

State of California

Memorandum

To: Local Jurisdictions Developing Cannabis
Licensing or Permitting Programs

Date: May 29, 2019

Place: Sacramento

Phone: (916) 263-0801

From: **Department of Food and Agriculture** – 1220 N Street, Suite 400
Sacramento, CA 95814

Subject: **CEQA Practice Recommendations from CDFA for Cannabis Licensing –
Project Description Content – Version 2**

CDFA Review of CEQA Documents

Before CDFA can grant an annual license for a project permitted by a local jurisdiction, CDFA must make an independent evaluation of the document prepared for the project in compliance with the California Environmental Quality Act (CEQA), or documentation provided by the applicant as evidence of exemption from CEQA. To conduct this evaluation, CDFA must have a complete description of the proposed project that provides information about the project site, including existing conditions and facilities, proposed facilities and improvements (both on and off site), and the construction methods and operations practices of the proposed project.

CDFA can complete its review more quickly and efficiently when applicants provide as much of the information needed by CDFA to complete an independent evaluation of the proposed project as is available. This will translate into faster issuance of licenses for qualified applications.

Project Description Information Requested

When submitting an application for a cultivation license to CDFA, the local jurisdiction or applicant should provide a project description that contains the following information:

- **Project Location** – Indicate the precise location and boundaries of the proposed project. At a minimum, provide an address and the location of the project on an appropriately scaled map (i.e., one that shows both the specific

location of the project and enough surrounding area to allow CDFA to understand its general location). CDFA prefers applicants to provide this information on a topographic map or aerial photograph.

- **Description of Project Site** – Provide a premises map and a property diagram showing the location of all existing structures and facilities, and all proposed structures and facilities, labeled so reviewers can distinguish the existing features from proposed features. Applicants may attach the proposed premises and property diagram submitted with their application to satisfy this requirement, provided the diagram delineates those details described above. Also provide the following information about the project site:
 - Description of existing topographic conditions on the project site and surrounding areas (is the project site generally flat, gently sloped, or steeply sloped);
 - Description of current land uses on the project site and any existing buildings and structures;
 - Description of any natural features or habitats on the project site (e.g., wetlands, stream channels, forested areas); and
 - Description of land uses surrounding the project site.
- **Required Site Improvements (Construction Activities)** – The project description should include details of all improvements that will be made to the project property as part of the proposed project. This should include the following information, as relevant:
 - Any new small or accessory structures that will be constructed, including the location (on the premises map), dimensions, purpose, how long their construction is expected to last, and what types of equipment will be used for each;
 - Any modifications or improvements to existing buildings or facilities that will be completed, including the nature of the improvements;
 - Any new facilities, including infrastructure improvements or upgrades, whether those improvements are located on the project site or off site (e.g., extension of water line);
 - Any grading that will be required and the anticipated amounts of cut and fill; and
 - Where construction equipment and materials storage (staging) areas will be located, where appropriate.
- **Description of Project Operations** – Provide the following information about project operations:

- Number of employees;
- Number of daily trips for delivery of materials or supplies and shipment of product;
- The source(s) of water for irrigation, processing, and domestic use;
- The method for treatment of wastewater generated by the project; and
- The source of energy used in operation of the project, and a list of all energy management and efficiency features included in the project.

Should project operation details (e.g., source(s) of water, method(s) for treatment of wastewater, source(s) of energy) be described in other portions of the application and/or attachments, applicants may direct reviewers to where these details have been provided. However, for reviewer efficiency purposes, applicants are encouraged to provide a complete project description that includes those details pertaining to proposed operations.

