NON-RETAIL COMMERCIAL CANNABIS BUSINESS
BEST MANAGEMENT AND OPERATIONAL PRACTICES (BMOP) REQUIREMENTS

PURPOSE

Pursuant to Santa Cruz County Code (SCCC) 7.128.090(A)(1)(a)(xi), the following Best Management and Operational Practices (BMOP) requirements apply to all non-retail commercial cannabis businesses to reduce the environmental impacts of cannabis operations. The cannabis BMOP requirements shall be administered by the Cannabis Licensing O (CLO) unless otherwise specified. The cannabis BMOP requirements must be upheld by licensees and affiliated operators and will be verified during random and/or annual license renewal inspections. Dependent upon a site's unique circumstances, the nature of operations proposed and licenses sought, CLO will determine the requirements that apply to a cannabis business operation. The BMOP shall be implemented prior to licensed cannabis activities taking place and on an ongoing basis commensurate with the requirements set forth. Failure to comply shall be grounds for license revocation and/or administrative penalties.

Be advised that some requirements set forth in the BMOP will require qualified consultants and/or licensed professionals to prepare studies or plans on behalf of the applicant. It is the applicant's responsibility to ensure they employ a qualified professional where deemed necessary, as stipulated in this document.

Changes to the BMOP may only be made with the explicit approval of the Board of Supervisors by Board Resolution.

BEST MANAGEMENT AND OPERATIONAL PRACTICES

A. SITING CRITERIA

Toward identifying the optimal location for proposed development, prior to developing design plans and prior to formal submittal of proposed plans to the Cannabis Licensing Office and Planning Department, the applicant must demonstrate they have followed the requirements below to ensure potential impacts of proposed development will be avoided or minimized.

1. **Avoidance of Excessive Grading–** In order to protect public health and safety and prevent negative environmental impacts from grading and land disturbance, avoid excessive grading and disturbance associated with cannabis activities. This includes grading for access roads and other improvements such as pads, structures, terracing and other infrastructure, including grading which may be required to meet fire code or other standards. Site design shall minimize grading activities and reduce vegetation removal based on the following requirements:

    a. Access roads and driveways used to access commercial Cannabis facilities and/or growing areas shall not cross slopes greater than 20 percent, and associated cuts and fills shall not exceed 10 feet, and shall not have an unretained height of

greater than 5 feet. Existing access roads that cross slopes greater than 20 percent may be utilized at the discretion of County staff, provided documentation shows they were created through a valid grading permit, or were in existence prior to the County grading ordinance.

b. Building, growing and access areas should be designated on the basis of site inspection and technical reports to avoid particularly erodible areas and areas subject to geologic hazards;
c. The superior growing characteristics of a particular location shall not serve as justification for additional/excessive grading or environmental impacts where alternative locations exist that would result in less grading and/or fewer environmental impacts, even if these may result in lesser crop yield.
d. Cannabis cultivation shall not be allowed on slopes over 20 percent. An exception may be granted by the Licensing Official, if existing areas of cultivation were established prior to January 2013, that allows cultivation sites to be located on slopes greater than 20 percent but less than 30 percent provided they are otherwise in conformance with SCCC Chapter 16 along with the submission of a soils engineering report confirming the stability of slopes to support the cultivation activity.

2. **Minimizing Site Disturbance and Reducing Forest Fragmentation–**To avoid and minimize forest fragmentation, development on sensitive habitat, and conversion of prime agricultural soils, measures shall be taken including, but not limited to, the following:

    a. Cluster Development− New structures, operation work areas, and parking shall be sited so as to cluster development within 200 feet of existing developed areas and structures. Where no existing developed area exists, clustering of all operations and structures shall comply with same 200 foot cluster requirement. Access roads shall involve the minimum distance possible to access cannabis facilities and using existing access roads where feasible is required.

        i. Alternate locations that do not meet this requirement may be considered only if it is determined by the Licensing Official that it is infeasible or undesirable from an environmental protection standpoint. The project proponent must provide sufficient evidence that the siting of new structures and associated infrastructure is located in an environmentally superior location that would not negatively impact existing natural resources or timber resources.

    b. Limit Footprint of Development− Development shall be sited on the property to avoid permanent alteration of native soils. If new development is required, reduce development footprint to convert as little land as possible from its natural state.

        i. In the presence of prime agricultural soils, technical reports are required to demonstrate the new development will conserve prime farmland to the

maximum extent feasible (e.g., siting the proposed use on the perimeter of good agricultural soils where possible).

ii. Site the proposed use to minimize the development footprint which may entail utilizing existing site access roads or locating development on the site to minimize the total area required for new site access, and ensuring building design makes better use of vertical space (multi-level structure) where feasible.

iii. Avoid ridgetops or other areas with potential for significant visual impacts.

c. Karst Zones−In locations underlain by Karst Geology (highly permeable terrain that directly drains to water table), applicant shall:

i. Carry out site-specific geologic investigations to ensure areas of disturbance and the development of structures and roads are sufficiently set back from sinkholes or other karst features.

3. Biological Assessments− Licensees who apply for a license at a site that would involve land alternation or clearing of: 1) established native vegetation; 2) locations that are considered sensitive habitat under SCCC 16.32, Sensitive Habitat; or 3) areas that have been identified as being potentially occupied by a federal or state-listed wildlife or special-status plant species, are required to have a County Resource Planner determine through a preliminary site visit whether a biotic assessment is necessary.

a. If a biotic assessment is required, the Licensee shall hire a County-approved biologist to conduct the assessment.

i. A biotic assessment determines whether protected species or habitat may be present, and whether avoidance, minimization or compensatory measures are necessary.

a. Avoidance of Conflict with an Approved HCP−During the County's review of license applications for cannabis business activities, the County shall review whether a site is located within an area subject to an adopted HCP. The County shall not issue a license for any site on which the proposed activity would conflict with an adopted HCP.

