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Revised Proposal to Prepare the **Environmental Impact Report (EIR)** for the **Commercial Cultivation of Medical Cannabis Regulations and Licensing Program**

RFP No. 16P1-001



Prepared for:
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November 30, 2016

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Revised Proposal to Prepare the

Environmental Impact Report

for the Proposed Commercial Cultivation of Medical Cannabis Regulations and Licensing Program in the County of Santa Cruz

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INTRODUCTION

Amec Foster Wheeler Environment & Infrastructure, Inc. (Amec Foster Wheeler) is pleased to submit this revised proposal in response to the Request for Proposal (RFP) No. 16P1-001 to prepare an Environmental Impact Report (EIR) for the Commercial Cultivation of Medical Cannabis Regulations and Licensing Program (Project) issued by the County of Santa Cruz (County) on September 12, 2016. We have assembled an exceptional team led by a Project Manager with substantial experience preparing complex environmental documents, including those involving agricultural zoning and land use regulation programs, as well as a planning consultant familiar with County cannabis cultivation issues and a local biological resources subconsultant with deep

experience in the County. Our team is skilled with addressing key issues of concern to the County, such as aesthetic changes, biological and cultural resources, site hydrology and regional water quality, utilities demand, land use compatibility, and agricultural land use planning involving a wide range of crop types.

Amec Foster Wheeler has prepared multiple environmental documents that address issues similar to those associated with the Project. We prepared the EIR for the *Santa Barbara County Winery Ordinance Update*, which addressed the impacts of winery development in rural agricultural areas including impacts to scenic resources, land use and neighborhood conflicts, water quality, and public services. As former public agency planners for Santa Barbara County, our management team has prepared EIRs the address the impacts of rural or agricultural development projects countywide. We are currently preparing the environmental document for the *Lonestar (Cemex) Coastal Reuse Plan Project* in the County of Santa Cruz, with complex agricultural land and coastal zone management issues, including compatibility with adjacent public lands, forests, and agricultural operations and potential cultural resource, water resource, and sensitive biological resource issues. Our EIR preparation experience spans southern and central California from the Bay Area to San Diego. Our proposal offers the County a cohesive team with experience working together in the Project vicinity, including recent experience working for the County.

Amec Foster Wheeler's Point of Contact for contractual matters is Aaron Goldschmidt, Vice President of Environmental Planning and Natural Resources Services, in the Santa Barbara office at 104 West Anapamu Street, 204A, Santa Barbara, CA 93101, or by phone at (805) 962-0992.

Amec Foster Wheeler Team Relevant Expertise

- ◆ A firm with extensive experience with preparation of EIRs with similar complex issues.
- ◆ A team experienced with environmental analysis in the Monterey Bay, including the County of Santa Cruz.
- ◆ A Project Manager with experience with complex, high-profile major regulatory programs, including agricultural ordinances.
- ◆ A Deputy Project Manager with deep familiarity with the County and experience preparing a Medical Cannabis Ordinance for unincorporated areas.
- ◆ An integrated and multi-disciplinary team with recent experience working on a complex project for the County of Santa Cruz.
- ◆ A team with expertise in aesthetic, air quality, cultural and biological resource, geotechnical, hydrology and groundwater management, and utility and public service demand issues.

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I. PROJECT UNDERSTANDING

Amec Foster Wheeler recognizes that thorough knowledge of a project's objectives, history, location, community, land use, and other factors is critical to successful completion of a project. Our understanding of this project is based on review of (RFP) No. 16P1-001 and Addendum No. 1, the proposed Ordinance repealing Chapter 7.128 of the County Code and adopting New Chapter 7.128, as well as additional background information provided with the RFP. We also reviewed the County General Plan and Zoning Code sections for applicable districts, online information on the County's website (e.g., Board of Supervisors letters and minutes, including September 27, 2016) regarding project goals, objectives, and key issues, as well as project history and past efforts to address medical cannabis cultivation and distribution in the County, and County GIS data and aerial photographs. From this review, we understand that the Board's goal for this Project is to protect neighborhoods, protect the environment, and ensure that there is an adequate supply of medical cannabis for those who have a doctor's recommendation, as adopted under Resolution 197-2015.

PROJECT BACKGROUND

The Project has a unique regulatory setting and background as it involves medical cannabis cultivation, which is considered a federal criminal offense under the Controlled Substances Act (CSA) adopted in 1970. The CSA made it unlawful to manufacture, distribute, dispense, or possess any controlled substance and reflects the federal government's view that marijuana is a controlled substance with "no currently accepted medical use." The views of the state and the County have differed significantly from the federal government beginning in 1992 with the enactment of Measure A by County voters to support availability of cannabis for medical use, and in 1996 with the passage of Proposition



While Proposition 215 and SB 420 addressed personal use of medical cannabis, commercial cultivation is a current issue involving local action from the County to establish regulations and a licensing program, consistent with state law.

215 (aka, the Compassionate Use Act) to allow use of medical cannabis statewide without threat of criminal prosecution. Proposition 215 made it legal for patients and their designated primary caregivers to possess and cultivate marijuana for their personal medical use given the recommendation or approval of a California-licensed physician. However, Proposition 215 did not cover commercial cultivation and expressly did not allow unlimited amounts of cannabis to be grown anywhere. In 2004, SB 420 broadened Proposition 215 by further protecting patients and caregivers from state criminal prosecution for additional related activities (e.g., transporting medical cannabis) and allowed patients to form medical cultivation "collectives" or "cooperatives" to grow cannabis for medical use, as well as established a voluntary state ID card system run through county health departments. In 2008, the state issued the *Guidelines for the Security And Non-Diversion of Marijuana*

Grown For Medical Use to ensure that medical cannabis does not find its way to non-patients or illicit markets, to guide law enforcement agencies in implementation of state law regarding medical cannabis, and to help patients and primary caregivers understand how they may cultivate, transport, possess, and use medical cannabis under state law. These state laws do not expressly address commercial cultivation of medical cannabis.

In 2015, the California Legislature passed the Medical Marijuana Regulation and Safety Act (MMRSA or MCRSA), establishing permitting for marijuana cultivation at the state level (with local approval). The law went into effect on January 1, 2016; however, the state estimates that the program will require until January 2018 to set up the necessary agencies, information systems, and regulations to begin issuing state commercial cultivation licenses. In the interim, local governments may choose to adopt new ordinances to permit or license local businesses in preparation for state licensing. Under the MMRSA, facilities currently operating in accordance with state and local laws may continue to do so until such time as their license applications are approved or denied.

Over the past 20 years, the County has responded to state-level legislative actions and community advocacy for issues related to medical cannabis use, availability, and, most recently, commercial cultivation. Table 1 provides a timeline of County actions related to medical cannabis consistent with evolving state law.

Table 1. History of County Actions Related to Medical Cannabis		
1992	Measure A/ County Code Chapter 7.122	<ul style="list-style-type: none"> ◆ Directed the elected officials of Santa Cruz County to take whatever actions may be within their power to support the availability of cannabis/marijuana for medical use
2003	County Code Chapter 7.124	<ul style="list-style-type: none"> ◆ Implemented Proposition 215 ◆ Established identification card program for medical cannabis use
2004	County Code Chapter 7.124 Amendment	<ul style="list-style-type: none"> ◆ Implemented SB 420 ◆ Established local guidelines for the possession and cultivation of medical cannabis by qualified patients and caregivers
2013	County Code Chapter 7.124 Deletion, then Reenacting	<ul style="list-style-type: none"> ◆ Prohibited medical cannabis businesses (e.g., storefronts) ◆ Granted limited immunity from enforcement for businesses that operated consistent with the reenacted Chapter 7.124
2014	County Code Chapter 7.126	<ul style="list-style-type: none"> ◆ Prohibited medical cannabis cultivation business (e.g., commercial grow sites) ◆ Granted limited immunity from enforcement for businesses that operated consistent with the reenacted Chapter 7.124
2015	Ordinance No. 5201/County Code Chapter 7.126 Repeal and Referendum	<ul style="list-style-type: none"> ◆ Banned medical cannabis cultivation entirely; the only cannabis cultivation allowed under Ordinance No. 5201 was a personal 10x10 sf allowance per residence/parcel ◆ Petition to halt Ordinance No. 5201 received 11,210 signatures(7,248 valid signatures were required to qualify the referendum) ◆ County Board of Supervisors opted to repeal Ordinance No. 5201 prior to election, leaving Chapter 7.126 in place ◆ Established the County Cannabis Cultivation Choices Committee (C4) tasked with developing recommendations regarding medical cannabis regulation

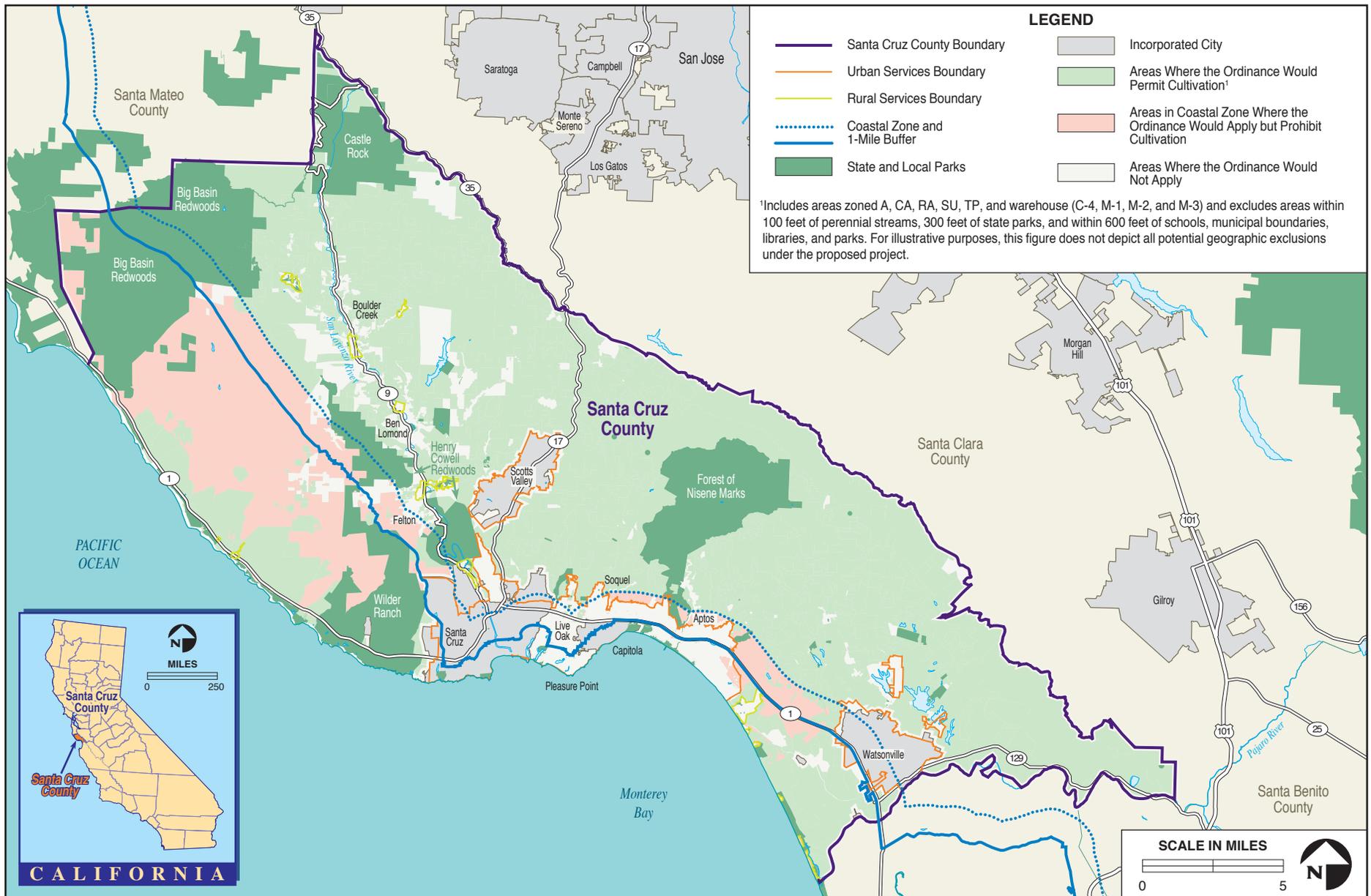
Table 1. History of County Actions Related to Medical Cannabis		
2015/ 2016	County Code Chapter 7.128 Adoption and Proposed Repeal/Re-adoption	<ul style="list-style-type: none"> ◆ Created interim licensing program for commercial cultivation of medical cannabis while C4 worked with County on Project ◆ Project involves replacement of Chapter 7.128 to address commercial cultivation of cannabis countywide

Of particular interest to the scope of the EIR is the effect that County Code Chapter 7.126 in 2014 had on the environment and community. While cannabis cultivation was technically banned, the ordinance granted immunity from enforcement for cultivation business that complied with the adopted standards. As a result, cannabis cultivation expanded rapidly in the County and had a range of adverse environmental effects.

