



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

3015 H Street Eureka CA 95501
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: October 18, 2018

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Butterfly Creek Collective - Conditional Use Permit**
Application Number 11232
Case Number CUP-16-193
Assessor's Parcel Number (APN) 522-174-014
400 Panther Creek Road, Willow Creek area

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Please contact Caitlin Castellano, Planner, at 707-268-3731 or by email at ccastellano1@co.humboldt.ca.us if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date October 18, 2018	Subject Conditional Use Permit	Contact Caitlin Castellano
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Project Description: Applicant requests a Conditional Use Permit (CUP) for approximately 18,000 square feet (sf) of existing outdoor commercial cannabis cultivation. Irrigation water is provided by the Willow Creek Community Services District (WCCSD). Estimated annual water usage is approximately 221,600 gallons and the WCCSD provided a Will Serve letter for approximately 270,000 gallons per month which exceeds water needs. Existing water storage totals 5,000 gallons in two hard tanks. Two water bladders and a 20-foot wide off-stream pond (dry since 2016 and no signs of riparian habitat) will be removed for watershed protection. Processing occurs onsite in two existing 10-foot by 100-foot covered carport/shops totaling 2,000 sf. Applicant proposes to remove and replace the carports/shops with a new 2,500 sf metal building that will conform to commercial building standards. The applicant also proposes a septic tank, 5.5 foot by 15 foot garbage and recycling enclosure, propane tank, and six (6) parking spaces including one ADA-compliance parking space. Up to three (3) seasonal employees will be utilized for cultivation activities and up to six (6) seasonal employees for processing activities. Power for the operation is provided by one generator and the applicant intends to connect to PGE.

Project Location: The project is located in Humboldt County, in the Willow Creek area, on the west side of Panther Creek Road, approximately 0.62 mile west from the intersection of State Highway 96 and Panther Creek Road, on the property known as 400 Panther Creek Road.

Present Plan Land Use Designations: Residential Agriculture (RA40-160), Willow Creek Community Plan (WCCP); Density: 160 to 20 acres per dwelling unit, Slope Stability Moderate Instability (2)

Present Zoning: (AE-B-5(40)) Agriculture Exclusive (AE), Minimum building site area 40 acres (B-5(40)).

Application Number: 11232

Case Number: CUP16-193

Assessor Parcel Numbers: 522-174-014

Applicant

Butterfly Creek Collective
Dacin White
290 Shirley Boulevard
Arcata, CA 95521

Owner

Dacin White
290 Shirley Boulevard
Arcata, CA 95521

Agent

Northpoint Consulting Group, INC.
P.O. Box 44
Eureka, CA 95501

Environmental Review: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 1, 15301 – (Existing Facilities), Class 3, 15303 (New Construction or Conversions of Small Structures, Class 4, 15304 (Minor Alterations to Land), and Class 33, 15333 (Small Habitat Restoration Projects)

State Appeal Status: Project is NOT appealable to the California Coastal Commission

Major Issues: None

BUTTERFLY CREEK COLLECTIVE
Case Number CUP-16-193
Assessor's Parcel Numbers 522-174-014

Recommended Commission Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Find the project exempt from environmental review pursuant to Sections 15301, 15303, and 15304 of the State CEQA Guidelines, make all of the required findings for approval of the Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Butterfly Creek Collective project subject to the recommended conditions.

Executive Summary:

A Conditional Use Permit (CUP) for approximately 18,000 square feet (sf) of existing full-sun outdoor commercial cannabis cultivation. The project is located on Assessor's Parcel Number (APN) 522-174-014, which is approximately 41 acres, and is one legal parcel with 522-174-014, 522-271-043, and 522-281-001 for a total of 76 acres. The site is zoned AE (Agriculture Exclusive) with a RA40-160 (Residential Agriculture) General Plan designation. The applicant will process on-site in the proposed *Processing Facility*, a new 2,500 sf metal building that will conform to commercial building standards.

The existing outdoor cultivation occurs in two cultivation areas (CA). CA#1 consists of 4,000 sf of cultivation and CA#2 consists of 14,000 sf of cultivation. Outdoor cultivation activities start in late March to early April utilizing full-sun all-natural light. Plants will be fertilized organically using bat guano, oyster shell, cottonseed meal, worm castings, chicken manure and feather, blood, and bone meal. Compost tea will be used as foliar spray for pesticide and fungicide uses. Harvesting and drying activities will take place October and into November. The applicant proposes to process (i.e., dry) the harvested cannabis in a new 2,500 sf metal insulated building that would be used for drying, curing, and trimming of medical cannabis. The plants will be harvested using hand shears, hung to dry and hand or machine trimmed. Drinking water for employees will be provided via store bought individually sealed bottled water bottles as well as an upright office style water cooler. The operation will employ up to three (3) permanent employees, and six (6) seasonal employees. No residences or onsite housing is part of the proposed project and six (6) parking spaces including one ADA-compliance parking space will be provided.

