed cannabis program fails to meet several Project Objectives described in the Program EIR, including minimizing adverse impacts, ensuring compatibility with residential neighborhoods, and protecting public health and safety. Project objectives described in the Program EIR articulate the policy goals guiding development of the cannabis program and do not function as enforceable development standards. As presented in the IS and Program EIR, the proposed Project includes specific restrictions and regulatory requirements that would avoid or minimize environmental impacts. With the exception of transportation-related VMT, all potential impacts were determined to be less than significant with implementation of the proposed Project. This outcome is due to the reliance on existing regulations and permitting requirements, as well as the proposed Title 8 and Title 22 amendments, which are designed to limit the scale and location of cannabis uses and reduce the potential for physical environmental effects.

For a discussion on how the County would ensure compliance of licenses businesses and support enforcement against unlicensed operators, please refer to Master Response 4 – Public Safety, Code Enforcement, and Crime.

In addition, to address risks associated with fire, cannabis cultivation and manufacturing businesses would be subject to LACoFD Regulation #30, which establishes requirements for cannabis cultivation and manufacturing. Regulation #30 requires businesses to submit detailed plans to the LACoFD’s Special Occupancy Inspection Unit for review; prohibits cannabis cultivation and manufacturing in certain building occupancy types; requires operational permits for plant extraction and CO₂ enrichment systems; and requires technical reports, site inspections, ventilation systems, gas detection systems, emergency shut-off procedures, and analysis of extraction systems. Additional operational permits may

also be required for gases, flammable liquids, hazardous materials, and any applicable Certified Unified Program Agency permits. If an applicant cannot demonstrate consistency with all applicable requirements and provisions, the application cannot be approved, and the business cannot be permitted and licensed by the County, DCC, and other responsible agencies with permitting authority over proposed commercial cannabis businesses.

Please refer to Comment Response O.4-1, O.4-2, and O.4-3 above for further discussion of mandatory requirements and regulations of the proposed Project for reducing or avoiding impacts associated with odors, public safety, and water supplies.

The Program EIR's conclusion regarding impact minimization is therefore not dependent on speculative enforcement, but on the mandatory implementation of these regulatory requirements as a condition of approval. For example, as discussed in Chapter 2, *Project Description*, commercial cannabis businesses licensed under the proposed Project would be subject to various regulations governing site eligibility, including requirements that cannabis operations be limited to existing, legally constructed, permitted, and permanent structures. This requirement substantially avoids potential physical environmental effects by precluding new ground disturbance, grading, or construction activities that could otherwise impact biological resources, cultural resources, hydrology, and other environmental resource areas. Please also refer to Master Response 2 – New Development for detailed response to concerns regarding potential for new development under the proposed Project.

Comment Response O.4-5

This comment asserts that the absence of buffers from residential uses would result in substantial odor, safety, and compatibility impacts, particularly in rural communities. The Program EIR evaluates land use compatibility and potential effects on surrounding uses within the context of proposed site eligibility, proposed land use buffer requirements, compatibility of proposed cannabis uses with applicable zoning regulations, and required compliance with proposed and existing County and state regulations adopted for the purposes of reducing impacts on public health, safety, neighborhood compatibility, and environmental resources. For detailed response to concerns regarding odor and public safety impacts, please refer to Comment Response O.4-1 and O.4-2 above.



March 30, 2026

Los Angeles County Department of Consumer and Business Affairs
Office of Cannabis Management
Attention: Fernando Neito, Senior Analyst
320 W. Temple Street, Room G-10
Los Angeles, CA 90012

RE: Public Comment on Cannabis Draft Program Environmental Impact Report

Dear Mr. Neito,

United Homeowners 'Association II (UHA) appreciates the opportunity to comment on, and agrees with, the concern voiced in the Draft Environmental Impact Report (Draft EIR) about the potential for increased traffic on the Slauson Corridor, from Angeles Vista Blvd and Slauson Ave on the East to Buckingham Park Way and Slauson Ave. on the West also of some concern are the newly defined commercial areas on Victoria Ave and 54th Street in View Park-Windsor Hills. The UHA previously stated our concerns regarding increased traffic in our response to the Cannabis Ordinance (CO) and that same concern is reiterated by UHA here.

The Ladera Heights, View Park-Windsor Hills communities will be impacted by increased traffic due to cannabis shops that will be housed in our community. The CO stated that 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 Vehicle Miles Traveled.