- **Environmental Commitments** – Describe any environmental commitments regarding project construction or operations that the applicant proposes, including those required by ordinance and any others included voluntarily. Environmental commitments could be related to energy efficiency, water efficiency, noise abatement, lighting, or other aspects of the project that may reduce the impacts of the project on the environment.
- **Other Required Permits and Approvals** - A list of other environmental permits that may be required or have been obtained (e.g., annual cultivation license from CDFA, water right permit from State Water Resources Control Board (SWRCB) for diversion of surface waters, proof of enrollment in enrollment in or exemption from either the SWRCB or Regional Water Quality Control Board program for water quality protection, Lake or Streambed Alteration Agreement from California Department of Fish and Wildlife).

Examples

To assist local jurisdictions, CDFA has provided two examples of project descriptions and maps that meet its needs. Attachment A includes a sample of project description text and maps for an urban site, and Attachment B includes the same for a rural site. In addition, Attachment C is a form which can be used to complete a project description meeting CDFA's needs.

ATTACHMENT A

Example Project Description – Urban Site

Project Description for the Green Times Cannabis Cultivation Licensing Project Submitted to the City of Toledo Valley, California

Project Location

The subject property is a ±0.99-acre developed parcel located at 8711 Older Creek Drive in Toledo Valley, Toledo County, California (Figure 1). The property is on the southeast side of Older Creek Drive, north of Older Creek Road.

Description of Project Site

The project site contains an existing ±12,000-square-foot, flat-roof commercial-industrial warehouse building within the Toledo Valley Business Park, at the site of the former Toledo Valley Army Depot (Figure 2). The main driveway and parking area are on the northeast side of the building. Records indicate the building was constructed in 1990.

The project site is in a heavily developed commercial-industrial area, and the site is relatively flat and almost entirely paved. There is existing landscaping on the street side of the property, including a row of non-native ornamental trees and shrubs. The applicant is not proposing to make changes to this landscaping. The site does not contain any natural vegetation or water bodies.

The site is surrounded by warehouse/industrial development. Farther to the northeast, there are UP Railroad tracks. There is no nearby residential zoning or residential dwellings. The site is not within 600 feet of a K-12 school or a neighborhood park or community park.

The proposed project would be located on a parcel with a general plan designation of Light Industrial and a zoning of Light Industrial. The proposed use is consistent with these designations.

Required Site Improvements and Construction Activities

The applicant proposes to cultivate cannabis within the entirety of the existing building. Cultivation would take place within the main building and would not be visible from the public right-of-way. The applicant proposes principally interior modifications, to be completed primarily using hand-held tools and machinery. However, the following exterior modifications would also be required:

- Construction of one new building that would serve as an auxiliary storage space;
- Installation of a six-foot-high fence, topped with barbed wire, around the entire exterior of the parcel for security, as required by City ordinance;

- Upgrades to utilities and lighting;
- Modification of signage, per City ordinance; and
- Re-stripping of parking lot to accommodate required parking spaces, per City ordinance.

Figure 3 provides a site plan of the proposed site improvements. The main entrance will be on the northeast side of the building facing the parking lot area. The exterior of the building is mainly stucco with tan colors. There is an existing monument sign in the front. Modification of this sign to meet City ordinance requirements is proposed.

No grading of the project site would be required. All utility connections are already present on the site; however, the City of Toledo Valley indicates that expansion of the water service would be required to provide irrigation lines to the appropriate portions of the building. Construction of the expanded pipeline would take place entirely within the project parcel.

Some structural improvements may be needed to bring it into compliance with existing California Building Code requirements. These would include installation of fire sprinklers and smoke detectors and upgrading of insulation to meet current standards. Roofing material may be modified to allow the addition of solar panels, as described below.

Construction workers and equipment would be staged in the existing parking area, which is currently striped for 17 existing parking spaces. Following completion of construction, the parking lot would be restriped to allow 19 parking spaces, per City ordinance.

Construction is anticipated to take three weeks and would involve the use of the following equipment:

- 1 Backhoe
- 1 Dump truck
- 1 Water truck

Project Operations

Operations for the proposed project would involve cultivation of cannabis within the existing building. Vendors would access the site from Older Creek Drive and supplies would be brought in through the roll-up door. The operation would employ 7-10 staff on two shifts, 6:00 a.m.-2 p.m. and 2 p.m.-10 p.m., so no employee travel would occur during peak hours.