The *Cannabis* plant has a history of medicinal use dating back thousands of years across many cultures, but its current use by patients is controversial given the complicated regulatory setting. Nonetheless, cannabis is prescribed for a range of medical issues. Proposition 215 lists cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief. However, along with the benefits to patients and caregivers, commercial cultivation of cannabis can have negative impacts and secondary effects, including but not limited to demands placed on law enforcement and administrative resources; neighborhood disruption; environmental disturbance; the exposure of children to medical cannabis; drug sales to minors and adults; fraud in issuing, obtaining or using medical cannabis recommendations; and violent crimes.

According to newspaper coverage from early 2016 (San Jose Mercury 1/14/16), an unknown large number of cannabis grow sites in the County are currently operating and are out of compliance with County regulations. For example, in January 2016, County officials identified 130 grow sites after complaints were filed. At the farms, non-compliance issues include safety (e.g., weapons) and environmental damage from clearing forest areas and vegetation, damming streams that carry Coho salmon and steelhead, and establishing unpermitted camps that pose fire and other safety hazards. County response has required funding and resources, including new equipment (4-wheel drive vehicle) and additional staffing, including one sergeant and two detectives in the Sheriff’s Office, a code compliance officer, and a part-time auditor.

The Project is intended to address the range of demands on County services and adverse effects on the environment and local community by regulating medical cannabis cultivation consistent with state law to balances the needs of patients and caregivers with the health, safety, and welfare of the community. Through outreach with C4 and other stakeholders, the Project would involve regulation of how, where, and how much medical cannabis may be commercially cultivated to provide an adequate supply while also protecting the environment and neighborhood quality.



Project Location and General Countywide Ordinance Applicability

FIGURE 1

ENVIRONMENTAL SETTING

The Project would apply to a range of settings primarily in rural unincorporated areas. In particular, the Santa Cruz Mountains, with peaks rising over 3,000 feet, would provide a major opportunity for licensing of existing and future cannabis cultivation sites, as well as the coastal agricultural areas in the County's northern (e.g., Davenport) and southern (e.g., Pajaro Valley) areas. These areas are primarily rural with scattered small communities and neighborhoods set among expansive rural or agricultural landscapes. The land use pattern is generally low density and comprises rural residential, agriculture, timber, public park, education, and open space uses. The terrain is



The expansive Project area comprises forest and agricultural lands throughout the more rural areas of the County, including the Santa Cruz Mountains, as well as the coastal agriculture and warehouse areas of northern and southern County.

varied with agricultural valleys, grassland, and low ridgelines forested with mature trees, including dense redwood forests. Primary regional access to these areas is provided by Highway 1 and State Routes 9, 17, 35, 129, 152, and 236, but access is typically via rural County roads, which can often be limited (i.e., unpaved, one-lane, narrow bridges, etc.). Agricultural cultivation and timber in the County are strong industries. According to the 2014 Crop Report, the total gross production value of Santa Cruz County agricultural commodities for 2014 was \$616,456,000 and the County provides approximately 24,000 acres of agricultural land. The County also provides approximately 190,000 acres of forest land and 125,000 acres of timberland, which produced a value of \$2,845,000 in 2011.

The baseline setting for cannabis cultivation in the County is currently not well defined. As noted above, as of January 2016, approximately 130 cultivation sites had been identified by County officials, but it is acknowledged that many more currently operate. The registration process, which has currently recorded 950 applicants, is expected to further identify hundreds of existing and proposed cannabis operations located throughout the County, primarily in rural and mountainous areas. Ultimately, three types of cultivation sites exist, including: sites that do not meet the Project's standards for licensing and must be relocated; sites that do not meet the Project's standards for licensing, but can be reasonably brought into conformance; and sites that meet the Project's standards and can remain in place.

PROJECT DESCRIPTION

The Project would repeal County Code Chapter 7.126, which prohibits commercial medical cannabis cultivation, and Chapter 7.128, which provides an interim guidance licensing program for commercial growers, then to adopt the proposed revised Chapter 7.128 to allow commercial cultivation of medical

cannabis within designated zoning districts in the County, subject to geographical restrictions and setbacks, as described further below. The proposed Chapter 7.128 would also create the Medical Cannabis Cultivation Licensing Program, operated by the Licensing Official, to provide a comprehensive licensing program to monitor and control cultivation sites throughout the County. Licensing would be subject to review and payment of fees to allow the County to coordinate growers and manage implementation of the development standards proposed under the Proposed Project or the Less Restrictive Project. Cultivation sites would become eligible for future licensing following the County's 90-day registration process, which is currently underway.



The Project addresses geographic limitations and land use compatibility issues, such as increased land use conflicts, water and energy demand, grading, vegetation clearing, and site hydrology, and public service demands within the Project's rural setting.

Under the Project, cannabis cultivation would become an allowable use within areas zoned residential agriculture (RA), special use (SU), timber production (TP), agriculture (A), commercial agriculture (CA) and warehouse (C4, M1, M2, M3), with exclusion of RA, SU, and TP within an area defined by the Coastal Zone + 1 mile buffer inland (Figure 1). As a result, the Project would affect approximately a substantial area of the County's unincorporated area. With these zoning allowances, the Project then provides a range of exclusions, such as setbacks and prohibitions, based on the license type issued, which reduce the potential area in the County that would be available for cultivation. Key exclusions include, but are not limited to:

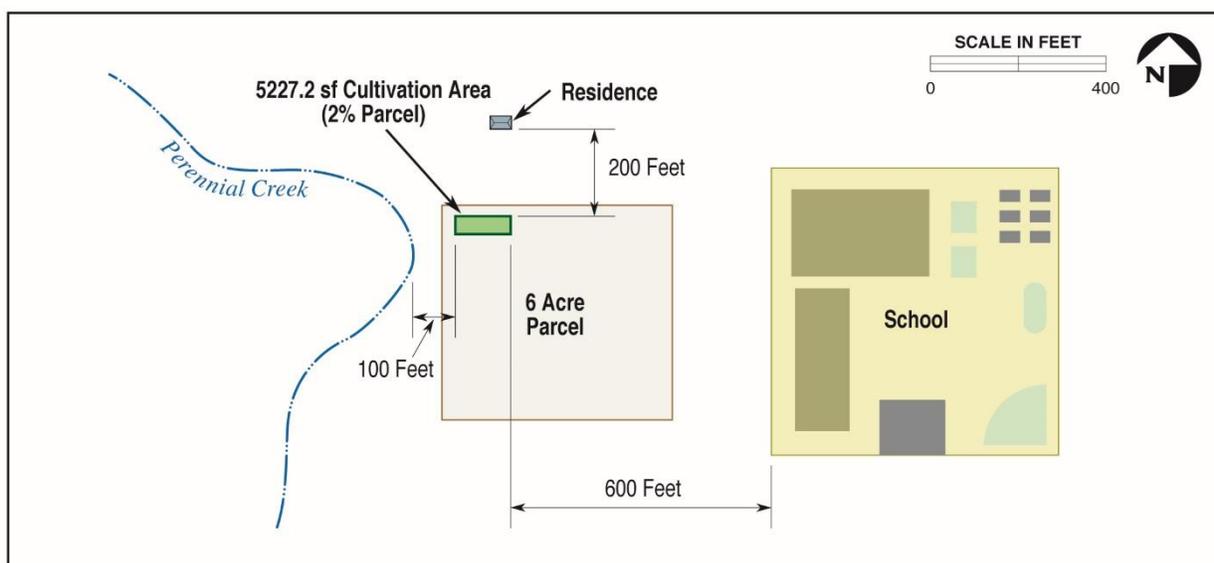
■ **Geographic Exclusions:**

- Exclude cultivation within the Coastal Zone + 1 mile buffer, within R-1 residential districts and within the Urban/Rural Services Line; however cultivation within Urban/Rural Services Line is allowed within the Coastal Zone + 1 mile buffer for CA, A, C-4, or M1, 2, or 3.
- Allow only indoor cultivation within Supervisorial District No. 2.
- Minimum allowable parcel sizes - 5 acres for RA, SU, and TP; 10 acres for A; one acre for CA.
- Limited canopy size as a percentage of gross parcel size - A zone, 1.5 percent of parcel size with maximum canopy of 10,000 square feet (sf); CA zone, 2 percent of parcel size with maximum canopy of 22,000 sf; C-4 and M-1, maximum canopy, 22,000 sf; SU and TP zones, 1.25 percent of parcel size, maximum canopy 10,000 sf; RA zone, 1.25 percent of parcel size, maximum canopy, 5,100 sf. Total canopy in C-4 and M1, 2, or 3 is limited to 100,000 sf.

■ **Setbacks:**

- 600 feet from schools, municipal boundaries, libraries, alcohol and drug treatment facilities, and parks other than state parks within the Urban Services Line.
- 200 feet from habitable structures on neighbor parcels.
- 300 feet from a state park within the Urban Services Line.
- 100 – 300 feet from public right of way
- 100 feet from perennial stream, wetland or standing water body; 50 feet from intermittent stream.

Each proposed cultivation site under the Project would trigger a unique combination of regulations depending on the location, setting, and surrounding uses of a site. For example, Figure 2 depicts the schematic design of a hypothetical CA-zoned site situated adjacent to a school, a perennial stream, and a residence.



**Conceptual Cannabis Cultivation Site Plan for
Commercial Agriculture (CA) Zoning District**

**FIGURE
2**

Additionally, for the purposes of the EIR, the Project involves two regulatory scenarios for coequal analysis: the Proposed Project and a Less Restrictive Project alternative, where the Less Restrictive Project alternative generally increases the allowable percentage of the site to be cultivated, is more permissive of cultivation within the Coastal Zone + 1 mile buffer area and the 2nd Supervisorial District, and may incorporate other features more accommodating of commercial cannabis cultivation. This dual analysis will allow the County to compare the tradeoffs and benefits of increased medical cannabis production for patients and caregivers against the environmental and neighborhood impacts. With a selected scenario, the Project would also involve associated revisions to the County Zoning Ordinance to implement the Project, and associated General Plan amendments to set the policy framework for the commercial cultivation of medical cannabis.

II. PROJECT APPROACH

OVERVIEW OF PROJECT APPROACH

This section details our team’s proposed approach to preparation of the EIR to ensure timely completion of tasks and delivery of high quality work products. Amec Foster Wheeler has a proven record of providing a high level of support and service to agency staff. Our award-winning EIRs provide information to help guide land use decision-making and streamline the permitting of future development for local agencies.

“As you know, the County has recently awarded consulting contracts to AMEC given the firm’s excellent reputation in the environmental and planning fields...AMEC’s performance on these complex and controversial projects has been extremely effective, timely, and efficient...AMEC’s analyses meet the high quality expectations of the County and involved stakeholders.”

Kevin Drude, Deputy Director, Planning and Development Department, County of Santa Barbara

Amec Foster Wheeler’s core philosophy and business practice is to act as an extension of staff to achieve the objectives of each unique project. Our technical approach would involve close coordination throughout the process with County staff to ensure preparation of a thorough, objective, and sustainable environmental document with appropriately detailed analyses and mitigation measures. We also strive to create accessible environmental documents that are visually engaging and concise to communicate detailed technical information in a comprehensible manner to the community and decision-makers. This approach will be particularly important due to cannabis industry and community interest in the Project.

APPROACH TO PROJECT MANAGEMENT

Amec Foster Wheeler’s project management philosophy is that the best technical, cost, and schedule controls result from hands-on participation in the study effort. Amec Foster Wheeler practices strict management controls in the areas of task management, scheduling, cost control and tracking, quality assurance, and client communication. Our team employs Microsoft Project® and other schedule tools to ensure that complex tasks are completed on an expedited schedule. Our project managers are highly involved in the day-to-day project activities and review all analysis to see projects through from initial scoping and costing to final document production, while assigning tasks to those best qualified to carry them out effectively and efficiently. Amec Foster Wheeler project managers are required to complete a rigorous in-house training program to ensure consistency and excellence in scope, budget, and schedule management for a wide-range of projects. In addition to this training, our local management team continues to train and teach CEQA-based environmental planning, including with the California Association of Environmental Professionals (AEP). This approach to project management ensures the accuracy and efficiency of our EIR preparation efforts, as well as their legal sustainability.

APPROACH TO CONSULTATION AND COORDINATION WITH THE COUNTY

Amec Foster Wheeler regularly manages preparation of EIRs on complex land use projects throughout southern and central California. We strive to establish close working relationships with agency staff from project kickoff to completion. To ensure close coordination with County staff, we would establish clear lines of communication, employ regular conference calls or Skype meetings, and provide email updates and progress reports. Through careful coordination with County staff, we would ensure that staff-level meetings are high production, with early identification of key issues or questions for consideration, data requests and agenda preparation as well as follow up minutes focused on actions items, responsibility, timing and required product. To conserve budget for Project effort, our management team members would also absorb travel time to attend meetings in person from our Santa Barbara office.

APPROACH TO ENVIRONMENTAL DOCUMENT PRODUCTION

Our team is committed to production of high quality environmental documents through our required QA/QC program. The fundamental objectives of Amec Foster Wheeler's QA/QC program are to assure not only that our work product fulfills the Project directive requirements for each task, but also that the client's specific and unique needs are both fully-defined and met. These objectives have been accomplished by first making an across-the-board corporate commitment to the concept of quality control and assurance. Second, for each consulting contract entered into by Amec Foster Wheeler, a QA/QC responsibility is formally delegated to a qualified individual or individuals, depending on the Project scope.