b. Avoid Oak Woodland−To the extent feasible, activities on project sites shall avoid impacts on oak woodland. Avoidance is considered to be completely avoiding any work or staging under the dripline of trees within an oak woodland area, plus a 50-foot buffer. The Licensee shall design, construct, and operate the cannabis business site to completely avoid impacts on oak woodland including a 50-foot buffer established prior to initial ground disturbance. The buffer shall be established at 50 feet from the perimeter of the woodland (as measured by tree

driplines for trees on the outer edge of the woodland) unless otherwise agreed upon by a qualified plant ecologist retained by the County.

c. No Cannabis Activities will be allowed within Sandhills Habitat or Salamander Protection Zone−During the County's review of license applications for cannabis businesses, the County shall review whether a site is located within the Sandhills habitat or in oak woodland within ¼ mile of a known or suspected salamander breeding pond during its biological resources assessment process. The County shall not issue a license for any cannabis activity proposed within the Sandhills or Santa Cruz Long-toed Salamander habitats, with the exception of those indoor activities that do not require any soil disturbance.

ii. In the case of previous unpermitted site disturbance on a property that is being considered for licensing, the assessment shall determine the extent to which specific restoration measures are required where disturbance has occurred.

4. **Archaeological and Paleontological Surveys–** If new site disturbance is required for a proposed cannabis business operation and the location of disturbance has not been subject to prior archaeological or paleontological surveys in accordance with the County's current Native American Cultural Sites and Paleontological Resource Protection regulations (SCCC Chapter 16), the applicant may be required to hire a County approved consultant to conduct archaeological and/or paleontological assessments to document the absence or presence of resources in the project area.

    a. If a current or previously conducted assessment indicates that archaeological or paleontological resources are located in or close to the project area, the applicant shall work with the Planning Department and the consultant as needed to carry out further study to ensure all avoidance measures have been applied. If applicable, applicant shall comply with all recommended mitigation measures the consultant determines necessary to avoid or reduce impacts to resources during construction and ongoing cannabis business operations.

5. **Preliminary Historic Assessment of Structures 50 Years Old or More−** Prior to licensing of cannabis business activities on properties containing a structure or structures that are 50 years old or older that are not identified as historic resources in the County Historic Resource Inventory (HRI), the structure(s) shall be reviewed for eligibility by the Planning Department Historical Resource Planner as an historic resource consistent with SCCC Chapter 16.42 and with the California Register of Historic Resources criteria.

    b. If the Planning Department determines after a preliminary review that the structure(s) may potentially meet the criteria for listing as a historic resource, and that the proposed licensed activities or developments have the potential to impact

the historic significance of the structure(s), then the Licensee shall provide a historic assessment of the structure(s) prepared by a qualified historic consultant.

i. The historic assessment shall include a completed DPR 523a form and a letter prepared by the historic consultant stating whether the property has historic significance.
ii. If it is determined based upon the historic assessment that the licensed activity or development will impact a structure that is eligible as an historic resource pursuant to SCCC Chapter 16.42 or the California Register of Historic Resources criteria, then the staff historical resource planner shall review the site development for compliance with the Secretary of the Interior Standards for the Treatment of Historic Properties. Project conditions will be applied as appropriate to ensure compliance with the Secretary of the Interior Standards.

B. SITE DESIGN

The applicant shall comply with the following requirements, as applicable, to ensure the cannabis operation is compatible with neighborhoods and protects natural resources.

1. **Fencing and Security**– Fencing and other security installations deemed necessary to secure the facility or site, including to protect cannabis crops from damage or predation by animals, shall not obstruct wildlife movement within or through a parcel or cause an animal to become trapped, injured or disoriented.

   The applicant for a permit to allow cannabis development shall prepare and submit to the Cannabis Licensing Office for review and approval a Fencing and Security Plan demonstrating ample security and screening of the commercial cannabis activity. The Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project, as applicable. The Fencing and Security Plan shall include, but not be limited to, the following:

   a. Wildlife-Friendly Fencing and Neighborhood Compatibility

      i. The Fencing Plan shall depict typical fencing details, including location, fence type, and height. All fencing and/or walls shall be made out of material that blends into the surrounding terrain and shall minimize any visual impacts.

         1. Fencing specifications shall be based upon the Montana Fish, Wildlife, and Parks guide: A Landowner's Guide to Wildlife Friendly Fences: How to Build Fences with Wildlife in Mind, Second Edition and Updated 2012 http://fwp.mt.gov/fwpDoc.html?id=34461. Applicants shall pay special attention to the maintenance and use of fencing materials to reduce the chance that wildlife is ensnared or otherwise injured.
         2. Fencing shall be sited and designed to avoid tree removal.
         3. To the maximum extent feasible, fencing for cannabis cultivation sites in Mountain and South County Regions shall consist of:
            a. Natural barriers and deterrents (e.g., planting using Agricultural Buffer Plant List, approved by the Santa Cruz County Agricultural Policy Advisory Commission: http://www.sccoplanning.com/PlanningHome/Environmental/AgriculturalResources/RecommendedAgriculturalBufferPlantingList.aspx) to prevent trespass from humans, and shall be visually consistent to the maximum extent possible, with surrounding agricultural and open space lands.
         4. The least amount of fencing shall be used to secure the site and protect the cannabis cultivation area. In the case of grow areas that

need to be protected from wildlife intrusion, the smallest area possible shall be used immediately surrounding grow site to minimize disruption of wildlife movement through property.