The Draft EIR concedes that the impacts of traffic congestion are potentially significant, however, the mitigation measures recommended by the Draft EIR are not comprehensive and the UHA questions if the suggested mitigation measures will be effective. In fact, the mitigation measures documented in the Draft EIR are nonexistent for the large number of customer vehicles that will frequent the cannabis shops, but are specific to the small number of cannabis shops employees. The Draft EIR recommends: transit passes, ride sharing and carpooling for employees of the shops but conveniently and purposely does

not speak to the much larger problem of increased traffic congestion caused by customers driving their cars to the cannabis shops.

The CO identifies commercial and mixed-use areas in the Ladera Heights, View Park-Windsor Hills communities where cannabis shops can be located. However, the Draft EIR does not take into account the areas within these communities that have been newly upzoned as part of the Westside Area Plan (WASP) to incentivize increased housing and, along with it increased traffic congestion.

The UHA requests that as a condition of the approval of the Draft EIR, that Los Angeles County undertakes a comprehensive traffic congestion study to determine how much additional traffic will be experienced by the communities as a result of the approval of the WASP, in conjunction with the cannabis ordinance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Angela Sherick-Bright". The signature is fluid and cursive, with the first name "Angela" being more prominent.

Angela Sherick-Bright
Land Use Chairperson

O.5-1
Con.

Comment Letter O.5 – [Angela Sherick-Bright, United Homeowners Association III]

Comment Response O.5-1

This comment expresses concern that cannabis retail uses would increase traffic congestion along the Slauson Corridor and in the Ladera Heights and View Park-Windsor Hills communities, asserts that mitigation measures do not adequately address customer vehicle trips, and requests a comprehensive traffic congestion study that considers cumulative impacts from both the proposed Project and the Westside Area Plan.

With regard to comments requesting analysis of impacts relating to traffic congestion as a result of the proposed Project, Senate Bill (SB) 743 and updates to the CEQA Guidelines have revised the criteria for determining what constitutes a significant transportation-related environmental impact, shifting from traditional congestion and level of service (LOS) metric to VMT. Consistent with SB 743 and updates to the CEQA Guidelines, the County has established new transportation-based significance thresholds through the *Los Angeles County Transportation Impact Analysis (TIA) Guidelines*. These guidelines outline the analysis methodologies, screening criteria, and thresholds of significance used by the County to identify potential VMT impacts pursuant to CEQA Guidelines Section 15064.3(b). Consistent with these guidelines, the analysis of transportation-based impacts presented in this Program EIR utilizes VMT-based metrics, rather than impacts on congestion and LOS.

Regarding the commenter's request for a comprehensive corridor-level traffic congestion study that analyzes the combined effects of implementation of the proposed program and the Westside Area Plan, such an analysis is not warranted under CEQA for this Program EIR. As discussed in Master Response 1 – Use of a Program EIR above, the Program EIR does not evaluate impacts at the site-specific level, and corridor or location-specific analysis of transportation impacts is not feasible at this time. However, under the Westside Area Plan, some Commercial zones have been changed to Mixed-Use zones. Although the proposed Project would allow storefront cannabis retail and delivery businesses in Commercial zones and in Commercial-only Mixed-Use zones, the proposed Project would prohibit cannabis businesses from being located within the same structure or on the same parcel as any legally established dwelling. As a result, where residential use is introduced through implementation of the Westside Area Plan, those properties would no longer remain eligible for cannabis businesses. Accordingly, the overall effect of the Westside Area Plan would be to reduce, rather than expand, the number of parcels potentially eligible for cannabis businesses.

9.5.3 Individuals

From: [R.W](#)
To: [DCBA CannabisEIR](#)
Subject: Public Comment – Cannabis Licensing Program and Community Impact
Date: Monday, March 9, 2026 11:02:28 PM

CAUTION: External Email. Proceed Responsibly.

Good evening,

My name is Raneisha H, and I am a Los Angeles County resident, mother, and founder of Coalition of Parents Nationwide. And Advocate Mother Law student

I want to address a serious contradiction in Los Angeles County regarding cannabis policy and family court systems.

For nearly nine years, I was involved in dependency court proceedings concerning my children, identified here by initials as J.S. and J.H. During that time, I was repeatedly labeled as a drug abuser because of marijuana use, even though there was no medical diagnosis, no clinical evaluation, and no proof of substance abuse disorder.