Amec Foster Wheeler has included Ms. Julia Pujo, an experienced technical editor in the Project team experienced with review of EIR documents, who would thoroughly review all submittals for grammar, readability, and consistency with the Project-specific style guide. Reports would also be reviewed for internal consistency and consistency with the Project Description. No Task submittals would be delivered without going through full technical editing review.

Amec Foster Wheeler has also included Ms. Janice Depew, an experienced word processor and web content publisher, to prepare an electronic version of the EIR for posting on the County website. Ms. Depew specializes in creating PDF files "optimized for web" to minimize file size (less than 3 MB) while retaining visual quality of the documents. All hard copy deliverables will be formatted for 8 ½" x 11" printing, double-sided, printed with black ink on recycled paper, and spiral bound with coordinated cover design to ensure continuity in the set of documents. Additionally, all electronic submittals will be compatible with Microsoft Word® 2007 and Adobe Acrobat X or higher and provided as chapters and file sizes that are web-friendly (less than 3MB) and viewable on County workstations (i.e., Microsoft Word ® or PDF) The EIR will be provided as one complete file on a CD, as well as separate files broken into as many logical sections as is necessary to meet the size limitations, for easy posting to the County website. Our team will strive to limit the size of individual files to 1 MB and the Table of Content will contain relative links and be compatible with HTML for web posting.

Amec Foster Wheeler's technical approach to each EIR section will ensure concise analysis of the key resources and impacts affected by the Project and would rely on technical appendices for detailed information (i.e., technical studies). This approach will ensure a concise and accessible document that does not exceed 350 pages. We will also strive to avoid duplication of information within the document by providing internal references.

APPROACH TO EIR PREPARATION

Based on the RFP, we anticipate preparing a full scope EIR to adequately assess the potential impacts of the Proposed Project and the Less Restrictive Project equally to allow for direct comparison of the two options throughout the resource analyses of the EIR, along with analysis of other alternative regulatory scenarios. The key elements of the Project's baseline and impact assessment involve determination of how much and in what manner cultivation is currently occurring in the County and how this scenario would change under the Proposed Project and alternatives. The Project's baseline, by its nature, extrapolates



The EIR would assess the impacts of two regulatory scenarios coequally, including the Proposed Project and the Less Restrictive Project alternative. This approach will allow the County to directly compare and contrast the environmental tradeoffs between the two scenarios.

“buildout” information from surveys and data gathering, which will require that the EIR team undertake a relevant and effective methodology to define baseline and “buildout” scenarios, while closely collaborating with County staff. Additionally, analysis will be done in a “cafeteria style” manner that allows decision makers to combine elements of the proposed ordinance and the alternatives, such as allowed and prohibited zone districts, setbacks, minimum parcel size, etc., in various ways while still understanding the overall environmental impacts of the final Ordinance. Using advanced GIS tools, reconnaissance site visits, available geodata from state and local agencies, and desktop research, our approach will characterize and, to the extent feasible, quantify the potential cultivation areas and patterns countywide to ensure analysis of a reasonable projection of the location and range of impacts that would occur under the Proposed Project and Less Restrictive Alternative. Additionally, our team would integrate key industry data and local information regarding the methods and technologies for outdoor and indoor cannabis cultivation that are used in this area, gathered from publications and interviews, to help specify the extent of impacts that may occur. In particular, we would incorporate records and input from key stakeholders in the cannabis cultivation community, including potentially the Cannabis Cultivation Choices Committee (C4), Association for Standardized Cannabis, Responsible Cultivation for Santa Cruz, and others under the direct guidance of the County. Our team would also review recent County Initial Studies and EIRs and technical resources and reports related to medical cannabis cultivation, including County staff reports, licensing and registration data,

information from the County Sheriff's Department, Fire Department, and CalFire, and reports prepared to support the State MMRSA and others. This detailed investigation will enable the development of a robust description of the existing setting and Project alternatives for medical cannabis cultivation operations.

We also understand that there will likely be a high level of community and agency interest in the Project. Concerns often arise about the effects of medical cannabis cultivation in communities (e.g., crime, access by minors, impacts to biological resources, etc.) Concerns are best addressed through early community and agency outreach and clear disclosure of the Project and its potential environmental impacts.

Additionally, cannabis cultivation interests regulatory agencies, such as the California Department of Fish and Wildlife (CDFW) and the Regional Water Quality Control Board (RWQCB) in response to potential effects of grading and vegetation clearing on habitats and water quality. To actively address these issues, our approach would involve early outreach to stakeholders to inform the scope of the EIR, a clear discussion of the technical aspects of indoor and outdoor medical cannabis cultivation, and concise background description and comparison of the federal and state level regulatory environments based on early outreach to the community and agencies.

With a clear understanding of the physical environmental setting, Proposed Project, and Less Restrictive Project, our team would work closely with County staff to develop the Notice of Preparation (NOP), prepare a thorough project description for the Proposed Project and Less Restrictive Project. We would develop a range of feasible alternatives and a high quality and legally sustainable EIR that will withstand community and agency scrutiny. Amec Foster Wheeler would work closely with the County to ensure that the CEQA project description and alternative sections describe the details and context for the Project, including a range of potential alternatives derived from analysis of technical feasibility and environment impact location and severity. Our team is highly experienced preparing EIRs that fully assess the impacts of land use changes where site-specific development information is not available, including ordinance development and specific and general plan amendments. Our approach would involve a high level of environmental impact analysis with a range of reasonable alternatives that could avoid or substantially lessen potentially significant adverse effects while still achieving the Project's basic objectives.

Our overall technical approach to prepare the EIR reflects the scope of services requested in the County's RFP, and is organized to fulfill three main areas of work, including project management, environmental analysis, and public participation/document approval process. As described in Table 2, each task is completed with a deliverable to the County (See Section III: *Scope of Environmental Impact Analysis* for detailed descriptions of the environmental resource issue areas and services included in this proposal). While all tasks identified in the RFP have been included, we recommend the following lineup of the tasks to ensure efficiency and expeditious document review and preparation; however, we would adhere to any requests from County staff for timeline and task management.

Table 2. Tasks to Prepare the EIR

1. Project Kickoff. Amec Foster Wheeler views the kickoff process as critical to successful project completion. Our Project Manager and Deputy Project Manager would attend the Project kickoff meeting to refine the EIR scope, focus resource analyses (e.g., hazards and risk, energy, air quality/GHGs, geology and soils, biological resources, water resources, etc.), and identify potential additional issues (e.g., transportation). Amec Foster Wheeler would prepare an initial list of questions/data requests, and potential issues of concern and a refined project schedule for discussion at the kickoff meeting. We recommend that the kickoff process also include a one day field tour with staff to visit key areas of existing or proposed cultivation, preferably indoor and outdoor. Our team would also prepare an EIR outline to identify the basic framework and environmental thresholds for the environmental analysis. The EIR will be designed so as to provide decision makers with information about the potential impacts associated with the various elements of the Project, so that they may knowledgeably combine elements of the alternatives in various ways in a single ordinance.

Deliverables: An initial list of questions/data request, identification of any early issues or concerns, a written summary of the meeting, submittal of the EIR document outline, and a methodology proposal to acquire baseline data to assess buildout, to the County electronically.

2. Data Collection, Technical Review, and Baseline Conditions Analysis. Our team of technical experts would work with County staff to collect and organize available information and data to support the establishment of the environmental baseline and Project impact analysis. This documentation would include but not be limited to: GIS data, technical reports, remote sensing, data from field work, and industry information regarding the regulatory setting for cannabis cultivation, as well as methods and technologies employed in both indoor and outdoor cultivation in climatic conditions typical of Santa Cruz County. Using registration and licensing data, and other information, we would create a GIS-based map database of known cultivation sites countywide, then work with County staff to estimate a reasonable amount of additional cultivation occurring beyond registered operations. Details of our approach to the environmental baseline are provided below, including visits to a representative set of cultivation sites.. For resource-specific data, such as biological and cultural resources, our team would provide detailed desktop research and review of the setting, methodology, and available data to document in the GIS as part of the baseline. This documentation would also rely on site work and the work of our subconsultants with local expertise. For example, baseline data will integrate H.T. Harvey's in depth knowledge of habitats and wildlife, rather than what desktop research would identify (e.g., state CNDDDB maps). Our team would also thoroughly review County planning and technical environmental documents (e.g., County General Plan, recent EIRs, etc.) to identify useful information and analysis for incorporation into this EIR and to maximize utility of existing data. This work is expected to involve two ecologists along with project management and technical staff conducting sites visits for 5 working days (i.e., a total of thirty-five [35] 8-hour days) over a duration of approximately one to two weeks (permission to access these sites will be acquired by the County). Our biological resources subconsultant would prepare a biological resources technical report and our team will prepare a baseline methodology memorandum to support the GIS data and field observations. This effort will assist with further defining the Less Restrictive Project that will receive coequal assessment in the EIR.

Deliverables: We would collate baseline documentation into a project administrative record to support the EIR and prepare a GIS-based map and database of existing baseline conditions as the foundation for environmental review. All new digitized data for the cultivation sites would be delivered to the County as a .shp file. The administrative record would be maintained and delivered digitally. Our methodology would be documented in a brief technical memorandum. Our team would review existing information with data requests provided through technical letters or memos with comments and questions; we will also submit a proposed methodology to analyze baseline water and rodenticide/fertilizer/pesticide use. All submittals would be electronic (Microsoft Word® and PDF).

Table 2. Tasks to Prepare the EIR

3. Prepare Notice of Preparation (NOP). In coordination with County staff, our team would prepare NOP for this Project to comply with State CEQA Guidelines. The NOP will be particularly important to obtain formal comments on the scope of the EIR and project alternatives from area residents, property owners, community organizations, and concerned local, state or federal agencies. Obtaining early feedback from key stakeholders will help focus analysis and minimize the potential for project delays and unforeseen issues arising late in the process. At this time we do not anticipate a public scoping meeting. We would include all comment letters received during the NOP in an appendix to the EIR and provide a matrix indicating where such comments have been incorporated and responded to in the Draft EIR. This will assure reviewers that their comments have been responded to and to ease their review of the Draft EIR. Additionally, if a public scoping meeting is held, we would attend and provide a presentation for the CEQA/EIR process for the Project and the Less Restrictive Project. We would also prepare a written summary of all comments recorded at this scoping meeting in the response matrix.

Deliverables: Amec Foster Wheeler would deliver fifteen (15) bound copies of the NOP to the County along with one copy in electronic format (Microsoft Word® and PDF). Additionally, if the County decides to hold a public scoping meeting, our team would be available to attend and would provide one electronic copy of the summary of comments received at such meeting to the County.

4. Prepare Draft EIR Project Description and Preliminary Recommended Alternatives. Amec Foster Wheeler believes that a complete project description is the foundation of an adequate EIR. We would use information obtained from Task 2 above to describe existing medical cannabis cultivation countywide, the details of the Proposed Project and Less Restrictive Project construction and cultivation methods, and long-term operations of indoor and outdoor grow sites, as well as Project timing and applicability. Our team would utilize and augment the GIS map and database created during Task 2 to determine the areas of potential effect of the Proposed Project, the Less Restrictive Project, and other alternatives as determined by the varying geographic and operational restrictions of each scenario. The project description would be refined in coordination with County staff to ensure accuracy and to consider inclusion of methods to minimize potential adverse environmental impacts. We would also prepare initial summaries of up to three (3) alternatives, including the “No Project” alternative and two (2) other concept alternatives, based on CEQA requirements, the County’s policy framework, and review of the proposed Ordinance, NOP, and consultation with County staff. We would provide a preliminary draft of the project description, for both the Proposed Project and the Less Restrictive Project at an equivalent level of detail, along with more general descriptions of the concept alternatives, such as the No Project alternative, to County staff in advance of impact analysis for review and approval to assure accuracy up-front to minimize or avoid potential delays. Please see *CEQA Impact Analysis Methodology* below for a description of the methodology employed to anticipate demand and resulting reasonably foreseeable amount and location of cultivation under the Project and Less Restrictive Project, and alternatives.

Deliverables: Amec Foster Wheeler would provide one electronic copy of the draft Project Description, including the Proposed Project and Less Restrictive Project, and general Environmental Setting, and a draft of the proposed concept alternatives (Microsoft Word® and PDF), as well as an updated GIS reflecting the project description and three (3) alternative cultivation scenarios.

Table 2. Tasks to Prepare the EIR

5. Prepare Administrative Draft EIR. The Administrative Draft EIR (ADEIR) would address direct, indirect and cumulative impacts for all relevant issues, as well as standard CEQA sections, such as growth inducement, climate change, other CEQA considerations, and consistency with adopted plans and policies. Impacts associated with alternatives would also be analyzed and compared with the Project and Less Restrictive Project impacts. The EIR would build upon and incorporate data from County registration/licensing data, past County regulations, and EIRs, and the information developed in through Tasks 1 – 4 above, using the agreed methodologies for each CEQA resource area. Each EIR section would contain an environmental setting description, assessment of construction and operational impacts, any required mitigation measures, and a clear statement of cumulative and residual impacts. The ADEIR would respond to issues raised during the scoping phase and public comment period and a matrix listing those comments and EIR subsections where comments are addressed would be included. Additionally, the ADEIR analysis would investigate and identify feasible and relevant Best Management Practices (BMPs) for cannabis cultivation that may be applied as potential mitigation for Project impacts, including applicable BMPs used in other areas of the state for cannabis cultivation and other similar agricultural operations. For example, BMPs for local energy sources and water quality management may be appropriate for the Project. Please see *CEQA Impact Analysis Methodology* below for a description of the methodology employed to anticipate demand and resulting reasonably foreseeable amount and location of cultivation under the Project and alternatives.