5. Prohibited fencing materials include razor wire, tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.
6. The fence shall include a lockable gate(s) that is (are) locked at all times, except for during times of active ingress/egress. To the extent feasible, gates should be placed at corners and not along edges of fence to allow wildlife such as deer a better chance to escape if they do enter fenced area and gates are unlocked to allow them to exit.

ii. The Licensee shall submit fencing plans to the County CLO for review and approval to ensure all requirements above are met and to ensure appropriateness of proposed fencing (e.g., use of natural materials and compatibility of proposed fence color with surroundings and compliance with applicable fence requirements of SCCC Chapter 13.10) prior to issuance of a cultivation license.

iii. The Licensee shall demonstrate to the CLO, through a site visit or photographs, compliance with any fencing or security requirements and that all fencing is in place as required prior to commencement of cannabis business activities.

b. Lighting for Security

i. The applicant for any commercial cannabis activity involving exterior artificial lighting shall submit a Lighting Plan to the CLO for review and approval. The Lighting Plan shall be implemented prior to the issuance of final building inspection and/or throughout operation of the project, as applicable. The Lighting Plan shall include the following:

1. Plans shall identify all lighting on the property and demonstrate that all lighting will comply with the standards set forth herein.
2. Lighting necessary for security shall consist solely of motion-sensor lights and avoid adverse impacts on properties surrounding the lot on which the cannabis activity is located.
3. Any outdoor lighting shall be fully shielded and directed downward. All exterior light sources shall comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG).

2. Use of Impermeable and Permeable Surfaces−Excessive introduction of impermeable surfaces, including pavement, and permeable materials including baserock, may

permanently alter a parcel's ability to absorb water onsite, and affect future soil productivity. Licensee shall avoid or minimize use of surfaces that may impact their long-term viability and the ability of native soils to perform their function in water absorption.

a. Limit surfaces that may impair long-term native soil productivity, water permeability, water retention, or soil aeriation. Licensee shall demonstrate that they have minimized the use of surface materials that would permanently alter native soils.

    i. Impervious or pervious surfaces to be used in support of new cannabis operations, whether for structures or access, which impair long-term soil capabilities shall be limited to the minimum area necessary to provide structural support and access.

        1. Inorganic materials, such as baserock, gravel, or builder's sand, shall not be used as a surface for container placement or associated staging facilities unless it can be shown that the materials can later be removed without adversely impacting the underlying soils.
        2. Permanent impervious surfacing, such as cement and asphalt pavement, shall not be permitted as a platform for crop containers.
        3. Impermanent impervious surfacing, such as tarps, or impermanent pervious surface material, such as weed cloth, may be permitted with an approved drainage system to control irrigation and stormwater runoff. The impermanent impervious surfacing shall not adversely impact the on-site soils or adjacent properties.

    ii. On CA Zoned Property: Development shall minimize use of impervious or semi-pervious materials on Type 1-3 soils with the potential to impact underlying soils. Technical reports are required to demonstrate conservation of farmland to the maximum extent feasible.

3. **Visual Screening of Cannabis Infrastructure**. To reduce the visual impacts associated with cannabis infrastructure, the Licensing Official shall determine on a case by case basis whether cannabis infrastructure requires specific conditions to minimize visibility, so that cannabis related development does not project above a local ridge or tree line, and/or require specific color palettes for infrastructure that blend in with the surrounding environment.

    a. The Licensee shall submit the visual screening plan to the County Cannabis Licensing Office for review and approval to ensure appropriateness of the proposed color palette and techniques to be used to minimize visibility of cannabis-related infrastructure. This shall include siting and/or landscaping, as necessary and consistent with protection or other natural resources.
    b. The Licensee shall demonstrate to the County Cannabis Licensing Office, through plans, a site visit, or photographs the site's compliance with any screening, painting, or other approved visual blending technique applied, and shall complete

prior to cultivation activities, or within a timeframe established by the Licensing Official.

c. The County shall review and approve the visual screening plan prior to issuance of a license. The County shall review site conditions periodically, as determined necessary, and during license renewal.

4. **Water Resources− Drainage.** New and existing commercial cannabis facilities and cultivation operations must meet County and State requirements for project design and construction. These standards exist to ensure that stormwater is captured/retained on-site and runoff impacts to neighboring properties and water bodies are minimized. Best Management Practices (BMPs) for facility design and stormwater management (pre and post-construction) have been published by the County Public Works Department, Planning Department, and Santa Cruz County Resource Conservation District (SCCRCD). Taken altogether, the Design Criteria and BMP measures provide a suite of actions that enable licensed cannabis operators to design, build and efficiently operate their projects to meet and remain in compliance with County and State water quality protection requirements.

    a. Prospective licensees shall use industry-standard manuals to plan, design and construct commercial cannabis facilities, including:

        i. "California Stormwater Quality Association- Stormwater Best Management Practice Handbook- New Development and Redevelopment" (https://www.casqa.org/resources/bmp-handbooks/new-development-redevelopment-bmp-handbook);
        ii. "County of Santa Cruz Design Criteria Containing Standards for the Construction of Streets, Storm Drains, Sanitary Sewers, Water Systems, Driveways Within the Unincorporated Portion of Santa Cruz County" (Part 3. Stormwater Management). (http://www.dpw.co.santa-cruz.ca.us/Portals/19/pdfs/DESIGNCRITERIA.pdf);
        iii. "Slow it. Spread it. Sink it!. A Homeowner's guide to Greening Stormwater Runoff". (http://www.rcdsantacruz.org/resources).

    b. All drainage shall be routed away from areas with karst geologic features.

5. **Water Storage−** Water storage shall be sufficient to meet Fire Department requirements and irrigation requirements taking into consideration applicable State Water Resources Control Board forbearance periods.

    a. Rainwater Collection System− Licensees for cannabis cultivation shall install a rainwater collection system including using all available structures associated with the cannabis business, such as greenhouses, drying and trimming sheds, barns and storage facilities, and residences. Licensee shall calculate projected water demand for irrigation during the dry season (April 1 through September 30; or dates as modified by the State Water Resources Control Board) in order to determine the maximum storage required, and estimate the potential water

available based upon average rainfall in the area and square footage of roof surface available for harvesting. Required rainwater capture storage shall be the smaller of the two estimates.

b. Water Tanks−Tank construction, capacity and quantity shall comply with all Planning and Building Department requirements.

    i. Tank(s) must observe all applicable setbacks for structures;
    ii. If allowed for water storage purposes as determined by County and State regulations, ponds must be lined with an environmentally friendly material (bentonite, bento-mat, degradable geotextiles) and provide escape routes in ponds for amphibians/wildlife. Further, ponds must be responsibly managed to prevent the breeding of mosquitos and other vectors.
    iii. Water storage locations shall be elevated where feasible to eliminate the need to pump water.