The project parcel is accessed by the private maintained Bloody Nose Lane. The private maintained road is accessed via Panther Creek Road and Highway 299. A Road Evaluation Report was prepared in December 2017. A private road runs to the northeastern portion of the parcel and is crossed with Bloody Nose Lane to provide access to the project site. The Report included an inventory of the private roads for conformance with Category 4 standards and concluded that the access roadways are adequate for the intended use. The Report contains an aerial photo and photographs of the roadway. Although the roadway has pinch points, they are passable and the roadway appears to meet the Category 4 Standard, with the majority being generally 20 feet in width. The WRPP report included recommendations and conditions for water quality on the roadway, no additional actions are necessary.

Water is provided by the Willow Creek Community Services District (WCCSD). Municipal water is pumped uphill from a station, filtered, and stored in two (2) 2,500-gallon tanks. WCCSD provided a Will Serve letter confirming use of approximately 270,000 gallons (36,093 cubic feet) of water per month for agricultural purposes. Estimated annual water usage is approximately 276,500 gallons per year so there is adequate supply for the project. The WCCSD letter also addressed CDFW concerns about WCCSD supplying water to the project. Water use varies throughout the year with peak usage of 62,000 gallons in July and August and the lowest use of zero gallons between November and January gallons. Plants are watered by combination of top-feed hand watering methods and drip emitters. Juvenile plants will be hand watered as needed. Once plants are transplanted into the beds, a pump watering system is used. Total water

storage is 5,000 gallons in two hard tanks.

There is an existing dry pond that was once used for irrigation water but it is proposed to be removed for watershed protection. The project does not propose diverting surface waters and therefore has not filed water rights with the State of California Water Resources Control Board. Effective March 3, 2016 Butterfly Creek Collective, MBC enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for coverage under Tier 2 of Order No. 2015-0023 *Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region* (WDID Number 1B16203CHUM). Additionally, because the operation uses municipal water and does not use a well or surface water diversion for water, a Lake and Streambed Alteration Agreement (LSAA) was not needed from the California Department of Fish and Wildlife.

A Water Resources Protection Plan (WRPP) was developed and has been implemented for activities associated with onsite cultivation since August 2016. The project site is approximately 76 acres and approximately 1.7 acres are disturbed. The project site is enrolled with the California State Water Board as a Tier 2 discharger. Accordingly, in conformance with Order R1-2015-0023 the WRPP detailed remedial action needed for site maintenance, erosion control, drainage features, and spoils management. There are no stream crossings on the site or riparian and wetland protection zones. A field assessment was conducted and included an evaluation and determination of compliance and described specific measures to be implemented to achieve compliance with standard conditions. According to the WRPP the site currently has four tents and one greenhouse. Two of the tents are used for storage and work area, while the other two are set up for processing cannabis.

The WRPP identified 17 identified sites that required corrective actions. The sites include one location with cannabis waste, three drainage ditches, two locations requiring garbage removal, one needed rolling dip, two locations needing erosion control, out sloping of roads, decommissioning the pond, installing rock surfaces to control erosion, proper management of spoils, installation of a septic system, and disposal of soils. These activities include installing permanent Best Management Practices (BMPs) to include erosion control blankets, rocking roadways, storage of spoils in selected location(s), obtaining permits for the Onsite Wastewater Treatment System (OWTS) for the proposed Processing Facility, removal of the water bladder, and other roadway maintenance. The applicant attempted to file a permit for the OWTS but was unable to because of the open cannabis permit. Once the cannabis permit is approved, the applicant plans to permit and install the OWTS in a timely manner along with the building plans for the metal building. Until that time the applicant shall continue to provide sanitary portable toilets for sanitation needs.

Initial road repair and maintenance activities have started. All roads are in the process of being out sloped and have rolling dips inserted at regular intervals. All outlets for water are clear of debris and allow free flow of water from the road surface. All roads on the property are also in the process of being rocked. Road maintenance inspections will occur during and after all major rain events above one-half inch. In an effort to reduce traffic on the roads, cannabis and associated supplies will be delivered in bulk. Seasonal employees will be encouraged to use ride-sharing or the company car to reduce the number of daily trips to the property.