Project operations are anticipated to generate the following traffic:

- 20 employee work trips (one home-to-work and one work-to-home) per day,

- 5 trips for material and supplies delivery per day, and
- 2 trips for shipment of finished product per day.

Water, wastewater, electricity, and natural gas services are in place to serve the site, along with communications connections and solid waste collection. Services would be obtained from the following providers:

- Water: City of Toledo Valley
- Wastewater: City of Toledo Valley
- Electricity: Toledo Valley Municipal Utility District
- Natural gas: Public Gas and Electric
- Solid waste: United Waste Collection
- Communications: Infinity Telecom Services

Nighttime lighting would be added to the parking area and motion-activated security lighting would be installed at entrances to the building. Security fencing would also be installed around the entire property, with a code-locked gate to control vehicle access.

Environmental Commitments

The applicant would install multiple charcoal filters throughout the building to minimize the impacts of odor created by growing cannabis plants on neighboring land uses. Additionally, carbon filters would be used to continuously scrub the air of offensive odors, where filtered air would undergo a multi-step cleansing process. A filtration system utilizing high-pressure flexi-ducts and industry standard “virgin carbon” filters would be installed to eliminate odor.

The applicant would install solar panels on the roof of the building to generate approximately 50% of the project’s energy needs from this renewable source. In addition, the electrical service provider for the site, Toledo Valley Municipal Utility District, obtains 33% of its power from renewable sources.

All exterior lighting would be shielded and directed onto the site, such that the light source cannot be seen by persons on adjacent properties or from the public right-of-way.

Other Required Permits and Approvals

- **City of Toledo Valley Business Permit:** Per City ordinance, all cannabis-related businesses, in addition to obtaining all required land use approvals under the Planning and Development Code (Title 17), must also obtain a business permit from the City pursuant to City Code Title 5, Chapter 5.150. Among other things, the business permit regulates the final canopy size and requires a final security plan, lighting plan, odor control plan, community relations plan, business plan

and information on employees and owners for each business permitted by the city.

- **California Department of Food and Agriculture Annual Cultivation License:** Per Business and Professions Code, Division 10, Chapter 2, Section 26012(2), the applicant is also required to obtain an annual cultivation license from the California Department of Food and Agriculture.
- **California Department of Fish and Wildlife:** The applicant is required to contact CDFW to determine whether a Lake and Streambed Alteration Agreement is required for the project, and to obtain one if CDFW deems it to be necessary. Attached is a letter from CDFW indicating that the project does not require an LSAA because no surface waters would be affected by the project.
- **State Water Resources Control Board/Central Valley Regional Water Quality Control Board:** The application is required to obtain proof of enrollment in or exemption from either the SWRCB or RWQCB program for water quality protection. The project has obtained an exemption from the Central Valley Regional Water Quality Control Board.

ATTACHMENT B

Example Project Description – Rural Site

Project Description for the Ever Green Growers Cannabis Cultivation Licensing Project -- Submitted to Smith County, California

Project Location

The subject property is a 2.4-acre property located at 12345 Stones Throw Road south of Jonestown, Smith County, California (Figure 1). The property is on the west side of Stones Throw Road, south of Granite Drive. Stones Throw Road intersects with Forest Drive, which provides access to State Route 7 approximately 3 miles northeast of the site.

Description of Project Site

The property contains a house and garage and several smaller accessory structures, such as sheds and a shop (Figure 2). In addition, one 1,000 square-foot commercial building on a concrete-slab foundation, which is permitted for use as a garden nursery, is present at the back of the lot. The parcel gains access from the east side of Stones Throw Drive and has a circular, gravel driveway that allows on-site traffic to access the back (northeast) portion of the lot.