C. CONSTRUCTION REQUIREMENTS

The applicant shall comply with the following requirements, as applicable, to ensure cannabis facilities construction protects neighborhoods and natural resources.

1. Active Construction Requirements

a. Seasonal Restriction− To the extent practicable, ground-disturbing activities will be avoided during the wet season (i.e., between November 1 and March 31) to minimize impacts due to erosion and sedimentation.
b. Roosting Bat or Nesting Bird Survey− For sites involving clearance of existing mature vegetation during breeding season, the Licensee shall hire a County-approved biologist to conduct a pre-activity survey for nesting birds to ensure that no nests will be disturbed during Construction or operation of a proposed cultivation or manufacturing site. These surveys shall be conducted no more than seven days prior to the start of initial ground disturbing activities. During these surveys, the biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, ruderal grasslands, buildings, and bridges) in and immediately adjacent to the impact areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction or operation of a proposed site, the biologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 0.5-mile for bald and golden eagles, 300 feet for other raptors, 250 feet for tricolored blackbird colonies, and 100 feet for other non-raptors) to ensure that no nests of protected birds shall be disturbed during construction or operation of a proposed site. No new Program-related activities shall be performed within the buffer zone until the young have fledged or the nest has been determined to be inactive by a County-qualified ornithologist.
c. Work Hours− No outdoor construction activity will be initiated until 30 minutes after sunrise, and all outdoor construction activity will cease 30 minutes prior to sunset.
d. Worker Environmental Awareness Program− Prior to the start of initial ground-disturbing activities, a qualified biologist shall conduct a pre-activity training program for all employees, contractors, or representatives of the Permittee who will take part in any project-related activity.

    i. The training shall be tailored to the specific resources potentially occurring on the cannabis site in question and will include a discussion of sensitive biological resources within the area (including sensitive and regulated habitats), the potential for occurrence of special-status species, and the life histories of those species.
    ii. The training will also review the project boundaries, work limits, and applicable environmentally sensitive areas.
    iii. The pre-activity training program will also provide images of potentially occurring special-status species and review the avoidance, minimization,

and protection measures to be implemented to ensure species are not impacted by project activities.

iv. A handout that summarizes all the information covered in the pre-construction training program will be given to all on-site personnel and copies shall be made available on the site at all times.

e. Prevention of Spread of Nonnative Invasive Plants and Noxious weeds−The Licensee shall employ the following Best Management Practices (BMPs) for weed control to avoid and minimize the spread of nonnative invasive plant species:

i. Prior to grading or soil disturbance, invasive weed infestations (weeds as defined by the California Department of Food and Agriculture: https://govt.westlaw.com/calregs/Document/ID0CA0B50BE0A11E4A26BC7E8507C2F0D?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default) within areas of direct permanent or temporary disturbance will be removed, and all vegetative material will be carefully bagged and transported to the landfill for professional high-temperature composting, taking care to prevent seed dispersal during the process by covering trucks transporting such material from the site.

ii. Following construction, site-appropriate native seed from a local source shall be planted on all disturbed ground that will not be cultivated or landscaped and maintained. Licensees shall consult with the Santa Cruz County Resource Conservation District (RCD) to determine appropriate native seeds for planting.

iii. Plantings in landscaped areas shall consist of site-appropriate native species to the extent practicable as determined by the Santa Cruz RCD or County-approved biologists.

iv. Heavy equipment used in the activity area shall be washed prior to and following work at the site, before the equipment is used in other ground-disturbing activities, to prevent spread of weed seeds.

f. Sediment Control Measures−Sediment control measures will be utilized throughout all phases of ground disturbance where sediment and/or earthen fill threaten to enter Waters of the U.S./State. All exposed/disturbed areas within the cannabis site shall be stabilized to the greatest extent possible. Erosion control measures, such as silt fences, straw hay bales, gravel or rock lined ditches, water check bars, and broadcast straw will be used where ever sediment-laden water has the potential to leave the work site and enter Waters of the U.S./State. Erosion control measures will be monitored during and after each storm event. Modifications, repairs, and improvements to erosion control measures will be made whenever needed. Materials used for erosion control or to repair erosion control will not pose a risk to fish or wildlife (e.g., materials containing

monofilament will not be used to avoid entanglement of wildlife). Additional requirements include:

i. County of Santa Cruz Construction Site Stormwater Pollution control BMP Manual". http://www.sccoplanning.com/Portals/2/County/Planning/env/ConstructionStormwaterBMPManual-Oct%20312011version.pdf?ver=2012-02-21-133552-347

g. Staging and Storage Areas− Staging and storage areas will be located in a dry upland location, above the top of bank of any water courses/drainage areas and outside mandatory riparian setback areas. Staging and storage areas will be within a paved or gravel- lined site, if feasible. Stationary equipment such as motors, pumps, generators, compressors, and welders located within or adjacent to a stream will be positioned over drip pans. Stationary heavy equipment will have suitable containment to handle a catastrophic spill/leak.

h. Spill Containment− Spill containment kits will be maintained onsite at all times during construction operations and/or staging or fueling of equipment to contain and remediate incidental spills of fluids, such as fuels, oils, cleaning products, etc.

i. Open Pipe Restriction− All pipes, culverts, or similar structures that are stored vertically or horizontally on site for one or more overnight periods will be securely capped on both ends prior to storage to prevent their occupancy by wildlife, and they will be thoroughly inspected for wildlife prior to being moved.