Deliverables: Amec Foster Wheeler would provide one (1) CD of electronic versions of the ADEIR and Appendices (Microsoft Word® and PDF), and four (4) bound hardcopies of the ADEIR (appendices provided on CDs enclosed within EIR).

6. Prepare Screencheck and Public Review Draft EIR. Upon receipt of final County comments on the ADEIR, we would prepare a screencheck Draft EIR (DEIR) that thoroughly addresses County comments and questions on the ADEIR. We would employ up-front coordination during preparation of the ADEIR to minimize changes needed. The screencheck review of the DEIR ensures incorporation of all County comments and provides staff with an opportunity to review cut sheets to verify that comments were adequately addressed prior to publication. Following review of the screencheck DEIR, our team would prepare and publish the Public Review DEIR based on any revisions from County staff. Our team would also attend the Public Hearing on the DEIR and provide a presentation for the CEQA/EIR process for the Project. We would also prepare a written summary of all comments recorded at this meeting in the response matrix.

Deliverables: Our team would publish and submit three (3) bound copies of the screencheck DEIR for County review. Following review/revision, we would publish and submit twenty (20) bound copies of the Public Review DEIR, twenty (20) copies of the Executive Summary, and twenty (20) CDs containing electronic versions (Microsoft Word® and PDF) of the DEIR, including a version with files divided into searchable chapters suitable for easy download from County's website. Additionally, if we participate in the Public Hearing, our team would provide one electronic copy of the summary of comments received at the Public Hearing.

Table 2. Tasks to Prepare the EIR

7. Prepare Response to Comments and Administrative Final EIR. Amec Foster Wheeler would prepare responses to written and oral comments received on the Public Review DEIR during a 45-day public review period. We would incorporate substantiating technical details, CEQA references, and court cases as needed to support proposed responses and, if appropriate, develop detailed master responses to clearly and concisely respond to any recurring comments. Consistent with County standards, the Administrative Final EIR (AFEIR) would include an introduction describing the County's compliance with CEQA and the CEQA Guidelines, an index of all changes made to the DEIR, a detailed Responses to Comments document providing the comment letter itself with specific response, and a record of pages from the DEIR on which changes were made (changes would be tracked in strikeout and underline formatting). If requested by County staff, our staff would attend a working meeting with County staff to review comments, proposed responses, and potential changes to DEIR text. The AFEIR would be provided to the County for review and comment.

Deliverables: Amec Foster Wheeler would provide four (4) hard copies and one (1) CD of the AFEIR and appendices, including the Response to Comments and index/record of changes to the Public Review DEIR.

8. Prepare Final EIR with Mitigation Monitoring and Reporting Program (MMRP) and Statement of Overriding Considerations. Upon receipt of the County's final comments on the AFEIR, our team would incorporate any changes into the EIR necessary to reflect County comments and final direction for the environmental analysis. We would prepare the screencheck Final EIR (FEIR), including the MMRP for final review by County staff. The MMRP would be prepared consistent with Public Resources Code Section 21081.6 to identify responsible parties, timing, funding sources (if applicable), and monitoring approaches and duties. Our team will also prepare the CEQA Findings and, if needed, the Statement of Overriding Considerations for any significant and unavoidable impacts. Upon receipt of final comments and edits from County staff on the screencheck FEIR, including the MMRP, CEQA Findings, and Statement of Overriding Considerations, Amec Foster Wheeler would incorporate any changes and publish the proposed FEIR for certification by the County.

Deliverables: Amec Foster Wheeler would publish three (3) bound copies of the screencheck FEIR for County review, including a separately bound MMRP. Following County review, we would publish twenty (20) bound copies and twenty (20) CDs with electronic copies (Microsoft Word ® and PDF) of the Proposed FEIR and Appendices, including a separately bound MMRP.

9. Meetings and Hearings. Amec Foster Wheeler would accompany County staff to meetings and public hearings for the Project. Our proposed budget assumes attendance at up to eight (8) meetings or hearings, flexibly selected by County staff, but may include: a kickoff meeting/site visit, meetings with County staff, public workshops, and public meetings or hearings on the Project, including adoption hearings before the Planning Commission and Board of Supervisors. Amec Foster Wheeler's Project Manager would attend the public hearings and provide a PowerPoint presentation within the existing scope if requested by County staff. Our Project Manager would attend additional meetings, as necessary, at an additional cost estimated at \$1,500 per meeting. Our team is prepared to assist the County in the event of a legal challenge based on time and materials.

CEQA IMPACT ANALYSIS METHODOLOGY

Amec Foster Wheeler understands that the EIR must address direct, indirect, and cumulative environmental impacts associated with construction and operation of medical cannabis cultivation under the Proposed Project and Less Restrictive Project. From the RFP, resource area to address in the EIR include Aesthetics, Agriculture & Forestry Resources, Air Quality, Biological Resources, Cultural

Resources, Geology & Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology & Water Quality, Land Use & Planning, Public Services, and Utilities & Service Systems, including energy issues, as well as standard CEQA Mandatory Findings of Significance. In addition, resources that would be addressed as less than significant under Other CEQA issues are expected to include Transportation and Circulation, Noise, and Mineral Resources. If through the NOP/Scoping process any of these Other CEQA issues are identified as creating potentially significant impacts, our team would prepare augmented analysis. We assume that the Project and the Less Restrictive Project would not have any effect on CEQA issues related to population and housing; however, the analysis of alternatives may identify potential impacts to population and housing if cultivation is considered within residential zones of the County (e.g., indoor cultivation within RA or greenhouses within R-1). If this scenario arises, the alternatives analysis would include impacts to housing supply. If the County determines that extensive additional resource analysis is required, our in-house specialists and land use planners would lead such analyses on a time and materials basis.

Our general approach to the format and content of the EIR is presented below. Each environmental resource area discussion will include the following subsections: *Existing Conditions* describes the physical, natural, and human environmental setting that forms the baseline for the analysis of the Project and Alternatives impacts. For this Project, this will include a description of the Project vicinity, as well as an up-to-date description of current cultivation operations to the extent feasible. Local, and as appropriate, federal and state requirements for the resource areas are summarized in *Regulatory Setting*. The thresholds for determining impact significance and the impact analysis methodology are included in *Environmental Analysis*. The *Proposed Project and Less Restrictive Project Impacts, Mitigation Measures, and Residual Impacts* will subsequently be identified. Each mitigation measure will include a stated condition, along with a mitigation monitoring component (*plan requirements, timing, and monitoring responsibility*). A statement regarding the impact of the Project and Less Restrictive Project in conjunction with implementation of other past, present, and probable future projects will be presented in *Cumulative Impacts*.

DESCRIPTION OF EIR COMPONENTS

Executive Summary: The EIR would include an Executive Summary with a condensed project description, project history, a brief description of impacts found not to be significant, issues of known public controversy, a matrix summarizing impacts and mitigation measures, and discussion of project alternatives. As potentially the most referenced portion of an EIR, we would prepare the Executive Summary in an easily accessible format with summary tables and figures.

Introduction: The Introduction sets the stage for overall project consideration, the EIR's role in decision-making, the Project's overall purpose and need, a discussion of potential areas of controversy, and a clear description of the Project's objectives and Less Restrictive Project's objectives. We recognize that a clearly defined set of project objectives is central to supporting the alternatives analysis and is thus critical to the EIR's legal defensibility. This section would also provide a discussion of background information and technical

data that help to inform the Project specifications and uses, including accessible descriptions of the well stimulation technologies, the applicability of Proposition 215, SB 420, and the federal CSA, and the processes of indoor and outdoor cannabis cultivation for medical use currently employed in Santa Cruz County. This upfront analysis of cultivation techniques/technologies will provide context for the Project to support review of the Project and Alternatives by agencies and interested parties. We will work with County staff to ensure that the Introduction provides:

- A clear purpose and need statement for the Project in support of clearly defined objectives;
- A clear purpose and need statement for the Less Restrictive Project in support of clearly defined objectives;
- A clear discussion of goals, objectives, and fulfillment of needs, including an summary of the Project and Less Restrictive Project in relation to County's objectives, goals, and policies;
- An introduction to the overall purpose of the EIR;
- A summary of the public review and project approval process;
- A discussion of areas of known controversy and related background information;
- An overview of state law and standards for adequacy of the EIR, pursuant to CEQA Guidelines §15151; and,
- A general discussion of the methodology and utility of the EIR to disclose applicable thresholds of significance and impacts that would result from construction and operation of the Project.

Environmental Setting: The Environmental Setting will provide an overview of the existing physical setting with a focus on key features and known environmental issues, including description of key features and constraints to cultivations, such as schools, libraries, state and local parks, alcohol and drug treatment facilities, municipal boundaries, public right of way, and creeks, as well as groundwater basins, topography, vegetation, wildlife, and hydrology. This discussion will also identify other factors that may limit or encourage cultivation, such as



The EIR analysis will include a GIS-based assessment of environmental baseline conditions, including geolocation of the known existing cannabis cultivation sites to the extent feasible.

state regulations or available information related to regional demand. Building from the Project's GIS, we would describe the environmental setting and use appropriate photographs, maps, and diagrams to facilitate understanding of the area's environment, including a description of surrounding land uses along with regional vicinity, and appropriate planning area maps. We will coordinate with County staff to ensure that this baseline accurately reflects known information and conditions.

To address baseline conditions for cannabis cultivation sites currently operating in the County, our team would build from the registration data and other information collected as part of the Project setting to identify and characterize the sites as follows:

- Sites that do not meet either the Project's or perhaps the Less Restrictive Project's standards for licensing and must be relocated;
- Sites that do not meet the Project's or perhaps the Less Restrictive Project's standards for licensing, but can be reasonably brought into conformance; and
- Sites that meet the Project's or perhaps the Less Restrictive Project's standards and can remain in place.

We understand the registration process will not capture all existing cultivation sites in the County. To augment the registration data and ensure a more complete and accurate depiction of the existing baseline, our team would draw on law enforcement and fire response data, calls for service, neighbor complaints, aerial photography, online research, state-level databases, direct consultation with stakeholders and advocacy groups, and other readily available sources of information.

As part of the Project kickoff, Amec Foster Wheeler would work with County staff to customize the methodology for visiting a representative subset of the County's existing cultivation sites and using that sample to characterize the baseline conditions. Preparing the baseline conditions includes understanding the current level of impact in the impact categories described in Section III, *Scope of Environmental Impact Analysis*, so as to enable comparison between the baseline and impacts that are expected under the Project, Less Restrictive Project, and concept alternatives.

Project Description: The Project Description will provide the key elements of the Proposed Project and the Less Restrictive Project and include Project area maps in sufficient detail to perform impact analysis. We recognize that a clearly defined set of project objectives, which are likely to be somewhat different between the Project and the Less Restrictive Project, is central to supporting the alternatives analysis and is key to the EIR's legal defensibility. Amec Foster Wheeler will build upon existing maps and the Project's GIS, peer reviewed technical studies (include bibliography) and information collected during Tasks 1 and 2, and the proposed regulatory framework to supplement environmental setting figures, project history, and the relationship of the Project and the Less Restrictive Project to other County plans, policies and codes. Discussion of the relationship of the Project and Alternatives to County water, wastewater, and hazardous materials regulations (e.g., Chapter 7 of the County Code) will be included. Amec Foster Wheeler would work with the County to ensure clear maps and graphics are employed to depict the expected changes to the Project area that would result from the Project and Less Restrictive Project, and to support of key issues and analyses, such as biological, cultural, and visual resources. Additionally, we would research and identify any applicable standard Best Management Practices (BMPs) that would reasonably apply to the cannabis cultivation and include BMPs that the County is will to incorporate into the Project in the Project Description. We will prepare the Project Description in advance of impact analysis, focusing on document clarity and

accessibility to ensure the Project Description provides sufficient details to support environmental analysis for both the Proposed Project and the Less Restrictive Project.