Over the course of those years, I attempted to present evidence and documentation to defend myself, but on multiple occasions I was not allowed to fully present my evidence in court. These accusations remained in the record while my evidence was ignored.

Now Los Angeles County is preparing to license cannabis businesses and collect revenue from the same plant that families were punished over.

Cannabis is widely known to help people with pain, trauma, anxiety, and other health issues. Many people use it for relief when traditional medications fail.

If cannabis is legal, parents should not be labeled drug abusers without medical proof, and families should not be separated over it.

I also want to address licensing costs.

Communities that were historically targeted by drug enforcement should not be priced out of the legal cannabis industry.

Cannabis licenses should be free or extremely affordable, and if there is a fee it should be no more than \$20 maximum, with no junk fees, hidden costs, or excessive government charges. At all it should be around the world.

The County has already collected enough taxes.

Any revenue generated should go toward children and community support, including:

I.1-1

I.1-2

schools

youth programs

feeding the homeless

community health programs

Cannabis legalization should focus on healing communities and supporting families, not creating another system where government profits while communities struggle.

My own experience, which has been discussed publicly in articles about my children being taken and my fight to reunify my family, shows how deeply these policies can impact families.

Los Angeles County must ensure cannabis policy includes:

fairness

family protections

affordable access

and reinvestment into communities

Thank you.

Raneisha Hubbert
Los Angeles County Resident
Founder, Coalition of Parents Nationwide

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1.1-2
Con.

Comment Letter I.1 – [Raneisha Hubbert]

Comment Response I.1-1

This comment expresses support for the legalization of cannabis use. While this comment is unrelated to the environmental analysis presented in this Program EIR it will nevertheless be forwarded to the County's decision makers for their consideration.

Comment Response I.1-2

This comment expresses concerns regarding the potential cost of licensing fees and the allocation of local agency tax revenues from licensed cannabis businesses. While this comment is unrelated to the environmental analysis presented in this Program EIR it will nevertheless be forwarded to the County's decision makers for their consideration.

From: [Freedas Mom](#)
To: [DCBA CannabisEIR](#)
Subject: Anonymous Public Comment, from Sawtelle Area WLA resident. Re: Join the Office of Cannabis Management for an Online Public Meeting Wed., March 11
Date: Wednesday, March 11, 2026 10:21:38 AM

CAUTION: External Email. Proceed Responsibly.

Anonymous Public Comment, from Sawtelle Area West LA resident.

The county is very motivated to cash in on the sale of cannabis but the cost is too high.

Los Angeles is not enforcing important health and safety laws regarding cannabis. Until it does, the number of cannabis businesses should not increase.

I live next to Stoner Park, where you will see people (under age and adults) publically smoking and vaping at the park, on sidewalks, at bus stops, in their cars, and in shared outdoor spaces in apartment properties. People of all ages are adversely affected, including children. The kids that go to the skate park, playground, basketball courts and tennis courts are surrounded by under age and adult cannabis smokers.

Weed isn't the herb it used to be. It's genetically modified to be much stronger, and it was never harmless to everyone. The advertising for pot makes it sound harmless.

People should not be exposed to secondhand smoke or vape in public places or in shared spaces where they live.

Something has to be done to stop people from driving while high.

With legalization, there has been a massive increase in cannabis consumption.

Until these problems are solved I will always passionately oppose dispensaries.

I.2-1

Comment Letter I.2 – [Anonymous]

Comment Response I.2-1

This comment expresses general opposition to the proposed Project and concerns over the effects of legal cannabis use and sales on public health and safety. While this comment is unrelated to the environmental analysis presented in this Program EIR it will nevertheless be forwarded to the County's decision makers for their consideration.

From: [Priya Gehm](#)
To: [DCBA CannabisEIR](#); [Office of Cannabis Management](#)
Subject: Re: Automatic reply: Anonymous Public Comment, from Sawtelle Area WLA resident. Re: Join the Office of Cannabis Management for an Online Public Meeting Wed., March 11
Date: Thursday, March 12, 2026 7:31:09 AM

CAUTION: External Email. Proceed Responsibly.

I sent a general public comment because I was never able to find the Draft Program Environmental Impact Report (PEIR). I realize it's too late to comment on the report, but I would like to read it. Please send it as an attachment or send a direct link.