j. Open Trenches−Any open trenches, pits, or holes with a depth greater than 1 foot will be covered at the conclusion of work each day with a hard, non-heat conductive material (e.g., plywood). No netting, canvas, or material capable of trapping or ensnaring wildlife will be used to cover open trenches. If use of a hard cover is not feasible, multiple wildlife escape ramps will be installed, constructed of wood or installed as an earthen slope in each open trench, hole, or pit that is capable of allowing large (i.e., deer) and small (i.e., snakes) wildlife to escape on their own accord. Prior to the initiation of construction each day and prior to the covering of the trench at the conclusion of work each day, a qualified biologist or on-site personnel will inspect the open trench, pit, or hole for wildlife. If wildlife is discovered it will be allowed to leave on its own accord; if wildlife does not leave on its own accord consultation with the California Department of Fish and Wildlife (CDFW) will be initiated.

k. Spoils Placement− Spoils will be placed in a stable area outside of streams, wetlands, riparian areas, and other sensitive habitats.

l. Intake Screens− Any surface water diversion that is permissible according to County and/or State regulations during construction require intake hoses and

pump inlets to be completely screened with wire mesh not larger than 5 millimeters to prevent native fish, amphibians, and other aquatic species from entering the pump system. The screens will be made of non-corrosive material. The screen will be kept in good repair and cleaned/checked frequently. All screens will be supported above the channel bottom.

m. Vegetation Removal− Disturbance or removal of vegetation will be kept to the minimum necessary to complete permitted project-related activities and must be approved by the CLO and/or Planning Department prior to removal.

n. Riparian Buffers− Maintain buffers from riparian areas and other sensitive habitat areas, consistent with SCCC Title 16, to minimize intrusion from cannabis activities.

o. Post-Construction Revegetation− Restoration and revegetation work required after construction activities will be implemented using native California plant species collected on-site or from local sources (i.e., local ecotype). Plant species and material from non-local sources will be utilized only with prior written authorization from the County as determined by the County RCD and/or a County approved biologist.

    i. Revegetation will be completed as soon as possible after earthmoving activities cease. Seeding placed after October 15 will be applied by hydro-seed or will be covered with broadcast straw, jute netting, coconut fiber blanket, light mulch or a similar erosion control method. Erosion control blankets with monofilament or woven plastic strands may not be used.

D. OPERATIONAL REQUIREMENTS

The applicant shall comply with the following requirements, as applicable, to ensure the ongoing operation of a cannabis business is compatible with neighborhoods, and protects employees and natural resources.

1. **Employees−**
    a. Implement TDM Measures− To reduce operation-generated NOx emissions related to offsite mobile emissions caused by implementation of the Program, licensees must implement feasible TDM measures that reduce vehicle travel to and from their proposed site:

        i. Provide for carpool/shuttle/mini bus service for employees, especially during harvesting periods, on cultivation sites;
        ii. Provide bicycle storage/parking facilities;
        iii. Provide incentives to employees to rideshare or take public transportation;
        iv. Implement compressed or flexible work schedules to reduce the number of days per week that employees are needed onsite.

    b. Worker Rights and Safety− Licensees shall comply with the following requirements to ensure work health, safety and welfare:

        i. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Santa Cruz County Code (including the Building Code).
        ii. All persons hiring employees to engage in commercial cannabis business shall comply with the following Employee Safety Practices:
            1. Cannabis business operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
                a. Emergency response planning;
                b. Employee accident reporting and investigation policies;
                c. Fire prevention;
                d. Hazard communication policies, including maintenance of material safety data sheets (MSDS) and establish materials handling policies; and
                e. Personal protective equipment policies, including respiratory protection.
            2. Cannabis operations must visibly post and maintain an emergency contact list which includes at a minimum:
                a. Operation manager contacts;
                b. Emergency responder contacts; and
                c. Poison control contacts.

3. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
4. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations. No camping onsite permitted at any time.

Responsible Department: Cannabis Licensing Office

2. **Herbivory Prevention Plan**– It is the responsibility of every cannabis business licensee to proactively protect cannabis plants or related infrastructure from herbivores, such as wood rats or deer, in an ecologically friendly manner. Every applicant for cannabis cultivation activities must develop and execute an herbivory prevention plan commensurate with the scale of their proposed operations in order to prevent crop damage from wildlife predation or other unwanted nuisances. The Cannabis Licensing Official may waive some requirements for exclusively indoor, well-sealed, fully enclosed and secure buildings, such as a warehouses if it is determined some measures are unnecessary.

   An Herbivory Prevention Plan must be developed, executed and maintained throughout the life of the cannabis business license. Site inspections shall confirm that these measures are being taken on an ongoing basis. Every licensee shall work in consultation with a County approved biologist to prepare a plan incorporating measures including those listed below, as deemed appropriate, which shall be submitted prior to cannabis license issuance.

   a. **Herbivory Control**– All efforts to control unwanted herbivores are temporary and regular monitoring and maintenance is required of all licensees.

      In the case of rodents, populations may be low for one to several years after conscientious plan implementation, but if not maintained, a new group of rodents will eventually re-establish in the vacated biological niche if food, water, and habitat are available. Rodent control relies on management that includes improved sanitation, exclusion, biological controls (e.g., beneficial predators like owls), habitat modification and elimination (e.g., mulches to control weeds, removal of ivy or similar non-native habitat for rats), and trapping. Woodrats or other rodents may chew on the stalks of young marijuana plants as a source of sugar and water. Rodents are mostly a danger when plants are young. Once the plants are taller, they can withstand some loss of the smaller lower limbs and buds. For this reason, traps or barriers may only be needed at the start of the growing season.

In the case of larger mammals such as deer, exclusionary fencing that will not harm wildlife (see Fencing requirements under *Site Design* chapter) is acceptable.

Not all methods and tactics will work at every site. A County approved biological consultant shall be retained to ensure monitoring and evaluation of plan efficacy throughout the life of the project.

i. Physical barriers− Protect the base of the plants. The best deterrence against woodrat or other rodent predation is a physical barrier around the base of each plant: a 3-foot tall barrier of chickenwire, wrapped twice around each plant. Do not use Tanglefoot: it will not work, and may kill beneficial species like bees, lizards, snakes, and even birds.