Building from the environmental setting/baseline, we will work with County staff to customize the methodology for anticipating the demand for medical cannabis and the resulting amount of cultivation that is likely to occur under the Project. The methodology will likely include the following steps:

- (1) Using the County's license registration data of existing sites and sites that are proposed to be used when licensing begins, we will, map the extent and locations of existing cultivation sites and identify the areas or characteristics of the County that are currently most used for cultivation. For example, the clustering of existing sites in different zoning designations, vegetation types, and/or geographic locations may indicate the most suitable locations in the County for cultivation, which would indicate where continuing cultivation would occur under the Project.
- (2) Identify exclusion areas based on the proposed Ordinance's land use/zoning restrictions. This exercise may help to reduce the number of sensitive resources (e.g., biology, geology, sensitive receptors) that are potentially subject to negative impacts.
- (3) Visit a representative sample of sites in different zoning designations and/or geographic locations where licensed cultivation may occur. The goal would be to assess the types of areas typically affected, the potential indirect effects, the extent of the cultivation area, etc. – to programmatically determine what resources might be impacted in different areas of the County where cultivation would be allowed.
- (4) Map the likely areas of the County where new or continued demand for medical cannabis cultivation under the Project is foreseeable, and describe the expected amount of cultivation, to the extent that information may be reasonably foreseen.
- (5) Use the results of the field work and site visits multiplied by the approximate number of sites the County anticipates in the various zoning designations and/or geographic locations to inform the Project Description and convey in the EIR what the potential for, and approximate magnitude of, impacts to various resources. This effort is not intended to provide a site-specific impact assessment where our team would assess impacts to individual cultivation sites, as any quantification we do under this approach would be a rough estimate. Rather, this methodology provides a programmatic approach to focus on the CEQA resources that could be impacted and disclose the approximate magnitude of potential impacts Countywide. However, it is possible and intended that the EIR would be able to provide CEQA compliance for most future licensed cultivation sites if the sites are within the parameters of the Project Description, impact analysis, and incorporate mitigation measures and/or BMPs and comply with County Codes.

- (6) Map the likely areas of the County that would continue to experience demand for medical cannabis cultivation under the Project and Less Restrictive Project and prepare the Project Description to disclose the existing level and location of known cannabis cultivation and describe foreseeable levels and locations of cannabis cultivation under the Project and Less Restrictive Project.

Environmental Impact Analysis: Amec Foster Wheeler’s approach to the format and content of the EIR is presented below. Our analysis of the Proposed Project, the Less Restrictive Project, and the Alternatives (see below) would analyze the potential impacts of the various components of the proposed Ordinance (such as canopy size, minimum parcel size, zoning, setbacks, etc.) in a manner that will allow County decision-makers the flexibility to select among the elements of the Ordinance “cafeteria style”. Each environmental resource area discussion would include the following subsections for both the Proposed Project and the Less Restrictive Project:

- *Existing Setting* describes the physical and human environmental setting that forms the baseline for the analysis of the Project and alternatives impacts. For this Project, this will include a description of the Project area features and an up-to-date description of any existing or planned public or private improvements in the area, including areas of cannabis cultivation.
- Up-to-date local, federal and state requirements for the resource areas are summarized in *Regulatory Setting*.
- The thresholds for determining impact significance and the impact analysis methodology are included in *Environmental Impacts*. Our team would work with the County early on to define the appropriate range of threshold of significance for this unique Project from CEQA Guidelines Appendix G and County standards.
- The *Proposed Project and Less Restrictive Project Impacts and Mitigation Measures* will subsequently be identified. Each mitigation measure will include a stated condition, along with a mitigation monitoring component (*plan requirements, timing, and monitoring responsibility*). Mitigation will be tailored to be suitable for inclusion as new or modified Ordinance provisions or other required action that must take place prior to approval of permits and construction and/or operation of cannabis cultivation under the Project. To the extent feasible, BMPs identified as part of the Project Description will be referenced and applied to address potential impacts. This analysis will also evaluate how existing cultivation would change under the Project and would identify any beneficial impacts of the Project in alleviating existing environmental impacts from illegal cultivation.
- A clear statement of *Residual Impact* after the application of mitigation for each resource area impact.
- A statement regarding the impact of the Project in conjunction with implementation of other past, present, and probable future plans and/or projects will be presented in *Cumulative Impacts*. We would work closely with the County at Project kickoff to identify the appropriate cumulative setting for the Project.

Alternatives: Amec Foster Wheeler will work closely with County staff to define up to three (3) alternatives for the Proposed Project and the Less Restrictive Project, including the No Project alternative and up to two (2) additional alternatives. The primary purpose of alternatives under CEQA is to reduce or avoid significant

environmental effects while also attaining project objectives. Amec Foster Wheeler would work with County staff to review and consider alternatives capable of meeting Project and/or Less Restrictive Project objectives while minimizing or avoiding significant impacts. This would permit the County to weigh environmental, policy, and economic tradeoffs of various options. Amec Foster Wheeler will clearly set forth the requirements of CEQA Section 15126.6, which governs the type and range of alternatives that should be considered and factors that affect the feasibility of such alternatives (e.g., economic viability, site suitability, availability of infrastructure, etc.). Our goal will be to present the alternatives in a manner that permits straightforward comparison of impacts. Key issues addressed will include:

Alternatives Considered and Discarded: A discussion of alternatives considered and discarded is an important component of an adequate and legally sustainable alternatives analysis. Amec Foster Wheeler would work with County staff to review various alternatives and identify those that appear infeasible or incapable of meeting Project objectives or Less Restrictive Project objectives, or those that would create impacts that are significant or more severe than the Project or the Less Restrictive Project. The reasons for discarding the alternatives would be described and could include different regulatory frameworks that would either not meet the Project's objectives or would cause greater damage to the environment and the community. The Alternatives Considered and Discarded analysis will provide a clear record of County decision-making for such issues, a crucial consideration when considering potential impacts of the Proposed Project and the Less Restrictive Alternative.

- **No Project:** This analysis would briefly describe the impacts and benefits of not adopting the proposed Ordinance. This would also include a discussion of continued uses and impacts under the existing County Code Chapter 7.128. This alternative is required by CEQA.

Additional Possible Project Alternatives: In addition to the Less Restrictive Project, which would be addressed coequally through the EIR, and the No Project alternative, project alternatives could include the following, which are offered as preliminary concepts for initial consideration by County staff.

- **Reduced Project:** We would discuss with the County the tradeoffs and potential benefits and feasibility of a Reduced Project, particularly one that is consistent with feedback from Commissions and resource agencies as delivered to the Board of Supervisors. Possible options could include further limiting cannabis cultivation development by zoning, such as the RA district or the TP district, by increasing geographic constraints, or by establishing siting criteria to reduce land use conflicts and physical change to cultivation sites.
- **Alternative Development Standards:** This analysis would maintain emphasis on meeting Project objectives while varying development standards, including adjustments to siting criteria that would accommodate an increased number of existing cultivators, as indicated by the County's licensing registration data. The analysis of this alternative would address potential impacts to determine if such adjustments could minimize or avoid significant environmental impacts/policy conflicts and address land use consistency concerns.

Amec Foster Wheeler would work closely with County staff to identify required and desired alternatives, which could meet policy and economic goals within the broad policy framework. The analysis of alternatives would result in the identification of the Environmentally Superior Alternative (ESA) consistent with CEQA Guidelines Section 15126.6.

Cumulative Impacts: Cumulative impacts will be addressed in each resource section in a manner consistent with CEQA Guidelines §15130, considering implementation of other past, present and probably future plans and projects. We will work closely with County staff to identify the appropriate cumulative setting for the Proposed Project and for the Less Restrictive Project, including potential additional cultivation associated with recreation cannabis demand following voter approval of Proposition 64. As stated in the Guidelines, the nature of each environmental resource being evaluated and the type and location of a specific project affect whether it is included in the cumulative analysis. The EIR will describe the impacts of all known and relevant existing and future land use in the County, as well as additional growth in nearby areas, with a focus on forecasted amount of cannabis projected to be grown in the County and the region.

Mitigation Measures & the Monitoring and Reporting Program (MMRP): The MMRP is a key element for implementation of long-term programs such as the Ordinance. Crafting adequate and feasible mitigation and establishing mechanism for tracking implementation will be key to both addressing potential impacts and ensure concerned agencies or members of the public that the Project can be safely implemented and that ongoing monitoring and reporting will be provided. Mitigation measures will be developed in coordination with County staff and appropriate agencies for all significant Project-specific and cumulative impacts and for adverse but insignificant project and cumulative impacts, as appropriate. We will build such measures off of applicable existing County programs and regulations, including the County Code, and tie mitigation to required actions or County authorizations (e.g., grading and building permits). We would create a useable MMRP in table format for easy tracking, along with clearly crafted mitigation measures for each potentially significant impact (responsible party, required timing, relationship to each project, monitoring milestones, etc.). Tracking and monitoring would involve the use of checklists and forms for regular reports to the County. Amec Foster Wheeler has extensive experience translating mitigation into enforceable requirements of approvals such as licenses. These would be accompanied by clear and realistic goals for implementation, timing, and identification of potential funding sources.

Residual Impacts: After implementation of mitigation measures, residual impacts will be discussed and the level of significance identified.

Other CEQA Sections: Other CEQA Sections include an introduction, summary impact table, resources areas that are determined to be less than significant (e.g., transportation & traffic and mineral resources) and those that are less than significant with BMPs (noise, and population & housing) based on the NOP and scoping process, nonrenewable resources, and growth-inducing impacts. CEQA Guidelines, §15358(b), states that growth-inducing effects analyzed under CEQA must be related to a physical change in the

environment. Therefore, the focus of the growth-inducing section will be focused on the potential for the Proposed Project and the Less Restrictive Project to have adverse or beneficial effects on County services (e.g., sheriff, fire, water supply, etc.). See Section III. *Scope of Environmental Impact Analysis* for additional details.

Bibliography and List of Preparers: Our team will maintain the list of resources referenced and cited in the EIR on an ongoing basis to ensure a complete administrative record to accompany delivery of the EIR to the County. We will also identify EIR preparers and any persons, firms, or agencies consulted in the development of the EIR.

Technical Appendices: The technical appendices in the EIR will include Project-specific studies. Also included will be any studies deemed necessary to support EIR analysis and conclusions. To ensure a concise EIR, technical background and studies prepared by Amec Foster Wheeler to support analysis of aesthetics, air quality/GHGs, biological resources, cultural resources, hazards/hazardous materials, and hydrology/water quality would be collated and provided as a technical appendix to the EIR.

III. SCOPE OF ENVIRONMENTAL IMPACT ANALYSIS

Aesthetics & Visual Resources:

The County supports diverse important scenic resources, from ocean views along the rugged coastline, open agricultural land along the northern and southern coasts of the County, and the rolling hillsides and ridges of the Santa Cruz Mountains. These natural and scenic rural and agricultural resources include redwood forests, cliff-dominated shoreline and forested mountainous inland areas. Scenic roads and highways, such as Highway 1 and State Routes 9, 17, 35, 129, 152, and 236, afford public views of the Monterey Bay, agricultural fields, dense redwood forests, open meadows, and mountain



The Santa Cruz Mountains are considered visual resources in the County and essential to the County's visual character given clear views of the Monterey Bay and forested hillsides.

hillsides, which are recognized as protected visual resources in Policy 5.10.2 of the Conservation and Open Space Element of the County's General Plan. Impacts to these key visual resources may result from grading of hillsides, fencing, light and glare from greenhouses, and conversion of existing agricultural/grazing land to support outdoor cannabis cultivation, as well as limited effects on neighboring aesthetics associated indoor cultivation. We would approach the analysis of aesthetic and visual issues within the existing County policy

framework, which stresses the importance of scenic resource preservation. To address potential aesthetic impacts, Amec Foster Wheeler would:

- Characterize the existing physical setting in terms of public views and scenic vistas, state and local scenic routes, gateways, rural areas and neighborhoods, and relevant aspects of the built and natural environment, including the character of small towns, public open space, and recognized landmark, iconic and historic structures.
- Review information gathered during public outreach to better understand and address public concerns.
- Describe adverse and beneficial changes to the visual character of the County associated with allowable development of cannabis cultivation sites under the Proposed Project and Less Restrictive Project, accounting for the existing resource protective policy framework and proposed development standards, and resultant incremental changes to both local and regional features, including public viewsheds, night-lighting, construction of new buildings, and driveways/roads, particularly as visible from state and local scenic routes, as well as to public views in towns and neighborhoods.
- Identify direct and indirect impacts associated with the Proposed Project and the Less Restrictive Alternative due to loss of scenic resources, obstruction of scenic views, loss of open space, and public vistas, effects on vegetation, increased or decreased light or glare, construction of support facilities and fencing, and overall changes in community character, while ensuring the analysis accounts for existing policies and proposed development standards within the Ordinance.
- Use graphics and photographs to illustrate and describe potential Project-specific and cumulative changes in character of the County, including photographs of existing cultivation sites to illustrate potential changes to existing view corridors, including damage to or loss of vegetation, hillside grading, etc., under both the Proposed Project and Less Restrictive Project.
- Identify mitigation measures, including potential refinements to the development standards proposed by the Proposed Project and Less Restrictive Project, (e.g., cultivation siting and scale, site regulations and design, setbacks, and vegetation protection measures), and possibly added protection of public view corridors along local scenic routes.

Amec Foster Wheeler's certified Visual Resource Specialist Rita Bright would oversee this effort assisted by Marie Laule, an Amec Foster Wheeler Environmental Analyst.