I.3-1

On Wed, Mar 11, 2026 at 10:21 AM DCBA CannabisEIR
<CannabisEIR@dcba.lacounty.gov> wrote:

Thank you for submitting your comments to the County of Los Angeles Office of Cannabis Management regarding the Draft Program Environmental Impact Report (PEIR). We appreciate your input concerning the potential environmental impacts of the proposed Commercial Cannabis Business Licensing Program.

If you did not intend to submit a public comment regarding the Draft PEIR, please contact the Office of Cannabis Management at cannabis@lacounty.gov.

Next Steps

- Your comments will be reviewed as part of the Draft PEIR evaluation process.
- We encourage you to stay informed about updates to the Commercial Cannabis Business Licensing Program.
- If additional information or follow-up is needed, we may contact you at the email address you provided.

Thank you again for your participation and contribution to this important community process.

Office of Cannabis Management
Department of Consumer and Business Affairs
320 W. Temple St., Room G-10
Los Angeles, CA 90012
Email: cannabis@lacounty.gov
Website: cannabis.lacounty.gov

Comment Letter I.3 – [Priya Gehm]

Comment Response I.3-1

A copy of the Draft Program EIR was provided in response as requested. The Draft Program EIR has also been made available for review on OCM's website at: <https://dcba.lacounty.gov/cannabis/publiccomment/>.

From: [Candice Hill](#)
To: [DCBA CannabisEIR](#)
Subject: Public Comment
Date: Thursday, March 26, 2026 9:26:37 AM

CAUTION: External Email. Proceed Responsibly.

We do not need more cannabis in Los Angeles. Or any other place. The reason that I voted to legalize cannabis was to keep people from being arrested for cannabis possession. Having that arrest on record prevents job attainment for people with a cannabis conviction, which is unfair. There are some people who were allowed rehab while others were jailed. That is why I voted for cannabis legalization.

I did not vote for loopholes that allowed cannabis shops to pop up all over the state of California.

Water and soil are precious resources.

We don't need to use them up growing cannabis.

Sincerely,
Candice Hill

I.4-1

Comment Letter I.4 – [Candice Hill]

Comment Response I.4-1

This comment expresses general opposition to the proposed Project. While this comment is unrelated to the environmental analysis presented in this Program EIR it will nevertheless be forwarded to the County's decision makers for their consideration.

9.5.4 Verbal Comments

Verbal Comments V.1 — [Miriël Bereal]

1. Cannabis business owner. Restated that retail dispensaries must be in existing buildings. In Altadena, commercial space burned down — are there special provisions for that area since no structures exist?
2. It would be costly to construct a new building without already having a license. Are there special considerations for that?

Comment Response V.1-1

The same rules allowing cannabis businesses only in existing, legally constructed, permitted, and permanent structures in conformance with the LACC would apply. If a structure meeting these requirements previously existed at the site but was demolished or destroyed, reconstruction must occur separate and prior to the cannabis permit process.

Comment Response V.1-2

Construction of any facility must occur through the regular construction process, separate from and prior to applying for a commercial cannabis license. Under the proposed regulations, the County would not accept applications for a commercial cannabis business on undeveloped land or in nonconforming structures.

Verbal Comments V.2 — [Avis Bulbulyan]

1. Asked what defines a responsible owner for background checks, what disqualifies them, and whether criminal history is considered.
2. Asked when the application process begins.

Comment Response V.2-1

Under the proposed Title 8 regulations, background checks would evaluate criminal history. This comment does not raise an environmental issue regarding the adequacy of the Draft Program EIR. More details on the proposed application process will be provided prior to County decision-maker hearings.

Comment Response V.2-2

This comment does not raise an environmental issue regarding the adequacy of the Draft Program EIR. More details on the proposed application process and timeline will be provided prior to County decision-maker hearings.

Verbal Comments V.3 — [Jacqueline Ayer]

1. Acton has 80 acres of M1 land, more than other districts. Concerned about overconcentration in District 5.

2. Wants Objective 4 changed from “encourage” to “require” legal operation to promote enforcement.
3. Concerned that microbusinesses have no numerical limit and could be large.

Comment Response V.3-1

The proposed framework includes several safeguards to limit potential overconcentration, including a cap of five storefront retail and five non-storefront/delivery businesses per Supervisorial District, Planning Area limits for both retail and non-retail commercial cannabis businesses, required buffers from youth-oriented uses and substance abuse and recovery facilities, and separation requirements between cannabis retailers. These standards are intended to reduce clustering and help ensure commercial cannabis businesses are distributed in a controlled and limited manner.