   Depending on the plant's life stage, using chickenwire (or hardware cloth), to cover plant in semi-burrito shape around plant protects its roots against gophers and its stalk & leaves against rabbits, woodrats and deer.

ii. Mechanical traps shall not be used for rodent control due to the risk of inadvertently trapping a protected species, including the Dusky-footed wood rat.

   Further, glue/sticky traps should never be used to control rodents. Not only are these devices cruel, they are indiscriminate killers that commonly catch non-target animals such as songbirds, baby mammals, lizards, and snakes.

iii. Biological controls: Attract natural predators−Barn owls are the most voracious predators of rodents; a single wild barn owl usually eats about four small rodents a night—that's 1,460 per year. A barn owl family may eat up to 4,000 prey items during a single breeding season. Installing barn owl nest boxes will attract these beneficial predators to hunt and nest in your area. Barn owls are not territorial, so you may install more than one nest box on your property.

   To make your property raptor-friendly, some properties may be appropriate for installing barn owl nest boxes and raptor perches. In working with a County approved biologist, an assessment must be made whether and where to install owl nest boxes or raptor perches as not all properties are appropriate. Owl boxes must be prepared in consultation with a County approved biologist and must be maintained in accordance with a maintenance schedule to ensure nests are operational and safe for raptor use.

iv. For more ideas on incorporating other non-toxic controls for small mammal pests in the garden, please see the handout, "Controlling Small Animal Pests," from the UCSC Farm & Garden. https://casfs.ucsc.edu/documents/for-the-gardener/gopher_control.pdf

b. Deer and other Wildlife– Applicant shall comply with all wildlife friendly fencing requirements noted in the *Site Design, Fencing* section of this BMOP to control for unwanted deer predation or predation by other animals.

3. **Riparian Buffer Protection**– No storage or staging of any equipment or employee activities is allowed within required riparian setback areas designated for natural resource protections.

   a. The removal of vegetation is prohibited within the setback. Unless as otherwise directed by a County approved biologist, riparian buffers shall be replanted with native vegetation if required to help ensure the buffer zones perform their protective function;
   b. Observe riparian corridor setbacks: These areas shall be maintained as "no touch" areas. No equipment, vehicles, composting or other activity shall be stored or carried out in the riparian setback.

4. **Supplemental Lighting for Cultivators**– Cultivators using artificial lighting to support cultivation shall shield structures so that no light escapes the structure, other than for the brief entry or exit of employees.

   a. Light shall not escape the structure where artificial light is used for cultivation between sunset and sunrise in order to prevent disorientation of wildlife moving through property or disrupt neighboring properties.

5. **Pesticides, Fuel Storage, and Hazardous Materials**– Do not improperly store or use any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.

   a. Any uses of pesticide products shall be in compliance with the State pesticide laws and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation.
      i. The following requirements shall apply to all licensees unless otherwise directed by the Agricultural Commissioner and/or Department of Pesticide Regulation:

         1. Pesticide Storage
            a. Pesticide Storage must comply with 3CCR Sections 6670 – 6684
               http://www.cdpr.ca.gov/docs/legbills/calcode/030204.htm

b. Secure pesticides in locked storage shed;
c. Shed shall be ventilated and located in the shade;
d. Secondary containment capable of holding the maximum possible volume stored is required;
e. Pesticide and fertilizer storage facilities shall be located outside of the Riparian setbacks established in SCCC 13.10 for structures;
f. Pesticide and fertilizer storage facilities shall be adequate to protect pesticide and fertilizer containers from the weather;
g. Store all bags and boxes of pesticides and fertilizers off the ground on pallets or shelves;
h. If the structure does not have an impermeable floor, store all liquid pesticides and fertilizers on shelves capable of containing spills or provide appropriate secondary containment;
i. Routinely check for leaks and spills;
j. Have spill cleanup kit onsite to be able to respond to any leaks or spills.
k. Follow the additional requirements of the California Department of Pesticide Regulation Pesticide Safety Information Series A-2. http://www.cdpr.ca.gov/docs/whs/pdf/hs711.pdf
l. Pesticide storage must be posted and the sign must be visible from the direction of probable approach if any pesticide containers bearing the signal words "warning" or "danger" are stored. Posting requirements must comply with 3CCR, Section 6674. http://www.cdpr.ca.gov/docs/legbills/calcode/030204.htm

2. Pesticide Use
   a. For all pesticides, users must follow state guidelines for pesticides that can legally be applied to cannabis (http://www.cdpr.ca.gov/docs/cannabis/can_use_pesticide.pdf) and comply with all pesticide label directions and requirements including: use of personal protective equipment, application method, and rate, environmental hazards, reentry intervals and greenhouse and indoor use directions.
   b. Prior to the use of any approved pesticide on cannabis, obtain an Operator Identification Number from the County Agricultural Commissioner.
   c. Submit monthly pesticide use reports to the County Agricultural Commissioner.
3. Fertilizer Use

a. Prior to applying fertilizers, evaluate irrigation water, soils, growth media, and plant tissue to optimize plant growth and avoid over fertilization.
b. Apply fertilizers at label rates.
c. Do not apply fertilizers in a way that will result in runoff that may contaminate ground or surface water.

b. Storage of Fuel−Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.

i. The following requirements shall apply to all licensees unless otherwise directed by the Environmental Health Department.

1. Storage located more than 100 feet from water source with no discharge path to water;
2. Proper storage instructions shall be posted and visible to all employees;
3. Supply of spill clean-up material shall be stored near storage unit.

c. Hazardous materials and wastes from cannabis businesses are regulated by the Santa Cruz County Environmental Health Department that administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA). This includes the application, inspection, enforcement, and reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA). Licensees shall comply with all current or future requirements of the SCC Environmental Health Department.