The project site will have trash and recycling containers located at the proposed processing facility. The containers will be situated to prevent storm water contamination and leachate from entering or percolating into receiving waters. The containers will also be enclosed within a fenced area to prevent animal intrusion. Solid waste and recycling is hauled off-site to the proper disposal facility. The plant's root ball will be left in the ground over the winter and decompose naturally. Branches, stems and leaves are burned at a designated area. Used potting soil will be left in the ground and cover crop is planted to re-amend soil for the next cultivation season.

Power is provided by one Honda GX390 EFL generator. The applicant is in process and has applied for a New Utility Service Connection to have power from PG&E extended from approximately 300 feet from the property line into the project area so use of generators can be discontinued. In the mean-time, the

generator is stored inside a covered shed and kept off the ground with the 5-gallon gasoline containers. The generator model has a sound rating of 58 dB at 23 feet from the generator. From the nearest Northern Spotted Owl (NSO) activity center, approximately 0.5 miles from the site, the sound level will be approximately 19 dB. At the property line, approximately 200 feet, the sound level is approximately 39 dB. The generator will be in operation from April to November for drying cannabis. When the proposed Processing Facility is constructed, PGE will be brought to the site. This will allow for the current use of the generator to be phased out and only used for backup power. The applicant will retain electric power from PG&E within a year of approval from Humboldt County. Because of the proximity to the NSO activity center, a condition of approval has also been added to require a NSO survey and CDFW consultation prior to issuance of grading and building permits for the proposed processing building.

A 3-acre conversion was completed in 2011 with exemption number 1-11-EX091HUM. The project site is located within a State Responsibility Area (SRA) for fire protection and located in a mapped Very High Fire Hazard Severity area. In order to meet SRA requirements, several improvements are proposed including designating a fire turn-around and pull-out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines. If required by Cal FIRE, a 2,500-gallon water tank with a rise to SRA specifications will be installed in addition to the fire hydrant.

Environmental review for this project was conducted and based on the results of that analysis, staff believes the existing cultivation and processing aspects of the project can be considered an "Existing Facility" as defined by Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it consists of "the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agencies determination." Additionally, the construction of the proposed OWTS, and processing building, may be considered "New Construction or Conversion of Small Structures" as defined by Section 15303 of the CEQA Guidelines. As Lead Agency, the Department has determined that the "Minor Alterations to Land" from minor earthwork to enable continued implementation of the WRPP is Categorically Exempt as defined by Class 15304 of the CEQA Guidelines. Lastly, the project is exempt because it would include a "Small Habitat Restoration Project," as defined by Section 15333. The site of the pond would be modified and revegetated with native species which would reduce the potential for erosional impacts or failure which would benefit the surrounding environment.

Therefore, as Lead Agency, the Department has determined that continued use of the existing cultivation site is Categorically Exempt from the CEQA Guidelines.

There is no substantial evidence of potentially significant adverse environmental effects resulting from the permitting of a recognized legal agricultural use (cultivation of medical marijuana) on property zoned Agriculture Exclusive (AE). While the subject site is in an area where slopes do exceed 15% and within the Caltrans 299 study corridor the site is not mapped as having a history of landslides. The source of irrigation is from a municipal source and no diversions or ground water pumping would occur. The project will include numerous conditions of approval which are required to protect environmental resources. Conditions of approval include, but are not limited to, requiring streams and stream buffers to protect water quality, continued implementation of the WRPP, continued maintenance of the private drive, and noise protection for biological species.

Based on a review of Planning Division reference sources and comments from all involved referral agencies, planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the CUP.

ALTERNATIVES: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. If modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all of the required findings. Planning Division staff has

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-**

**Case Number CUP-16-193
Assessor Parcel Number: 522-174-014**

Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Butterfly Creek Collective Conditional Use Permit request.

WHEREAS, Butterfly Creek Collective submitted an application and evidence in support of approving a Conditional Use Permit for approximately 18,000 square feet (SF) of outdoor cannabis cultivation located on APN 522-174-014 and a 2,500-sf processing facility in a metal insulated building.

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 1, 15301 – (Existing Facilities), Class 3, 15303 (New Construction or Conversion of Small Structures), and Class 4, 15304 (Minor Alterations to Land) and Class 33, Section 15333 (Minor Habitat Restoration Projects) of the California Environmental Quality Act (CEQA) Guidelines.

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Conditional Use Permit (Case Number CUP16-193).

