

# Exhibit E

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## **EXHIBIT E**

### **Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164**

#### **Multi-Site Cannabis Initial Study/Mitigated Negative Declaration Planning File No. REF150048**

##### 1. Introduction

The Multi-Site Cannabis Initial Study/Mitigated Negative Declaration (IS/MND) (File No. REF150048) was prepared to evaluate potential cumulative effects of 45 sites that proposed to cultivate cannabis within existing greenhouses or industrial buildings. The Initial Study identified potentially significant impacts to transportation as the 45 cannabis sites would degrade levels of service (LOS) at Old Stage Road and Spence Road intersection from LOS B to an unacceptable LOS E, and contribute to three already impacted intersections: US 101/Hartnell Road; US 101/Spence Road; and US 101/Potter Road.

After circulation of the IS/MND, revisions to mitigation measure TRA-1 were made to: require completion of improvements by the County, with fair-share contributions paid by individual applicants to reimburse the County for costs of the intersection improvements, increase to the fair-share contribution amounts based on updated costs for intersection improvements and omit language allowing payment of fair-share contributions in phases and instead requiring payment of the total fair-share contribution.

On December 1, 2020, the Board of Supervisors adopted the Mitigated Negative Declaration for Multiple Cannabis Cultivation Facilities (SCH#: 2020060325) and adopted the Mitigation Monitoring and Reporting Program, including mitigation measure TRA-1 as revised (Resolution No. 20-381).

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in the MND. None of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent or supplemental MND have occurred.

##### 2. Scope and Purpose of this Addendum

The proposed amendment to traffic mitigation measure TRA-1 (FAIR SHARE CONTRIBUTION – DIRECT IMPACT) would modify the language as follows:

*“TRA-1 (FAIR SHARE CONTRIBUTION – DIRECT IMPACT): Prior to the issuance or renewal of commercial cannabis permits, the owner, applicant, and/or cannabis operator shall enter into an agreement with Monterey County ~~a fair share contribution to reimburse the County for stating the~~ requiring that the intersection improvements ~~will be installed by the applicant, owner, and/or cannabis operator~~ ~~in~~ within a reasonable time. The agreement shall specify the intersection improvements components, for which shall be installed in accordance with all applicable rules and regulations, and identify the date which the intersection improvement shall be completed. ~~in the amount specified by the Director of Public Works, Parks, and Facilities, shall be paid. Improvements to the intersection shall be completed prior to the issuance of commercial cannabis permits that allow new or expanded commercial cannabis activities impacting the intersection.~~*

- *Old Stage Road/Spence Road: Widen Spence Road for separate right turn lane and shared through-left lane for the NB approach.*

*~~Fees shall be paid in accordance with the square footage of cultivation building areas approved in the Planning entitlements for each site. To ensure that the improvements are constructed, the County will construct the improvements to the intersection after following all applicable rules and regulations governing the construction of the intersection improvement project.~~*

*Compliance Action: Prior to issuance or renewal of a commercial cannabis permit, the owner, applicant, and/or cannabis operator shall enter into an agreement with Monterey County as specific in the condition. ~~a fair share contribution to reimburse the County for intersection improvements, in the amount specified by the Director of Public Works, Parks, and Facilities, shall be paid.~~ Construction of improvements to the Old Stage Road/Spence Road intersection identified in Appendix H of the Traffic Impact Study prepared for the Multiple Cannabis Cultivation Facilities Initial Study (State Clearinghouse Number: 2020060325), shall be constructed by the owner, applicant, and/or cannabis operator(s) within a reasonable time subsequent ~~prior~~ to the issuance or renewal of commercial cannabis permits that allow new or expanded commercial cannabis activities impacting the intersection.*

Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project, no changes to circumstances under which the project was undertaken, and there is no new information of substantial importance not known at time that would require major revisions to the adopted MND due to the involvement of new environmental effects or substantial increase in the severity of previously identified environmental effects. The prior MND identified that project related traffic impacts would result in a potential impact to the environment and implementation of mitigation measure TRA-1 would reduce near-term and cumulative traffic impacts to the Old Stage Road/Spence Road intersection to a less than significant level.

Mitigation measure TRA-1, as amended, would specify that construction of the intersection improvement is the responsibility of the owner, applicant, and/or cannabis operator(s) instead of the County and that the compliance action would be specified in a binding agreement between the County and the owner, applicant, and/or cannabis operator(s). The amended language remains consistent with the requirement to improve the Old State Road/Spence Road intersection, but allows flexibility in who is responsible to construct the improvement and when completion of the improvement will occur. Therefore, the amendment to mitigation measure TRA-1 does not present a substantial change to identified environmental impacts previously discussed and addressed in the MND (SCH No. 2020060325) adopted by the Board of Supervisors for the Multi-Site Cannabis Initial Study/Mitigated Negative Declaration (File No. REF150048, Resolution No. 20-381) and qualifies for an addendum to the FSEIR pursuant to CEQA Guidelines Section 15164.

### 3. Conclusion

Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project, no changes to circumstances under which the project was undertaken, and there is no new information of substantial importance not known at time that would require major revisions to the prior MND. Based on the information contained within previous point No. 2, a subsequent or supplemental MND is not required.

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