Comment Response V.3-2

Project objectives in the Program EIR describe the policy goals guiding the proposed program and do not function as enforceable development standards. Objective 4 appropriately reflects the Project’s goal of bringing commercial cannabis activity into a regulated local framework to maximize licensed activity and reduce unlicensed activity. The proposed Project includes separate licensing, operational, and compliance requirements to ensure licensed cannabis businesses operate in accordance with County and State regulations. Locally, OCM would regulate licensed cannabis businesses under the proposed framework, while enforcement against illicit businesses would continue through the County’s existing enforcement authorities (e.g., Sheriff, District Attorney, County Counsel) and processes. No revision to Objective 4 is required.

Comment Response V.3-3

There would not be a limit to the number of cannabis microbusiness designations that would be allowed in the unincorporated areas of the County. However, each of the proposed cannabis activities comprising the microbusiness would require its own license, which would draw from the remaining available licenses for each business type.

Verbal Comments V.4 — [Avis Bulbulyan]

1. Asked whether applicants can expand, remodel, or add square footage to existing buildings.
2. Commented that retail is likely the only license type applicants will pursue; unlikely that cultivation or manufacturing will occur in Acton.

Comment Response V.4-1

The proposed Project would authorize the County to allow cannabis businesses only in existing, legally constructed, permitted, and permanent structures in conformance with the LACC. Any development or redevelopment associated with a potential cannabis business,

or upgrades to comply with the LACC, would be subject to: (1) separate permitting and approval processes required under the existing LACC; and (2) consistency with policies of the General Plan/LCP. These separate licenses, approvals, and/or policy consistency analyses would be required before applying for a cannabis business license.

Comment Response V.4-2

These comments will be forwarded to the County's decision makers for their consideration.

Verbal Comments V.5 — [Jacqueline Ayer]

1. Concerned that County may allow new construction for non-cannabis uses that later convert to cannabis.
2. Recommends allowing reconstruction in Altadena but not allowing cannabis there.

Comment Response V.5-1

The proposed Project would not preclude new construction for non-cannabis uses that may otherwise be allowed under applicable zoning, building, and permitting requirements. However, the construction of a building for a non-cannabis use would not guarantee, reserve, or create any future entitlement to operate a commercial cannabis business at that location.

The County would make only a limited number of commercial cannabis licenses available for each license type, and issuance of a County commercial cannabis license would be contingent on the applicant obtaining all applicable State and local permits, approvals, and clearances. Any future proposal to convert an existing or previously constructed building to a commercial cannabis use would need to satisfy the County's cannabis zoning, licensing, and operational requirements, as well as any applicable State requirements.

Prospective applicants would assume any risks associated with constructing a building, changing a building's use, and securing the necessary approvals to qualify for a County commercial cannabis license. The County would not approve a commercial cannabis license unless the proposed site and operation comply with the applicable cannabis program requirements and remain within the scope of the Project analyzed in the Program EIR.

Comment Response V.5-2

Construction of any facility must occur through the regular construction process, separate from and prior to the permit process for commercial cannabis activities. Under the proposed regulations, the County would not accept applications for a commercial cannabis business on undeveloped land or in nonconforming structures.

Verbal Comments V.6 — [Miriël Bereal]

1. Asked whether 90 licenses total are planned and whether any are reserved for equity applicants.

Comment Response V.6-1

The County Board of Supervisors has established initial limits on the number of cannabis business licenses available for each cannabis business type, as detailed in Section 2.3.3., *Proposed Allowable Cannabis Business Types*. More details on the proposed social equity program will be provided prior to County decision-maker hearings.

Verbal Comments V.7 — [Gregory Taylor]

1. Asked whether regulations include hemp-based CBD and non-THC cannabinoids.

Comment Response V.7-1

The proposed program focuses on commercial cannabis businesses involving production, manufacturing, distribution, testing, and sale of THC products. Industrial Hemp and Hemp-based products are regulated at the State and Federal level.

Verbal Comments V.8 — [Dominic Melendez]

1. Asked when applications will open.

Comment Response V.8-1

Timing for implementation of the proposed program and the start of application processes would depend on timing of adoption of the proposed Project. Based on current schedule, launch of the application process is anticipated for 2027.

Verbal Comments V.9 — [Blue English]

1. Asked when equity program information will be available.

Comment Response V.9-1

Timing for implementation of the proposed program including elements of the social equity program would depend on timing of adoption of the proposed Project. Based on current schedule, launch of the social equity program is anticipated for 2027.