WHEREAS, a public hearing was held on the matter before the Humboldt County Planning Commission on October 18, 2018.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Planning Commission that:

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Class 1, Section 15301 – (Existing Facilities), Class 3, Section 15303 (New Construction or Conversion of Small Structures), Class 4, Section 15304 (Minor Alterations to Land) of the California Environmental Quality Act (CEQA) Guidelines, and Class 33, Section 15333 (Minor Habitat Restoration Projects)
2. The findings in Attachment 2 of the Planning Commission staff report for Case Number CUP16-193, support approval of the project based on the submitted substantial evidence; and
3. Conditional Use Permit CUP16-193 is approved as recommended and conditioned in Attachment 1 for Case Number CUP16-193.

Adopted after review and consideration of all the evidence on October 18, 2018.

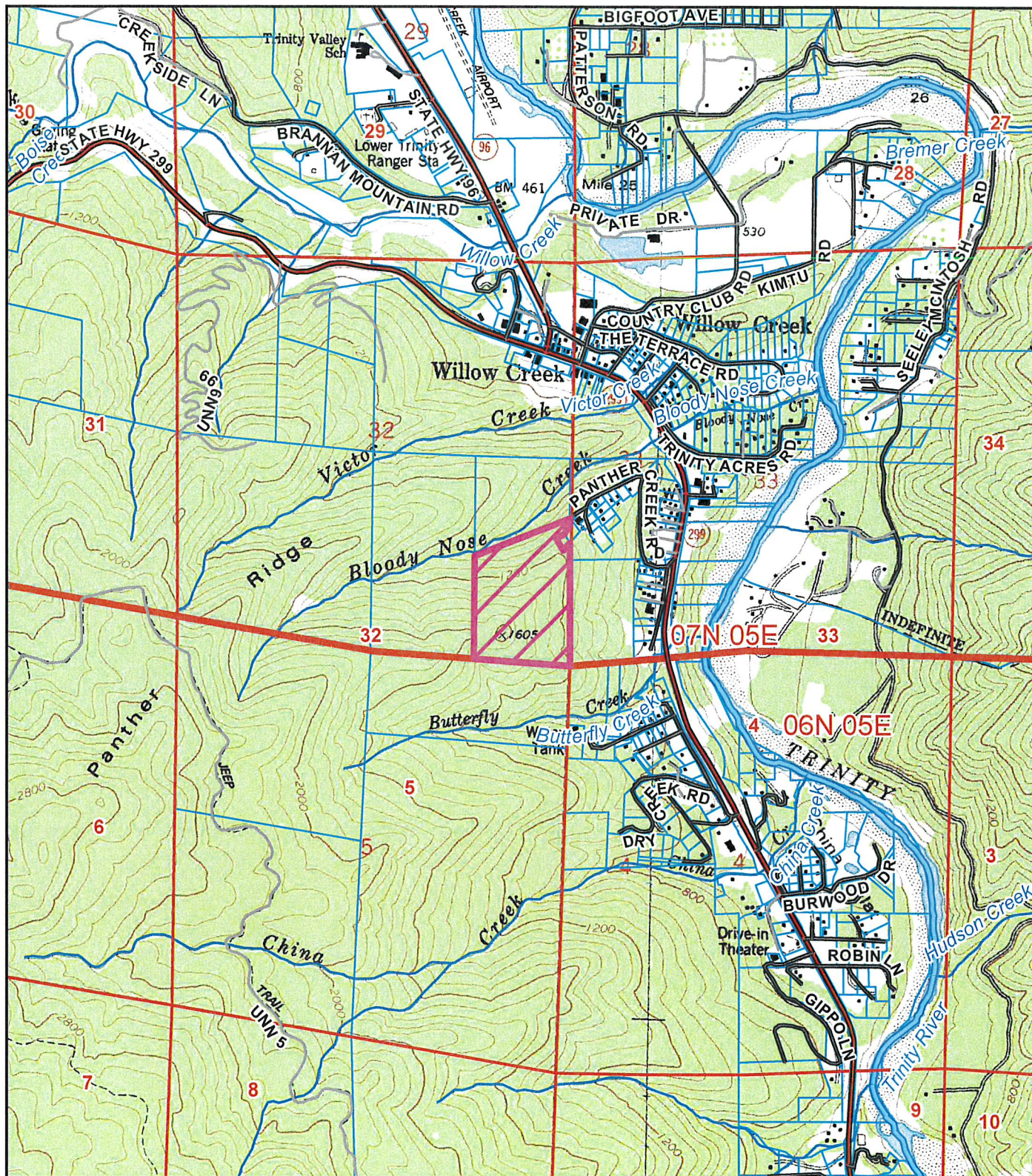
The motion was made by Commissioner _____ and seconded by Commissioner _____.