Agricultural & Forestry Resources

The County includes large areas of prime and non-prime soils that currently support livestock grazing and a wide range of cultivated agricultural operations, including berries, nursery crops, various vegetables, and tree and vine fruits. The County has approximately 24,000 acres of agricultural land and is a major agricultural producer in the state. Agricultural lands are centered primarily along the coastal plains in the northern and southern areas of the County, including Davenport to the north and Watsonville to the south. County regulations provide strong protection for agricultural lands and uses, including the Measure J Growth Management Program and County Code Chapters 17.01 and 17.02, which



The Project could change the composition of agricultural production. For example, strawberries, the number one crop in Santa Cruz County, could have a portion of its agricultural land converted for the purpose of growing cannabis.

control growth and maintain the Urban/Rural Services Lines, with generally stricter protections in the coastal zone. The County also includes large areas of forested land used for timber harvest operations, located primarily in the inland portions of the County within the Santa Cruz Mountains. Implementation of the Proposed Project and the Less Restrictive Project could utilize and/or cover prime and non-prime soils or impact forested and agricultural land. Existing crop and timber land could also be lost with the potential conversion of food crops and timber land to cannabis cultivation, as well as the conversion of existing agricultural buildings to indoor cultivation sites, especially if construction of new buildings occurs to replace functionality lost when existing buildings convert to cannabis cultivation. In this way, the Project of establishing regulations and a licensing program for commercial cannabis cultivation could have an overall effect in the composition of agricultural products being produced in the County and may have different requirements for cultivation, including water use, equipment, employees, peak season activities, harvesting, trimming, soil preparation with fertilizers and pesticides, and use of rodenticides and other wildlife control. On timber land, agricultural cultivation would generally be limited by County Code to cleared areas as an ancillary use to timber production, though the EIR will analyze whether cannabis cultivation could preclude timber production from an economic perspective, which and may in turn create environmental impacts related to wildfire and climate change. In order to address such potential impacts, Amec Foster Wheeler's team would for both the Proposed Project and the Less Restrictive Project:

- Use existing available data to provide an overview of existing agricultural operations in the County, including cultivated agriculture, grazing operations, crop types and acreages, and general locations based on available data from existing sources, including State Important Farmland Maps, recent County Crop Reports, and vicinity EIRs. Our team would utilize maps based on available crop data (e.g., crop

type, acreage, greenhouses) to depict the relationship between existing agricultural operations and proposed licensed cannabis cultivation under the Proposed Project and the Less Restrictive Project.

- Describe existing forestry operations in the County, including timber production, yields and harvest, and forest management based on available data from existing sources, including Timber Harvesting Plans and vicinity EIRs.
- Summarize the current policy and regulatory setting regarding Agricultural and Forestry Resources, using sources such as California Forest Practice Rules, regulations within the Timber Production Zone, County growth management policies and regulations, and local zoning ordinances.
- Assess the potential for direct and indirect impacts to agricultural and forestry resources from adoption of the Proposed Project and the Less Restrictive Project, including loss of forested land, loss of prime and non-prime soils, conflicts with surrounding agricultural and forestry operations, such as a general analysis of increased water demand and possible effects on local wells, increased traffic/conflicts with farm equipment use of rural roads, noise, dust, lighting, etc.
- Describe cumulative impacts to agricultural and forestry resources from existing and new cannabis cultivation sites and other pending development projects.
- Identify mitigation measures to reduce impacts to agricultural and forestry resources, such as siting criteria to minimize loss of timber land and prime soils and conflicts with adjacent agriculture and timber operations, setbacks from or screening of adjacent agricultural and forestry operations, etc.

Amec Foster Wheeler's Project Managers Rita Bright and Erika Leachman would oversee this effort with assistance from Environmental Analyst Matt Buggert.

Air Quality:

The air quality section would document existing conditions and Monterey Bay Unified Air Pollution Control District (APCD), state and federal regulatory standards and thresholds, and describe attainment/non-attainment pollutants for the North Central Coast Air Basin. Particular attention would be paid to potential generation of objectionable odors. Odor impacts are expected to be focused upon operation related activities of cannabis cultivation sites throughout the County, including fumes from equipment and cannabis odor during harvest, trimming, storage, and transport activities. In order to address and fully disclose potential air quality impacts, Amec Foster Wheeler would:

- Describe existing conditions within the North Central Coast Air Basin and in the Project vicinity, including attainment status for criteria pollutants, climatic conditions, and local emissions sources and sensitive receptors, such as schools, elder care facilities, park visitors and adjacent neighborhoods. Our team will also describe contributors to local air emissions.
- Assess consistency of the Proposed Project and the Less Restrictive Project with regulations and policies, including the County's General Plan and Local Coastal Program and Air Quality Management Plan, as well as the standards of the Monterey Bay Unified APCD and the County's Air Quality Management Plan.

- Coordinate with County and APCD staff to develop scenarios to allow modeling of air emissions of the Proposed Project and the Less Restrictive Project using CalEEMod 2016.3.1, or latest version to determine the air emission contributions to cumulative air quality conditions in the North Central Coast Air Basin.
- Address issues related to objectionable odors. Amec Foster Wheeler's Air Quality Specialist would perform a screening level assessment of objectionable odors related to both outdoor and indoor cultivation sites. Our analysis will consider proximity of sensitive receptors and best available about how odor degrades or diffuses over distances.
- The results of the screening investigation will be described in an air quality technical report in accordance with the County's format and procedures, included in the EIR as a technical appendix and form the basis for this section of the EIR.
- Identify mitigation measures including BMPs to help reduce objectionable odor impacts to the maximum extent feasible.
- Describe cumulative impacts associated with the proposed projects in the vicinity.

Steve Ochs, Amec Foster Wheeler's Air Quality Specialist would oversee this effort with assistance from Environmental Analysts Laura Ingulsrud and Taylor Lane.

Biological Resources:

The County encompasses a diverse range of habitats, including coastal scrub, maritime chaparral, grasslands of the coastal terraces, redwood forests and the San Andreas oak woodland, the unique Sandhills habitat, as well as stream corridors, lakes, ponds, and wetlands. Implementation of the Proposed Project and the Less Restrictive Project would result in potential direct loss of vegetation and habitats due to grading and vegetation removal to prepare for new cannabis cultivation sites and associated



A substantial area affected by the Project is forested with dense redwood forests, which are recognized biological resources in the County and an essential part of the County's habitat value.

residences, potential interference with wildlife from cultivation activities and management including rodenticide and pesticides, and possible secondary consequences, such as aquifer drawdown from new wells and indirect impacts to riparian habitats. Additional indirect adverse effects on sensitive species could include increased water demand, noise, fences and night-lighting, and increased human activity in open spaces. To the extent that the Proposed Project and the Less Restrictive Project promote installation of new cultivation sites, secondary effects of such activity would also be described. To address potential impacts to the biological resources within the County, Amec Foster Wheeler's team would for both the Proposed Project and the Less Restrictive Project:

- Describe existing biological resources in the County based on data from existing sources, such as the state and federal data (e.g., critical habitat designations, California Natural Diversity Database) and local County data including potential known sensitive vegetation and habitats (e.g., Coho and steelhead trout creek habitat) and special status species (e.g., California tiger salamander).
- Summarize best available data and reports on impacts from cannabis cultivation on wildlife (e.g., the Mitigated Negative Declaration for the Humboldt County Medical Marijuana Land Use Ordinance, Public Library of Science (PLOS) One Journal, etc.).
- Conduct a reconnaissance-level field survey of a representative sample of existing cannabis cultivation sites that have been registered with the County. This task assumes that two ecologists will conduct sites visits for 5 working days (i.e., a total of ten [10] 8-hour days or 80 hours) over a duration of approximately one to two weeks, and that permission to access these sites will be acquired by the County. The purpose of the reconnaissance-level site visits will be to document the biological conditions, type of landscape, and extent of ground disturbance or other impacts that is typical of commercial cannabis cultivation in the County. This information will be used to characterize the sensitive biological resources, such as wetlands, botanical resources, and wildlife habitat values, occurring on or near representative examples of existing commercial cultivation sites. This task does not include mapping sensitive biological resources or habitat types for each site; rather, the site visits will be used to confirm or “ground-truth” the existing data sources for biotic resources in the County, and to identify the types of potential impacts of the regulation and licensing program that will be assessed at a scale suitable for programmatic-level review analysis.
- Identify any relevant policies and ordinances that govern biological resource protection, including the General Plan and Local Coastal Program, County Code, Habitat Conservation Plans, and Town and Community Plans (to the extent applicable) other policies and development standards, and relevant state and federal regulations (USFWS, CDFW, etc.).
- Assess potential direct and indirect impacts on biological resources, particularly forests and oak woodland, riparian corridors, wetlands, and special status species and habitats. Such impacts could include direct loss of habitat, incremental impacts of cumulative cannabis cultivation through direct habitat removal, increased disturbance, changes in runoff, or clearance for fire protection. This assessment would also address the impacts of existing cultivation sites, existing sites that may relocate, and the establishment of new sites.
- Describe potential cumulative impacts to biological resources associated with other pending rural or project area land use or development proposals.
- Identify potential mitigation measures as needed to address impacts of the growing operations and associated construction necessary to bring an existing or proposed site into conformance with ordinances, including adjustments to existing and proposed policies and development standards, as needed (e.g., increased setbacks, extension of utility lines, bridge construction, driveway access, restoration requirements, etc.) and requirements for BMP cultivation practices.
- Prepare a biological resources technical report that describes existing biological conditions, including special-status species with the potential to occur in the County and any potentially sensitive/regulated

habitats that could may be affected by the regulation and licensing program, including recommended mitigation measures to address potential impacts.

H.T Harvey and Associates would perform the reconnaissance-level site visits and prepare the biological resources technical report to append the EIR. Amec Foster Wheeler's Biologist, Angie Harbin-Ireland, would provide peer review of the biological resources report and technical support for the EIR will be provided by Biologists Emily Mastrelli and Jason Erlich and Environmental Analyst Taylor Lane.

Cultural Resources:

The Project area contains many recorded archaeological, paleontological, and Native American cultural sites and known historic resources and buildings, as well as the potential for unrecorded archaeological sites, historic structures, and cultural landscapes. These resources are addressed by County Code Chapter 16.40 – 16.44, which provide protection and preservation of these resources. Potential for development of cannabis cultivation sites, supporting structures, parking areas and driveways could impact both known and potential cultural resources. The County's General Plan Conservation and Open Space Element and County Code include policies to conserve cultural and appropriate historical, paleontological, and archaeological resources. Assessment of potential cultural, historic, paleontological, and archaeological resource impacts will require several tasks, including cultural and paleontological resource records searches for potentially affected areas, consultation with the California Native American Heritage Commission (NAHC) and local tribal representatives, background archival research, and an evaluation of the historic built environment. In order to address and fully disclose potential impacts to cultural resources, our team would ensure that the cultural resources technical investigations and associated EIR section would include the following for both the Proposed Project and the Less Restrictive Project:

- *Background Cultural and Historic Resources Research:* Review existing County records and GIS data to determine the areas of cultural sensitivity for the environmental baseline analysis. Consult with County staff regarding the Inventory of Historic Resources. Review available published and unpublished geologic mapping and literature to identify the general geology and paleontology of the County.
- *Native American Consultation:* Initiate consultation with the NAHC, request a Sacred Lands files search, and review the list of Native American individuals and organizations that may be knowledgeable about the County, consistent with the Tribal Consultation Policy adopted by the California Natural Resources Agency. We would also conduct required Assembly Bill (AB) 52 consultation at the outset of the Project in order to obtain early feedback on tribal cultural resource issues, as well as required Senate Bill (SB) 18 consultation prior to amending or adopting any general plan amendment. Consultation letters seeking input on cultural resources potentially affected by cannabis cultivation sites, and follow-up phone calls, will be addressed to each tribal representative recommended by the NAHC.
- Provide a brief overview of the study area's history, including the Native American, Spanish/Mexican and American periods.

- Based on the background research and the outreach to NAHC, describe existing known cultural resources, including general description of known pre-historic sites and the locations of known historic structures.
- Identify the regulatory framework for cultural resources, including County General Plan goals and policies and other County regulations (e.g., County Code Chapters 16.40 – 16.44) that govern protection of cultural and historic resources.
- Assess the potential for direct and indirect effects on cultural resources, including direct disturbance of subsurface remains, conversion or demolition of historic structures, grading and cultivation site preparation activities on cultural and historic resources, and increased activity within areas of cultural significance.
- Describe cumulative impacts associated with existing and future cultivation sites in the County.
- Identify potential mitigation measures during as needed to address impacts, building from existing County Code regulation for adequate response to discovery of cultural resources. The impact analysis will address whether existing County Code requirements are sufficient to mitigate potential impacts to cultural resources from implementation.

This effort would be led by Amec Foster Wheeler Cultural Resources Specialist, Jesse Yorck, RPA, MA, with Environmental Analyst Laura Ingulsrud assisting.

Geology & Soils:

The County encompasses diverse topography, geologic features and soils, including level valleys, steep foothills and mountains, known and potential earthquake faults and seismic hazards, and a wide range of soil types with varying constraints (e.g., expansion, liquefaction). New and existing cannabis cultivation sites under the Proposed Project and the Less Restrictive Project could both be impacted by regional seismicity, unstable slopes and soils, and other geotechnical hazards and be contributing factors to those hazards where grading and erosion are not well controlled. Indoor cultivation operations could also be subject to earthquake hazards. To address potential impacts to geologic resources, Amec Foster Wheeler's team will for both the Proposed Project and the Less Restrictive Project:



Cannabis cultivation sites require grading, vegetation clearing, and site preparation activities. The EIR would address measures to control erosion, stabilize soils, and restore disturbed areas to the extent feasible.