The project area is rural and lightly forested with some smaller landscaping around the residence. The property slopes upward from the road toward the back, where the project facilities would be constructed. Stones Throw Creek, a perennial stream, is located adjacent to the property on the south.

The site is surrounded by rural residential uses. The entire area is zoned Rural Residential: 2 acres. Smith County's rural residential zoning "is intended to encourage local small-scale food production (farming)" (Smith County General Plan Land Use Element). While the project does not entail the farming of food, the scale of the proposed cannabis cultivation is small and thus conforms to the intended use of the General Plan Land Use Designation. The proposed use is also consistent with the RR:2 intended uses.

Water for irrigation and domestic uses on the site is currently provided from an existing well. Wastewater treatment is provided by an existing on-site septic system. The site is not within 600 feet of a K-12 school, a neighborhood park, or a community park.

Required Site Improvements and Construction Activities

The applicant proposes to construct and operate a small, mixed-light medical cannabis cultivation facility. Cultivation would take place within the existing 1,000-square-foot commercial nursery building and another 3,000-square-foot commercial building that

would be constructed on the northeast (back) portion of the site. The following construction activities would be required:

- Delivery and assembly of one 3,000-square-foot prefabricated building on a concrete foundation;
- Interior improvements to both buildings to support cannabis cultivation, including odor-management equipment, heating/ventilation/air conditioning (HVAC) equipment, windows with light-exclusion tarps;
- Installation of utility connections, security fencing, and external security lighting around the building;
- Construction of a new diversion on Stones Throw Creek;
- Construction of a new water diversion from Stones Throw Creek to a new 2,500-gallon water storage tank adjacent to the new cultivation building;
- Extension of the wastewater collection system to the new cultivation building;
- Installation of a 2-foot x 3-foot wooden sign at the driveway entrance to the street, in accordance with County ordinance;
- Installation of landscaping around the building;
- Installation of solar panels on the existing residence; and
- Grading and paving of a turnaround area adjoining the existing gravel access drive to accommodate 5 vehicles (2 for employees, 1 for deliveries, 2 for visitors).

Figure 3 provides a site plan of the proposed site improvements. Modifications to the existing building would principally be to the interior of the structure. The new building would be brought to the site disassembled by truck and would be assembled on site and placed on a concrete pad foundation, poured on site.

The project area would require grading to expand the gravel access road into a turnout and parking area, and to level the building site. Engineering calculations indicate that the dirt removed from the northeastern portion of the building site would be used as fill at the southwestern portion, for a net balance of soil on site. All utility services are available at the existing residence; however, a new diversion from Stones Throw Creek would carry water to a new 2,500-gallon water tank adjacent to the new cultivation building to provide irrigation water. The facility would operate on solar power with electrical backup (connected to the residential service). Emergency power would be provided by a diesel generator. No off-site utility improvements would be required because the property extends to the creek. Construction workers and equipment would be staged on the existing parking lot.

Construction is anticipated to take 8-10 weeks and would involve the use of the following equipment:

- 2 flatbed trucks (building delivery)
- 1 forklift
- 1 dozer
- 1 backhoe
- 1 water truck
- 1 concrete mixer

Project Operations

Operations for the proposed project would involve mixed-light cannabis cultivation within the two buildings. The operation would employ 2-4 staff on two shifts, 6:00 a.m.-2 p.m. and 2 p.m.-10 p.m., with variable hours as business requires.

Project operations are anticipated to generate the following traffic:

- 4 employee work trips (one home-to-work and one work-to-home trip per employee) per day,
- 1 trip for material and supplies delivery per day, and
- 8-10 trips per week for shipment of finished product, seasonally (three times per year).

Domestic water, septic system, electricity, and propane services are available to serve the site, along with communications connections and solid waste collection. Services would be obtained from the following providers:

- Water: Smith County
- Wastewater: onsite septic system
- Electricity: Public Gas and Electric
- Propane: Gas-R-Us
- Solid waste: United Waste Collection
- Communications: Acme Telecom Services

Nighttime lighting would not be added to the parking area, but motion-activated security lighting would be installed around the buildings. Security fencing would also be installed around the entire property, with a code-locked gate at the turnaround to control vehicle access.