Verbal Comments V.10 — [Jacqueline Ayer]

1. Concerned about water supply requirements — municipal vs. private water companies. Asked whether cannabis businesses must be on municipal water.

Comment Response V.10-1

As described in Section 3.7, *Utilities/Service Systems*, all commercial cannabis businesses would be restricted to developed lots that have existing infrastructure that provides municipal water service. To be eligible for a permit and license from the County, an applicant must acquire all necessary permit approvals and demonstrate adequacy of service from a municipal water service provider, such as through “can and will serve” letters.

Verbal Comments V.11 — [Miriël Bereal]

1. Stated that 90 licenses is too few for the size of the unincorporated area; wants to know if there's potential to increase the number of licenses.
2. Wants equity initiatives sooner.

Comment Response V.11-1

The County Board of Supervisors has established initial limits on the number of cannabis business licenses available for each cannabis business type, as detailed in Section 2.3.3., *Proposed Allowable Cannabis Business Types*. The number of available cannabis business licenses could change at the discretion of the County Board of Supervisors.

Comment Response V.11-2

The County recognizes the importance of providing equity-related support as early as possible and has already begun offering educational opportunities before commercial cannabis licenses are made available. These efforts include the Cannabis Social Equity Entrepreneurship Academy, a no-cost education and readiness program focused on cannabis retail entrepreneurship and key business considerations, as well as community workshops designed to help prospective applicants, workers, community members, and others make informed decisions about whether and how to participate in the future regulated cannabis program. Visit cannabis.lacounty.gov to learn more.

Verbal Comments V.12 — [Blue English]

1. Asked whether the meeting would be available as a replay or transcript.

Comment Response V.12-1

The meeting was recorded and made available for viewing at: [OCM Workshops, Webinars, and Trainings – Consumer & Business](#).

Verbal Comments V.13 — [Jacqueline Ayer]

1. Restated that existing eligible structures should be required to have municipal water already, as developing new water infrastructure would count as construction. An exception could be made for Altadena to replace destroyed infrastructure.
2. Concerned about armed guards near residential areas. Noted that residential areas are not categorized as sensitive uses.
3. Believes odor impacts would be significant without mitigation.

Comment Response V.13-1

As described in Section 3.7, *Utilities/Service Systems*, all commercial cannabis businesses would be restricted to developed lots that have existing infrastructure that provides municipal water service. To be eligible for a permit and license from the County, an applicant must acquire all necessary permit approvals and demonstrate adequacy of

service from a municipal water service provider, such as through “can and will serve” letters. Any development or redevelopment associated with a potential cannabis business, or upgrades to establish municipal water service to the site, would be subject to: (1) separate permitting and approval processes required under the LACC; and (2) consistency with policies of the General Plan/LCP. These separate licenses, approvals, and/or policy consistency analyses would be required before applying for a cannabis business license.

Comment Response V.13-2

The proposed framework would not require cannabis businesses to use armed guards; that decision would be made by the individual business, subject to applicable laws and regulations. In addition, licensed cannabis businesses would be subject to state and local security requirements, including restricted access, surveillance, inspections, and enforcement provisions. Cannabis businesses would not be permitted on residentially zoned parcels and would only be allowed in existing, legally constructed, permitted, and permanent structures in eligible zones, subject to operational requirements and applicable buffers.

Comment Response V.13-3

Odor impacts are addressed in Section 3.1, *Air Quality* under Impact AQ-3. As described therein, the proposed Project only allows for indoor cannabis cultivation and manufacturing, as described in Chapter 2, *Project Description*. In addition, all commercial cannabis businesses would be subject to all applicable LACC regulations, including Chapter 11.37, Section 11.37.070, that requires the development and implementation of an odor management plan that would be subject to the Department of Public Health's review and approval. Odor management plans must prevent odors from a cannabis facility from being detected by a person outside of the facility or indoor cultivation site.

Applicable air quality regulations enforced by the South Coast Air Quality Management District (SCAQMD) and Antelope Valley Air Quality Management District (AVAQMD) regulate nuisance emissions, odors, volatile organic compounds (VOCs), and other air contaminants. These agencies also maintain complaint investigation and enforcement programs and may require corrective action when a business causes nuisance or harmful emissions. Compliance with these existing regulations would help ensure that related air quality and odor impacts remain less than significant.