- Review existing available maps and data regarding the geologic hazards (e.g., Dibblee Digital Geologic Map Collection at UCSC, Seismic Safety Element, Alquist-Priolo maps, and maps suggested by County

technical staff), focusing on key geologic or soils constraints, particularly for the areas projected for existing and new cultivation sites. During field visits, Amec Foster Wheeler staff will observe specific issues associated with various geologic areas of the County that could be affected by cultivation under the Proposed Project and the Less Restrictive Project. We would work with County staff to determine where additional geologic/geotechnical expertise may be needed during site visits.

- Describe the existing geologic setting, including a general characterization of the Project area terrain, soils, seismicity, and other geologic features, such as groundwater basins and faults.
- Describe the existing regulatory setting, including the County's General Plan Public Safety and Noise Element, County Code Chapter 16.10 - Geologic Hazards, 16.20 – Grading Regulations, existing town and community plans and policies, the Alquist-Priolo Act, California Building Code, etc.
- Assess direct, indirect, and cumulative geologic hazards and impacts posed by new cannabis cultivation operations, including grading for terracing and access roads, which may have the potential to increase erosion, landslides, unstable slopes, sedimentation, and seismic hazards (fault rupture, ground shaking, liquefaction, expansive soils). The analysis will be a screening level analysis that identifies any potential “fatal flaws” for existing and future cultivation sites. Recently published maps and other data from the State of California and the County will be used to identify potential geologic hazards and development constraints. This analysis would also consider any beneficial effects of implementation of the regulations and licensing program to eliminate or limit illegal grading and ground disturbance in sensitive areas.
- Assess the effectiveness of the existing regulatory framework adequacy with respect to siting, grading and slope constraints, hillside development, and erosion control to reduce potential impacts.
- Identify recommended mitigation measures as needed to address geologic impacts, building from the California Building Code and Chapter 16 of the County Code. Our team would identify any applicable existing regulations or BMPs identified in the Project Description to address potential geologic effects of the Proposed Project and the Less Restrictive Project.

Amec Foster Wheeler Senior Geologist, Scott Kerwin, would oversee this task with assistance from Marie Laule, Environmental Analyst.

Greenhouse Gas (GHG) Emissions and Climate Change:

Amec Foster Wheeler recognizes that the goals and policies of the County's Climate Action Strategy aim to reduce GHG emission generation. Agricultural emissions in the County other than electricity emissions represented at most two percent of GHG emissions countywide in 2009. Additionally, the agriculture sector would be vulnerable to climate change through water shortages and drought, increase in temperature, changing pest patterns, changing fog dynamics, and increased potential for floods. Energy demand would potentially increase to support both indoor and outdoor cultivation, which would increase GHG emissions Countywide. There may be a potential for a loss of carbon sequestration from loss of trees due to clearing for cannabis cultivation or conversion of rangeland or other “no till” agricultural land to active cultivation. To provide a clear analysis of impacts, we would address GHG emissions and climate change-related impacts and mitigations as discussed below. We would use guidance from the County's Climate Action Strategy and the Monterey Bay Unified APCD to determine the appropriate threshold of significance for this Project. To

address this issue, Amec Foster Wheeler would for both the Proposed Project and the Less Restrictive Project:

- Provide an up-to-date description of the current regulatory setting regarding GHG generation and climate change and assess Project consistency with AB 32, SB 375, State Attorney General, Office of Planning and Research and Climate Action Team recommendations, the County's Climate Action Strategy, as well as the standards of the Monterey Bay Air Resources District.
- Quantify emissions associated with indoor and outdoor cannabis cultivation using CalEEMod Version 2016. 3.1 (or latest version) and potentially related direct, indirect, and cumulative impacts.
- Provide an overview of how cannabis cultivation is expected to affect global climate change, including increased GHG generation from cultivation, as well as a brief discussion of how climate change is anticipated to affect issues associated with cannabis cultivation, such as changing temperature, pests, flooding, water quality and availability, etc.
- Identify additional potential mitigation measures beyond those from air quality. For example, the analysis would consider the possibility of requiring 'net zero' energy plans for cultivation sites or onsite energy generation. We would provide potential recommended mitigation measures to further improve consistency with County and state standards.

Steve Ochs, Amec Foster Wheeler's Air Quality Specialist would oversee this effort with assistance from Environmental Analysts, Laura Ingulsrud and Taylor Lane.

Hazards & Hazardous Materials:

Cannabis cultivation would require the use of fertilizers, pesticides, herbicides, and rodenticides, all of which are hazardous materials to the natural environment. To evaluate potential hazards and hazardous materials-related impacts associated with the storage, handling, and application of these hazardous materials, Amec Foster Wheeler would for both the Proposed Project and the Less Restrictive Project:

- Review existing available/applicable data, reports, and hazardous materials reporting records, specifically related to agricultural use of fertilizers, pesticides, herbicides, and rodenticides, including data prepared for recent environmental documents (e.g., Humboldt County's Mitigated Negative Declaration for the Medical Marijuana Land Use Ordinance).
- Conduct a targeted records search of available hazardous materials databases (i.e., Envirostor, County Fire Department) for areas affected where cultivation may occur.
- Describe the hazards and hazardous materials setting for the County based on existing reports and maps, including the County's General Plan and Hazardous Materials Management Plans from the Department of Environmental Health.
- Assess hazards and hazardous materials impacts from cultivation sites by considering storage, handling, and application practices of hazardous materials.

- Identify mitigation measures necessary to address hazards and hazardous material concerns, including consideration of existing regulation and BMPs or development standards to address how and where hazardous materials would occur on cultivation sites.

Brian Londquist, RG, Amec Foster Wheeler's Hazardous Materials Specialist would oversee preparation of this analysis, with assistance from Environmental Analyst, Taylor Lane.

Hydrology & Water Quality:

The County is traversed by major drainages, such as the San Lorenzo River, Scott Creek, Soquel Creek, Aptos Creek, Waddell Creek, and the Corralitos and Salsipuedes subbasins of the Pajaro River. The County also overlies three major groundwater basins: the Santa Margarita, Purisima, and Aromas Basins, which are a primary source of water for urban uses and agricultural operations within the area. Construction of new cultivation sites could impact in-stream water quality and hydrology through increased grading, vegetation clearing, erosion, and sedimentation or be impacted by flood flows from nearby rivers and creeks.



The San Lorenzo River's 138-square mile watershed consists of a 25-mile long main stem and 9 principal tributaries. A sediment Total Maximum Daily Load (TMDL) has been adopted by the Central Coast Regional Water Quality Control Board (RWQCB) for the river and its associated tributaries.

Groundwater quality issues, such as salinity, may be exacerbated as water demand from existing and new cultivation operations increases, possibly contributing to groundwater overdraft. Note that Municipal water supply and demand would be addressed under *Utilities and Service Systems*. To address hydrology and water quality issues, Amec Foster Wheeler would for both the Proposed Project and the Less Restrictive Project:

- Describe the existing hydrologic setting for both surface and groundwater resources that is sufficiently detailed to support a programmatic analysis of potential impacts to these resources. This would be based on existing available federal, state and County maps and data, including the FEMA Flood Insurance Rate Maps, available hydrology and groundwater studies and consultation with water management agencies and purveyors in the County.
- Provide an estimate of current water use, which varies with cultivation practice, and characterizing of water sources for existing cultivation operations, and analyze any change in water use associated with new Cannabis cultivation and potential crop conversion to accommodate cannabis, and change of use in commercial buildings to accommodate cannabis, after implementation of regulatory and licensing program. Assess impacts of importing water to cultivation sites and impacts to aquifers (e.g., overdraft, seawater intrusion).

- Describe the existing regulatory setting for management of ground and surface waters within the County, including the Santa Cruz County Mid-County Groundwater Agency, Pajaro Valley Water Management Agency, Soquel Creek Water District, Santa Cruz Integrated Regional Water Management (IRWM) program, Santa Cruz County Storm Water Management Plan, Santa Cruz County Flood Control and Water Conservation District, and Central Coast Regional Water Quality Control Board's Basin Plan, among other plans and purveyors.
- Assess potential direct and indirect impacts of cannabis cultivation sites, accounting for the effectiveness of existing regulations, including risk of exposure to flood hazards, potential for increased grading, sedimentation and increases in polluted runoff, increased water demand from new cultivation operations, and potential impacts to groundwater supplies, including potential secondary impacts associated with cannabis cultivation.
- Evaluate impacts from bulk water delivery to cultivation sites.
- Describe potential cumulative impacts to water resources associated with the Proposed Project and the Less Restrictive Project along with other pending projects in the area.
- Identify mitigation measures necessary to reduce the severity of impacts to water resources, including modification to proposed development standards, implementation of BMPs, and conservation and Low Impact Development criteria that minimize use, runoff and erosion/ sedimentation.

Amec Foster Wheeler's Senior Hydrogeologist Craig Stewart, PG, CHG would oversee this analysis with assistance from Matt Buggert, an Environmental Analyst.

Land Use & Planning:

Land use and development in the County are governed by a range of County plans and policies, including those from the 1994 General Plan, multiple town and community plans, and a range of County and state regulations and ordinances. A land use concern is the potential for intensified commercial agricultural operations to create conflicts with nearby residential uses related to noise, odors, dust, security and traffic associated with development and operation of cannabis cultivation sites. In addition, the proximity of commercial agriculture and sensitive uses can result in conflicts between County policies, which strongly promote agricultural uses and those which protect rural area quality of life and neighborhood character. Land use analysis will need to address how much cultivation is projected in each zoning district and consider the tradeoffs related to conversion of existing uses to cannabis cultivation. The Project involves a General Plan amendment and ordinance update, which could help to mitigate some of these land use and planning impacts.

We would work closely with the County during the kickoff process to ensure a clear understanding of key policy issues to be addressed in the EIR. In particular, Amec Foster Wheeler would address potential policy consistency issues regarding the conversion of existing space in industrial and commercial areas to cannabis cultivation, neighborhood compatibility, resource preservation, traffic congestion, and other land use issues of possible community concern while acknowledging the priority placed on commercial agriculture and timber

production and impacts associated with crop conversion. To address these land use and development issues, Amec Foster Wheeler would for both the Proposed Project and the Less Restrictive Project:

- Review existing relevant data sources (e.g., past staff reports, public meetings and comments) to describe existing agricultural land use and rural neighborhoods, and projected changes in agricultural, timber, and warehouse/industrial development patterns and uses that may result if food crops, forestry, and industrial operations are converted to cannabis cultivation.
- Identify potential key land use goals and policies as they relate to the Project, including the County's Land Use Element, Conservation and Open Space Element, agricultural preservation policies and codes, natural resource protection policies and codes, including Santa Cruz County Code Chapter 16 and 17, Climate Action Strategy, Sustainable Santa Cruz County Plan, etc.
- Provide an overview of the existing policy framework regarding both urban and rural issues, particularly Land Use Element, Conservation and Open Space Element, housing and resource protection policies, and neighborhood compatibility. Identify impacts associated with existing and new cannabis cultivation sites, including impacts resulting from the construction of homes in compliance with the proposed Ordinance.
- Assess potential direct, indirect, and cumulative land use impacts of existing and new cultivation sites, particularly those that would impact existing agriculture and timber operations, and those near existing communities.
- Identify potential mitigation measures as needed to address any adverse land use impacts, including adjustments in proposed geographic restrictions, canopy size limits, and setbacks.

Rita Bright, Amec Foster Wheeler's Project Manager would oversee this effort with assistance from Marie Laule, Environmental Analyst.

Public Services:

Development permitted under the Proposed Project and the Less Restrictive Project would incrementally increase demand for public services, particularly fire protection. Incremental increases in demand for law enforcement along with other services, such as road maintenance, may also occur. We would provide an overview of public service issues and focus on services that could be adversely affected. Most of the County is designated as a high fire hazard area by the California Department of Forestry and Fire Protection (CalFire). Fire protection services are provided by a range of fire districts and by CalFire. In the event of fire, emergency access to cannabis cultivation sites is critical to ensure adequate and timely response. The County is served by a range of police stations operated by the Santa Cruz County Sheriff's Office and the City of Santa Cruz Police Department, as well as the California Highway Patrol. To assess potential public service impacts, Amec Foster Wheeler would for both the Proposed Project and the Less Restrictive Project:

- Review available information on public services in the County and confirm any known public service issues or demands associated with existing cultivation sites through consultation with appropriate public service providers to focus the analysis, most likely on fire protection and law enforcement services.

- Review and confirm existing staffing, equipment, and response times from fire protection agencies, particularly CalFire; consult with the County Sheriff's Office and City Police Department, and California Highway Patrol to identify any potential issues or concerns, as well as any other public service issues.
- Assess fire protection issues and potential increases in demand for other public services associated with existing and new cannabis cultivation sites (e.g., access, response times, defensible space, etc.) or accounting for existing regulations and development standards.
- Identify mitigation measures necessary to reduce public service and fire protection impacts, including Project modifications or components that minimize risk of fire and strain on existing firefighting and law enforcement resources, and agency ability to respond adequately to fire and code enforcement issues.