6. **Odor Abatement Plan**− The applicant for cultivation, nursery, manufacturing (volatile and non-volatile), and/or distribution permits, shall (1) prepare and submit for Cannabis Licensing Office review and approval, and (2) implement, an Odor Abatement Plan. The Odor Abatement Plan must reduce odors that are experienced within residential areas, to the maximum extent feasible as determined by the Cannabis Licensing Official. The Odor Abatement Plan shall be implemented prior to the issuance of final building and/or grading inspection and/or throughout operation of the project, as applicable. The Odor Abatement Plan must include the following:
   a. A floor plan, specifying locations of odor-emitting activity(ies) and emissions;
   b. A description of the specific odor-emitting activity(ies) that will occur;
   c. A description of the phases (e.g., frequency and length of each phase) of odor-emitting activity(ies);
   d. A description of all equipment and methods to be used for reducing odors. A Professional Engineer or a Certified Industrial Hygienist must review and certify that the equipment and methods to be used for reducing odors are consistent with accepted and available industry-specific best control technologies and methods designed to mitigate odor;

e. Approved odor control systems, subject to certification as required in Subsection d above, may include, but are not limited to:
    i. Activated carbon filtration systems.
    ii. Vapor-phase systems. Vapor-phase systems must comply with the following:
        1. The resulting odors must be odor-neutralizing, not odor-masking.
        2. The technology must not be utilized in excessive amounts to produce a differing scent (such as pine or citrus).
        3. Use of these systems must have supporting documentation to demonstrate that the systems meet United States Environmental Protection Agency's Acute Exposure Guideline Levels or similar public health threshold.
        4. Other odor controls systems or project siting practices that demonstrate effectiveness in controlling odors.

f. If an applicant reasonably believes that odors will be undetectable beyond the lot lines of the lot on which the cannabis activity will occur and, consequently, an complete Odor Abatement Plan is unnecessary, the applicant shall submit written documentation with the application for the cannabis permit, which sets forth the reasons why an Odor Abatement Plan is unnecessary, for the Cannabis Licensing Office's review and approval.

7. **Water Supply and Quality**

a. California State Water Resources Control Board Requirements−Licensee shall maintain compliance with all statutes, regulations and requirements of the California State Water Resources Control Board (State Water Board), including but not limited to the following:

    i. All Licensees shall be compliant with the General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities Order (General Order) which implements the requirements of the State Water Board Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation (Cannabis Policy). The Cannabis Policy establishes requirements for the diversion of water and discharge of waste associated with cannabis cultivation activities. Dischargers engaged in cannabis cultivation or associated activities are subject to the requirements of the Cannabis Policy and may be required to obtain coverage under the General Order. https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/finaladoptedcango101717.pdf

b. Department of Fish & Wildlife− Licensee shall comply with the terms of any applicable Lake and Streambed Alteration Agreement obtained from the California Department of Fish & Wildlife.

c. Water Tank Supply Management−To the maximum extent feasible, the Cannabis Licensing Office shall coordinate with Licensees to establish shared water tanks for fire purposes in areas where two or more cannabis businesses are in close proximity.

    i. Filling of water tanks from groundwater or surface water sources to meet Fire requirements or irrigation needs shall be limited to the rainy season, between October 15 and April 15, or on dates as modified by the State Water Board, when groundwater resources are maximized. Note, applicant must consult with State Water Board to determine if they may divert surface water for storage purposes.

    1. All water used for cultivation purposes must be obtained from an approved on-site source, except for water used in the case of emergencies, and water obtained from a Department of Public Health, Food and Drug Branch or State Water Resources Control Board licensed water hauler that is used solely for the initial filling of water tanks used to meet on-site water storage requirements for firefighting purposes. Information identifying the originating water agency and identifying information for the licensed water hauling company shall be provided to the Cannabis Licensing Office for verification. Any non-potable water sources or water diversions must be approved in advance by the State Water Resources Control Board by obtaining a valid water right such as a Cannabis Small Irrigation Use Registration.

d. Irrigation−Irrigation must be conducted in a manner that does not result in waste or runoff from the cultivated area.

    i. Licensees shall work with the County Cannabis Licensing Office staff to identify and implement water conserving features of the cultivation site depending on the location and type of cultivation, including, but not limited to:

        1. Recirculated irrigation water (zero waste);
        2. Timed drip irrigation
        3. Soil moisture monitors;
        4. Evaporative barriers on exposed soils and pots;
        5. Use of recycled water;
        6. Irrigation only when soil is dry;
        7. Water at rates that avoid runoff;
        8. If using an irrigation system, inspect for and repair leaks prior to planting each year and continuously during the season;
        9. Inspect water delivery system for leaks prior to planting each year and periodically during the season;

10. Install float valves on tanks to prevent tanks from overflowing. Provide for secondary containment in the event of rupture or overflow of water storage. Containment must be sufficient to capture or infiltrate the maximum contents of the tank;
11. Implement mechanical retrofits on watering systems to improve water efficiency, such as changing droplet size on nozzles, spraying closer to the ground, and lower water pressure;
12. Water plants at the appropriate time of day and frequency, according to month, season, and availability. Avoid watering in the wind and heat;
13. Document watering schedule, and implement weather-based irrigation scheduling;
14. Implement water harvesting reuse practices and recapture and reuse water wherever possible;
15. Use greywater that does not contain chlorine bleach, salts, or boron to irrigate plants, as it also acts as a gentle fertilizer. Do not let greywater runoff into any water bodies;
16. Measure and monitor the quantity of all water used, including fresh, recycled, and harvested.

Water conserving techniques shall be reviewed and approved as part of the licensing process.

8. **Waste**− Licensee shall develop, obtain approval for and execute a waste management plan that details all waste handling and storage procedures to be used for the cannabis business pursuant to the requirements of the California Department of Food and Agriculture, California Department of Public Health, Bureau of Cannabis Control, and the Santa Cruz County Department of Public Works.