Environmental Commitments

The applicant would install multiple charcoal filters throughout the cultivation building to minimize the impacts of odor created by growing cannabis plants on neighboring land uses, per Smith County regulations.

The applicant would install solar panels on the roof of the existing residence to generate approximately 90% of the project's energy needs from this renewable source. In addition, the electrical service provider for the site, Public Gas and Electric, obtains 50% of its power from renewable sources.

All exterior lighting would be shielded and directed downward onto the site, to comply with Smith County's Dark Sky Ordinance.

Water quality protection measures, per Smith County regulations, would be in place during construction to prevent spills or storm runoff from flowing off the work site. Similar measures would be installed permanently.

Other Required Permits and Approvals

- **Smith County Business Permit:** Per County ordinance, all cannabis-related businesses, in addition to obtaining all required land use approvals under the Planning and Development Code (Title 17), must also obtain a business permit under County Code Title 5, Chapter 5.150. Among other things, the business permit regulates the final canopy size and requires a final security plan, lighting plan, and odor control plan.
- **California Department of Food and Agriculture Annual Cultivation License:** Per Business and Professions Code, Division 10, Chapter 2, Section 26012(2), the applicant is also required to obtain an annual cultivation license from the California Department of Food and Agriculture.
- **California Department of Fish and Wildlife:** The applicant is required to contact CDFW to determine whether a Lake or Streambed Alteration Agreement is required for the project, and to obtain one if CDFW deems it to be necessary. This project will require an LSAA because of the proposed diversion on Stones Throw Creek.
- **State Water Resources Control Board/Central Valley Regional Water Quality Control Board:** The applicant is required to obtain a Small Irrigation Use Registration from the State Water Resources Control Board for the proposed diversion and storage of water. The application is also required to obtain proof of enrollment in or exemption from either the SWRCB or RWQCB program for water quality protection. The project applicant has enrolled in the SWRCB's water quality protection program.

- **Smith Valley Air Quality Management District:** Permit for the operation of the diesel-powered emergency generator.

ATTACHMENT C

Project Description Preparation Form

Lead Agency:

Applicant Entity/Business Name:

License Type(s):

Date:

1. Source(s) of Information:

Identify Sources: *Indicate the document(s) or other sources of information reviewed to complete this form.*

2. Project Location:

Describe Project Location: *Provide additional detailed information about the project location, including street address or latitude/longitude; city, county, ZIP code; and nearest cross streets.*

Maps Included: *Provide location map and premises maps that indicate specific location and surrounding area; topographic or aerial map preferred.*

3. Description of Project Site:

General Topographic Features (slopes and other features): *Describe topographic features on the project site and surrounding properties.*

Natural Features (general vegetation types, presence of streams and wetlands, forested areas): *Describe any natural features on the project site.*

Existing Land Uses/Zoning: *Describe existing land uses and zoning on the project site.*

Existing Constructed Features (buildings, facilities, and other improvements): *Describe all existing constructed features on the project site.*

Surrounding Land Uses (including sensitive uses): *Describe land uses on surrounding parcels.*