Erika Leachman, Amec Foster Wheeler's Deputy Project Manager, would oversee this effort with assistance from Matt Buggert, an Environmental Analyst.

Utilities & Service Systems:

The Pacific Gas and Electric Company (PG & E) provides electricity and natural gas to the County, Waste Management provides garbage services, and the Santa Cruz County Sanitation Districts provide for wastewater management and treatment. Water suppliers include City of Santa Cruz Municipal Utilities, Soquel Creek Water District, San Lorenzo Valley Water District, Central Water District, Pajaro Valley Water Management District, and others. Nearly all of the County's domestic water is supplied from local surface (streams and reservoirs) and groundwater sources, which are fed entirely by precipitation and do not receive any imported water. The urban pipe distribution system is generally located beneath public streets. The Proposed Project and the Less Restrictive Project would increase demand for water and power to support cannabis cultivation and may generate wastewater requiring treatment. While many cultivation sites are anticipated to be rural and served by wells, indoor cultivation is likely to require municipal water sources and use of existing infrastructure. To assess utility issues, our team would for both the Proposed Project and the Less Restrictive Project:

- Investigate the energy availability and demand associated with commercial-scale cannabis cultivation, including energy diversity and options for alternative energy sources.
- Consult with water purveyors about potential limits to supply, particularly in areas served by Soquel Creek Water District.
- Obtain infrastructure data from the County and service providers including use data and the location of utility lines within the County, connection points into the local systems, pipeline diameter sizes, etc.
- Review and compile information from existing plans and studies, including any recently updated documents and describe existing utility infrastructure and service and any shortfalls or inadequacies in existing infrastructure or services, particularly the adequacy of existing water lines and storm drains serving the area and potential impacts associated with wastewater (e.g., sewer lines or septic systems). Describe the capacity of existing systems that would serve cultivation sites, including water, wastewater, solid waste, and energy systems.

- Investigate whether indoor industrial scale use of hydroponics, fertilizer, and grow medium creates issues for municipal wastewater treatment
- Identify impacts from cannabis cultivation sites upon the existing utility system and services and operation-related impacts from existing and new cultivation sites related to the increase in demand for utility services and increase in waste associated with cultivation.
- Assess energy impacts consistent with Appendix F of the CEQA Guidelines.
- Describe cumulative impacts associated with proposed projects in the vicinity.
- Identify potential mitigation measures as needed to address impacts.

Amec Foster Wheeler's Utilities Engineer, Ms. Debra McGrew, PE, will oversee this effort, with assistance Environmental Analyst, Taylor Lane.

Other CEQA Issues:

Less than Significant and Insignificant Issues: In order to provide a complete record for the EIR, Amec Foster Wheeler would provide a brief discussion of less than significant and insignificant issues, which are expected to include transportation/traffic, noise, mineral resources, and population and housing.

Growth Inducement: Though the potential is slight, the Proposed Project and the Less Restrictive Project may have indirect growth-inducing effects associated with provision of increased employment in the County. We would describe the potential growth-inducing effects, consistency of such projections with the County General Plan, and the general secondary environmental impacts associated with such growth, if applicable.

IV. PROPOSED SCHEDULE

We have prepared an aggressive EIR schedule to complete the Draft EIR and Final EIR within 8 months from Project kickoff (see Gantt chart below). Based on a project start date in early January 2017, we anticipate completion of the baseline conditions analysis/GIS and NOP/Scoping process in February 2017 followed by the ADEIR in March 2017. This would permit completion of the public review Draft EIR by April 2017 and the Final EIR by August 2017. Consideration of Project approval and certification of the EIR by County decision-makers would commence in August/September 2017. This schedule permits time for County review of all deliverables (administrative draft, screencheck draft, etc.), as well as public and stakeholder responses. We assume County Counsel would review deliverable concurrent to County staff review. We are committed to meet the County's scheduling needs and to work with staff to ensure that these goals are met.

Proposed Schedule to Prepare the Environmental Impact Report for the Medical Cannabis Commercial Cultivation Regulations/Licensing Program



Amec Foster Wheeler Environment & Infrastructure

ID	Task Name	Duration	Start	Finish	December	January	February	March	April	May	June	July	August	September
1	Commercial Cannabis Cultivation Regulations and Licensing Program EIR	34.5 wks	Mon 1/2/17	Wed 8/30/17										
2	Notice to Proceed	0 wks	Mon 1/2/17	Mon 1/2/17										
3	Review Background and Technical Review of Existing Setting	3 wks	Mon 1/2/17	Fri 1/20/17		1/2								
4	Kickoff Meeting (1/12 or 1/13) & Fieldwork	5 days	Mon 1/9/17	Fri 1/13/17		1/9								
5	Establish Baseline Conditions (GIS mapping and database)	3 wks	Mon 1/2/17	Fri 1/20/17		1/2								
6	Prepare Notice of Preparation (NOP)	1 wk	Mon 1/2/17	Fri 1/6/17		1/2								
7	Scoping Process (30 days), including scoping meeting/workshop	4.5 wks	Mon 1/9/17	Wed 2/8/17		1/9								
8	Prepare Draft Project Description for Proposed Project and the Less Restrictive Project	3 wks	Mon 1/2/17	Fri 1/20/17		1/2								
9	County Review of Draft Project Description	2 wks	Mon 1/23/17	Fri 2/3/17			1/23							
10	Prepare Administrative Draft EIR	10 wks	Mon 1/9/17	Fri 3/17/17		1/9								
11	County Review of Administrative Draft EIR	2 wks	Mon 3/20/17	Fri 3/31/17				3/20						
12	Prepare Screencheck Draft EIR	2 wks	Mon 4/3/17	Fri 4/14/17				4/3						
13	County Review of Screencheck Draft EIR	1 wk	Mon 4/17/17	Fri 4/21/17				4/17						
14	Prepare and Publish Public Draft EIR	1 wk	Mon 4/24/17	Fri 4/28/17				4/24						
15	Prepare Notice of Completion (NOC) and Distribute Public Draft EIR	1 wk	Mon 5/1/17	Fri 5/5/17				5/1						
16	Public Review Period (45 days), including public EIR hearing	6.5 wks	Mon 5/8/17	Wed 6/21/17				5/8						
17	Prepare Response to Comments (RTC)	1.5 wks	Wed 6/21/17	Fri 6/30/17				6/21						
18	Prepare Administrative Final EIR & Mitigation Monitoring & Reporting Plan (MMRP)	2.5 wks	Wed 6/21/17	Fri 7/7/17				6/21						
19	Prepare Findings and Statement of Overriding Considerations (SOC, if needed)	1 wk	Mon 7/10/17	Fri 7/14/17				7/10						
20	County Review Administrative Final EIR, RTC, MMRP, Findings, and SOC (if needed)	2 wks	Mon 7/17/17	Fri 7/28/17				7/17						
21	Prepare Screencheck Final EIR	1.5 wks	Mon 7/31/17	Wed 8/9/17				7/31						
22	County Review of Screencheck Final EIR	1 wk	Wed 8/9/17	Wed 8/16/17				8/9						
23	Prepare and Publish Final EIR	1 wk	Wed 8/16/17	Wed 8/23/17				8/16						
24	Prepare Notice of Determination (NOD) and Distribute Final EIR	1 wk	Wed 8/23/17	Wed 8/30/17				8/23						
25	Begin County Decision-maker Hearings (Planning Commission, Board of Supervisors)	0 wks	Wed 8/30/17	Wed 8/30/17									8/30	

Assumed Start Date: Mon 1/2/17
Date: Thu 12/1/16

Task Progress Summary External Tasks Deadline
Split Milestone Project Summary External Milestone

V. PROPOSED COST SUMMARY

Amec Foster Wheeler's team has prepared a level of effort proposal to provide a detailed description of the level of effort – by task, and within each phase of the Project, as well as a summary budget. These have been provided to the County under separate cover.

This proposal is an offer for a period of ninety (90) days from the date of submittal. Mr. Aaron Goldschmidt, Vice President, is authorized to sign this proposal. Questions regarding the scope of services, technical approach, or any additional information requests during the period of proposal evaluation can be directed to Ms. Rita Bright.

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No member of the contractor's team has a financial gain or an interest in the financial outcome of the Project.

We believe our resources and qualifications will allow us to successfully complete this Project, and we will commit all necessary staff and resources to the performance of this work within the Project schedule.

Respectfully submitted,



Aaron P. Goldschmidt
Vice President
Environmental Planning and Natural Resources Program

PROPOSAL ASSUMPTIONS

Amec Foster Wheeler's level of effort proposal and schedule to prepare the environmental documentation are based on the County's RFP. We are available upon request of County staff to discuss the level of effort and schedule for deliverables. Amec Foster Wheeler's proposal assumes that:

1. Electronic and/or hard copy versions of relevant County documents and available data, reports, and technical studies (e.g., available maps, GIS data, geotechnical studies, project plans, utilities assessment, etc.) will be provided in a timely manner to Amec Foster Wheeler. Delays in receipt of requested data or documents will cause a slip in schedule and an equitable adjustment in cost based on time and materials needed.
2. Substantive changes to the project description and/or alternatives by the County, once impact analyses have begun, will cause a slip in schedule and an equitable adjustment in cost based on time and materials needed.
3. Amec Foster Wheeler is not responsible for any omission of data or analyses that are not provided or identified to Amec Foster Wheeler by the County, its representatives, or contractors.
4. EIR reproduction is estimated at \$125 per copy for the EIR. Additional hard copies of the EIR may be requested.
5. To minimize conflicting comments between County Departments, the County will strive to consolidate department/division comments on draft documents into each round of review to the extent feasible (assumed to be in MS Word tracked changes).
6. Comments and/or review of administrative draft deliverables from agencies or interested parties outside the County may require additional effort from Amec Foster Wheeler staff to respond and would be provided on a time and materials basis.
7. The County would be responsible for public noticing. California Department of Fish and Wildlife (CDFW) fees are not included in proposal costs.
8. While not included in this scope of work, Amec Foster Wheeler can assist in preparation and distribution of an Initial Study, Notice of Completion, Notice of Availability or Determination, and newspaper notices for an additional time and materials cost at the County's request.
9. Time to address public and agency comments on public draft documents is based on preparing responses to up to 40 discrete topic area comments generated from either agency or individual comment letters. If the responses to comments on administrative or draft documents require new data collection or additional fieldwork or analyses beyond the stated scope of work, an equitable adjustment in the cost based on time and materials needed may be necessary.
10. Amec Foster Wheeler will attend up to eight (8) meetings or hearings, including a kick-off, staff working meetings, and public hearings. Amec Foster Wheeler's Project Manager will attend additional meetings at a cost of \$1,500 per meeting.
11. Amec Foster Wheeler will assist with notes/minutes from public meetings, but we assume all public meetings will be recorded by County personnel for the official record. Amec Foster Wheeler may assist

- in preparing materials, summaries, mailing lists, and notices for the meetings at an additional time and materials cost if requested by the County.
12. Any in-person background research needed will be performed in conjunction with travel for meetings.
 13. Deliverables from the baseline conditions investigation will include a comprehensive GIS to map existing County resources and registered cultivation sites based on available County data, as well as an administrative record of all sources consulted and referenced. We assume that GIS data from the County will be available to provide environmental baseline conditions. Our team would digitize the registered cultivation sites and deliver .shp files with metadata to the County.
 14. Technical reports prepared for the Project would become technical appendices to the EIR and would include air quality/GHG calculations, the biological resources technical report, cultural resources and Native American tribal consultation outreach information, and hazardous materials records. If additional effort is required to prepare Project-specific technical studies, our team would be able to provide such services on a time and materials basis (e.g., focused traffic study, hydrologic studies, etc.).
 15. Scope to assess air emissions includes runs of CalEEMod Version 2016.1.3 for the Project and up to three (3) alternatives. No technical report is proposed, but an air quality appendix will be prepared for the EIR
 16. Scope to develop the baseline conditions for biological resources includes a 5-day reconnaissance-level survey with 2 ecologists from H.T. Harvey and project management and technical team members from Amec Foster Wheeler in the field. These efforts in the field would be scalable depending on the extent and location of cultivation sites. Amec Foster Wheeler would work with the County to adjust the effort as needed to maximize the effort in the field within the contracted scope and budget.
 17. Travels expenses reimbursable based on GSA rates for 2017 in Santa Cruz County for mileage and per diem (meals and incidentals).
 18. Scope to assess cultural resources includes up to \$2,000 for a cultural resources records search and would rely on available data and reports from the County. If cost of records exceeding \$2,000 are determined to be required, supplemental funding would be required to cover fees. No technical report is proposed, but a cultural resources appendix will be prepared for the EIR.
 19. Geologic, ecological, and hydrological resources and hazardous materials surveys or detailed analyses, or requested special research are not included. Assessment for these issues will be based on existing reports, available databases, regional plans, and site walkovers. If unanticipated resources are identified, Amec Foster Wheeler will prepare a supplemental scope and budget for documentation and evaluation of the resources.
 20. Amec Foster Wheeler reserves the right to moves budgeted effort between Project Phases described in the Level of Effort Proposal.