   Each Licensee shall prepare and submit a Cannabis Soil, Plant Material, and Solid Waste Management Plan for the cannabis site, which describes the type and amount of solid waste that would be generated by the cultivation, manufacturing or distribution operation.

   a. Provide detail on how waste (green waste, solid waste, hazardous waste, as applicable) will be properly stored and secured for disposal onsite, and provide detail on where and how cannabis plant material will be disposed of onsite or offsite. All measures that are used must be maintained through the life of the project.
      i. Green Waste Management− Cannabis plant material and other organic materials may be composted and/or mulched on site or ed to fully permitted and legal location for composting.
         1. Any plan to compost onsite must be prepared in consultation with a County approved biologist to ensure no impacts to water bodies including in riparian setbacks. Licensee shall ensure no discharge of pollutants to a watercourse.

a. Used growth medium (soil and other organic medium) shall be handled to minimize or prevent discharge of soil and residual nutrients and chemicals to watercourses. Proper disposal could include incorporating into garden beds, spreading on a stable surface and re-vegetating, storage in watertight dumpsters, or covering with tarps or plastic sheeting prior to proper disposal. The method of disposal must be documented and justified by the consulting biologist and associates.
b. Compost piles are to be located outside of riparian setbacks and in a manner that will not discharge pollutants to a watercourse. As recommended by the consulting biologist, possible measures to avoid impacting water bodies may include: construction of a berm or installation of a fiber roll around compost area to prevent runoff or use of straw wattles around perimeter of compost area. Cover compost piles with tarp or impermeable surface prior to fall rains and continuously throughout the rainy season.

2. Any cannabis related organic waste that is not composted onsite (see item 2 below) shall be collected and processed by a local agency/waste hauler contracted by the County, or may be hauled to a manned, fully permitted solid waste landfill or transformation facility subject to the requirements of CDFA.

ii. Litter Control−A litter control program will be instituted at each cannabis site. All workers shall ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash are deposited in covered or closed trash containers. The trash containers shall be removed from the site at a frequency sufficient to prevent overflow of trash.

iii. General requirements for other business waste−All waste shall be securely contained and covered in an area designated for waste and recycling. All cannabis business operations shall contain trash/waste in a manner that maintains neighborhood compatibility including eliminating potential odors and visual impacts. Transfer of cannabis waste material from the site shall only occur as allowed by state and local regulations, either through pre-treatment onsite to render the waste acceptable to licensed landfill or composting facilities, or using a commercial hauler that meets state and local regulations for the treatment and disposal of cannabis waste.

9. **Alternative Energy Sources**− Electrical power for indoor cultivation operations including but not limited to illumination, heating, cooling, and ventilation shall be provided by alternative energy sources according to the following priority: 1) on-grid power with 100-percent renewable or carbon-free source (a planned product of Monterey Bay Community Power in 2018), or 2) a combination of grid power and on site renewable generation to achieve annual zero net electrical energy usage, or 3) purchase of carbon offsets of any portion of power not from renewable or carbon-free sources. As a

first priority, carbon offsets shall be purchased through a qualified local entity such as The Offset Project.

For new buildings, onsite solar photovoltaic systems shall be required, and retrofitted buildings shall be encouraged to install onsite solar photovoltaic systems to offset energy demand. All indoor cannabis cultivation and manufacturing facilities shall exceed the minimum standards of Title 24, Part 11 (CalGreen) by adopting all or some elements of CalGreen Tier 1 and 2 voluntary elective measures to increase energy efficiency in new buildings, remodels and additions. These measures shall prioritize upgrading lighting (e.g., using lightemitting diode [LED] lights) in indoor and greenhouse grow rooms, heating and cooling systems, appliances, equipment and control systems to be more energy efficient.

10. **Energy Conservation**− Maximize energy efficiency of cannabis activities, including, but not limited to:

    a. Conduct an annual energy audit;
    b. Measure and record net energy usage;
    c. Maintain efficient heating/cooling/dehumidification systems;
    d. Implement energy efficient lighting, specifically LEDs over HID or HPS lighting where feasible;
    e. Implement automated lighting systems;
    f. Utilize natural light when possible;
    g. Utilize an efficient circulation system;
    h. Ensure that energy use is above or in-line with industry benchmarks;
    i. Implement phase-out plans for the replacement of inefficient equipment.

Responsible Department: Cannabis Licensing Office

11. **Access Roads**−The following requirements apply to licensees to ensure minimal impacts to neighborhoods and wildlife in association with the cannabis business.

    a. Vehicle Access−To minimize harassment, injury, death, and harm of sensitive wildlife species due to temporary habitat disturbances, all cannabis-related vehicle traffic and operations will be restricted to established roads, construction areas, equipment staging, storage, parking, and stockpile areas to the extent practicable. Vehicles will observe a 20- miles per hour speed limit within construction areas, except on County roads and State and Federal highways.
    b. Rural Road Management− Where cannabis related sites are located outside of an existing CSA, but within a rural road maintenance association, the County Licensing Official, in coordination with the County Department of Public Works, Transportation Division, shall require proof of registrant participation in the rural road maintenance association, if applicable, to ensure the safe access and compatibility of proposed operations, prior to issuance of a license to cultivate cannabis.

12. **Site Closure or Cleanup and Restoration Plan for Relocated Cultivation Sites**−Areas of disturbance from existing cannabis activities that have degraded habitat areas or have degraded arable agricultural soils, where applicable, shall be restored when licensing results in the relocation of existing cannabis operations to another location on a property or to another property, or when a licensed cultivation site is vacated by licensee. This shall include the removal of impervious surface and pervious surface areas, where applicable.
    a. Cannabis operations that are non-conforming with site criteria following the adoption of Santa Cruz County Code (SCCC) Section 7.128 and 13.10 shall be vacated or relocated per the requirements of the SCCC. Prior to abandonment or relocation, the existing operator shall prepare a Cleanup and Restoration Plan to be submitted with the licensing application materials. The Cleanup and Restoration Plan shall contain at least the minimum site-specific information required for the County to determine that the vacated cannabis site does not result in a violation of water quality standards or other natural resource protection regulations of the SCCC.

The Cleanup and Restoration Plan shall include a requirement for annual reporting to the Cannabis Licensing Office for a period of five years to ensure restoration and maintenance of the site.