4. Required Site Improvements and Construction Activities:

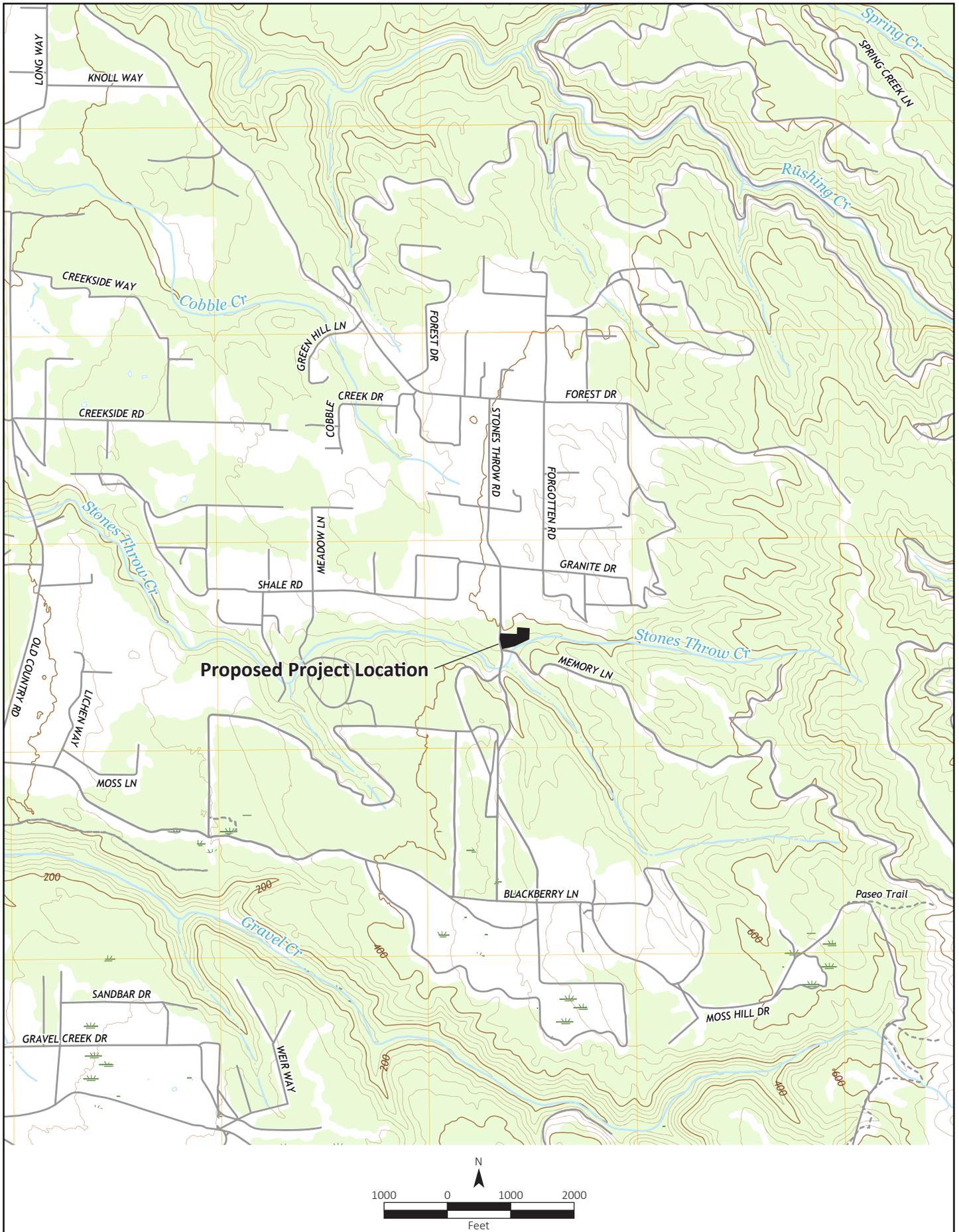
Site Improvements: *Describe any required site improvements, including features contained in required plans such as lighting plan, security plan, neighborhood plan, hazardous materials plan.*