Verbal Comments V.14 — [Jacqueline Ayer]

1. Concerned that odor and firearm issues raised during scoping were not addressed in the Draft EIR.
2. Asked whether the Department of Public Health will enforce odor control. Concerned that existing enforcement is not strong enough.

Comment Response V.14-1

Impacts to public services, including impacts associated with public safety, were analyzed in Section XV, *Public Services*, of the IS (Appendix A). As described therein, while some crime associated with permitted cannabis commercial and industrial activities would likely continue, a net increase in cannabis-related crime is not anticipated. Please refer to Master Response 4 – Public Safety, Code Enforcement, and Crime.

Comment Response V.14-2

As described in Section 3.1, *Air Quality*, all commercial cannabis businesses would be subject to all applicable LACC regulations, including Chapter 11.37, Section 11.37.070, that requires the development and implementation of an odor management plan that would be subject to the Department of Public Health's review and approval. Odor management plans must prevent odors from a cannabis facility from being detected by a person outside of the facility or indoor cultivation site.

Verbal Comments V.15 — [Miriell Bereal]

1. Asked whether County can rezone Lake Avenue for manufacturing, retail, and distribution.
2. Asked whether manufacturing could occur in retail-only zones.
3. Asked how microbusinesses and multiple-use operations would be categorized.
4. Asked how licenses will be issued (lottery, merit, first-come).

Comment Response V.15-1

This comment does not raise an environmental issue regarding the adequacy of the Draft Program EIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Comment Response V.15-2

A discussion of the proposed eligible zone districts for commercial cannabis manufacturing uses is presented in Section 2.3.4, *Proposed Areas Eligible for Commercial Cannabis Licenses*. Eligible zone districts for volatile manufacturing include Light Manufacturing (M-1), Restricted Heavy Manufacturing (M-1.5), and Heavy Manufacturing (M-2) zones. Eligible zone districts for non-volatile manufacturing include General Commercial (C-3), Commercial Manufacturing (C-M), Light Manufacturing (M-1), Restricted Heavy Manufacturing (M-1.5), and Heavy Manufacturing (M-2) zones.

Comment Response V.15-3

Discussion of the proposed licensing regulations and proposed eligibility areas for microbusinesses is provided in Section 2.3.3, *Proposed Allowable Cannabis Business Types* and Section 2.3.4, *Proposed Areas Eligible for Cannabis Business Licensing*, respectively.

Eligible microbusinesses must comply with zoning and all other applicable requirements for each activity.

Comment Response V.15-4

This comment does not raise an environmental issue regarding the adequacy of the Draft Program EIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Verbal Comments V.16 — [Jacqueline Ayer]

1. Asked whether buildings must exist before ordinance adoption. Concerned that developers could build for one use and later convert to cannabis without community input.

Comment Response V.16-1

The proposed Project would authorize the County to allow cannabis businesses only in existing, legally constructed, permitted, and permanent structures in conformance with the LACC. Any development or redevelopment associated with a potential cannabis business, or upgrades to comply with the LACC, would be subject to: (1) separate permitting and approval processes required under the existing LACC; and (2) consistency with policies of the General Plan/LCP. These separate licenses, approvals, and/or policy consistency analyses would be required before applying for a cannabis business license.

Verbal Comments V.17 — [Miri Bereal]

1. Asked whether cargo containers count as structures.

Comment Response V.17-1

The proposed Project would authorize the County to allow cannabis businesses only in existing, legally constructed, permitted, and permanent structure in conformance with the LACC.

Verbal Comments V.18 — [Sidney Mathalon]

1. Asked whether an LA City license can be transferred to LA County.

Comment Response V.18-1

No, all applications for a license under the proposed Project would be required go through the County licensing process.

Verbal Comments V.19 — [Jacqueline Ayer]

1. Asked whether nearby city cannabis businesses will be considered.
2. Asked whether operators must be local or if absentee owners are allowed.

Comment Response V.19-1

The proposed program would apply only to commercial cannabis businesses located in the unincorporated areas of the County. The proposed 500-foot buffer between licensed cannabis storefront retailers would account for existing storefront retailers in neighboring cities, not only those located in unincorporated areas. However, because this is a County requirement, storefront retailers in other jurisdictions may not be subject to the same buffer standard.

Comment Response V.19-2

This comment does not raise an environmental issue regarding the adequacy of the Draft Program EIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

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