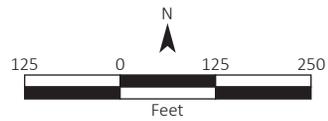
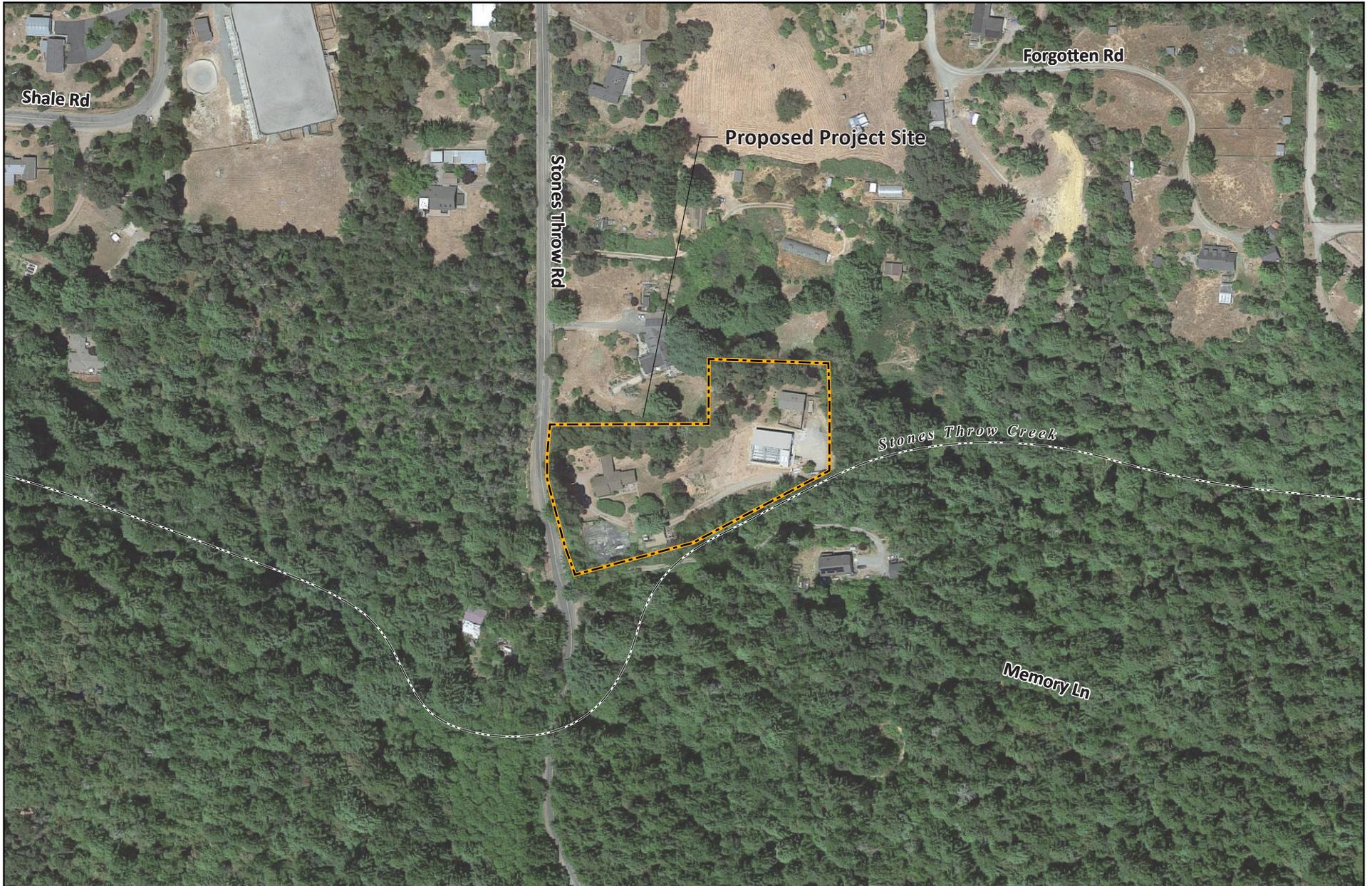
Construction Activities:

5. Operation and Maintenance Activities:

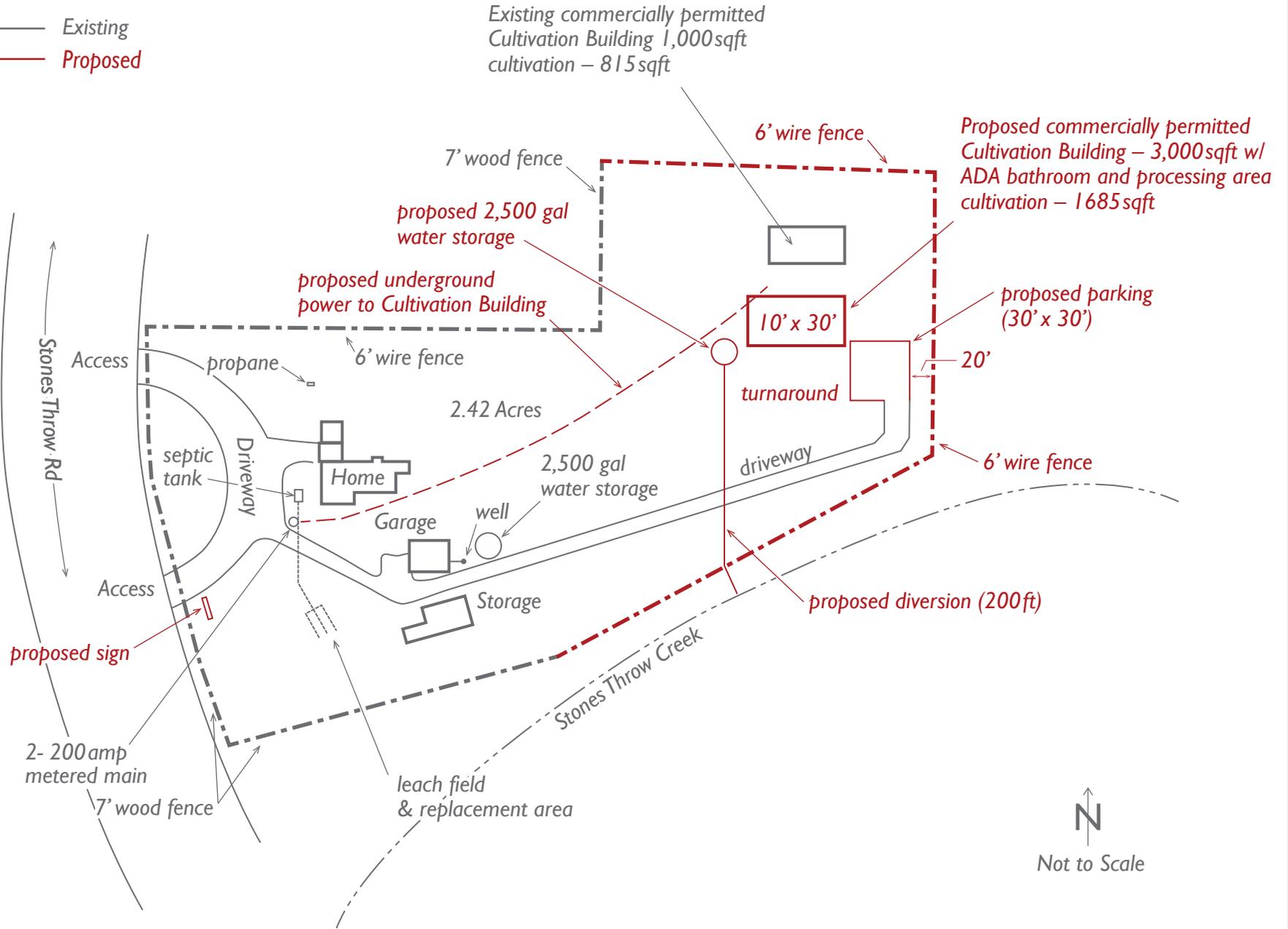
Hours of Operation/Work Shifts: *Describe hours and shifts.*

Number of employees (total and by shift): *Describe number of employees.*





— Existing
 — Proposed



N
 Not to Scale