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:
DECISION: Motion carries

Robert Morris, Chair

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

John Ford
Director, Planning and Building Department



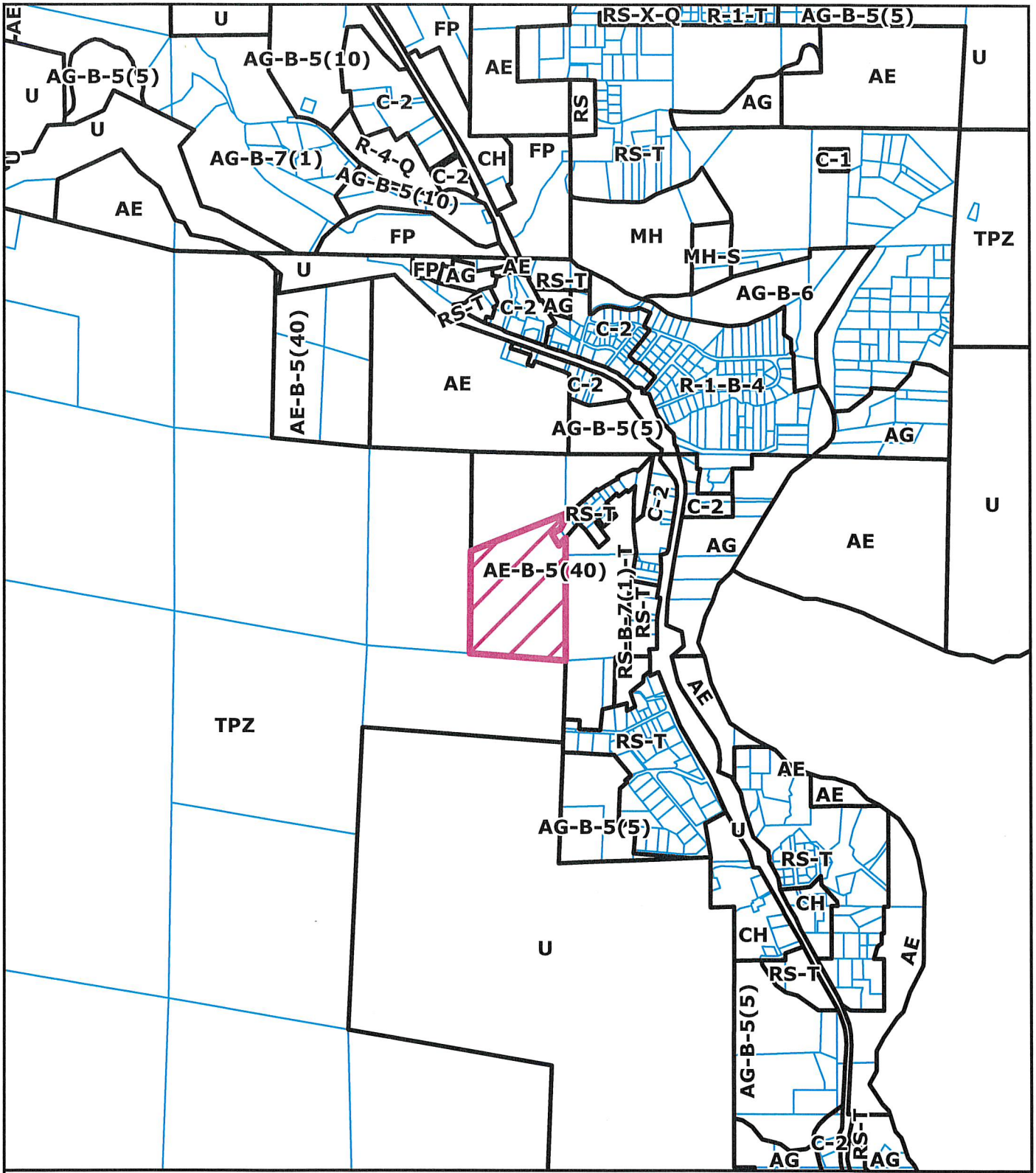
TOPO MAP
PROPOSED BUTTERFLY CREEK COLLECTIVE
WILLOW CREEK AREA
CUP-16-193
APN: 522-174-014
T07N R05E S32 HB&M (WILLOW CREEK)

Project Area = 



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



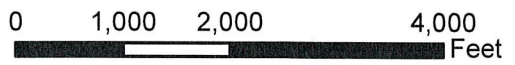


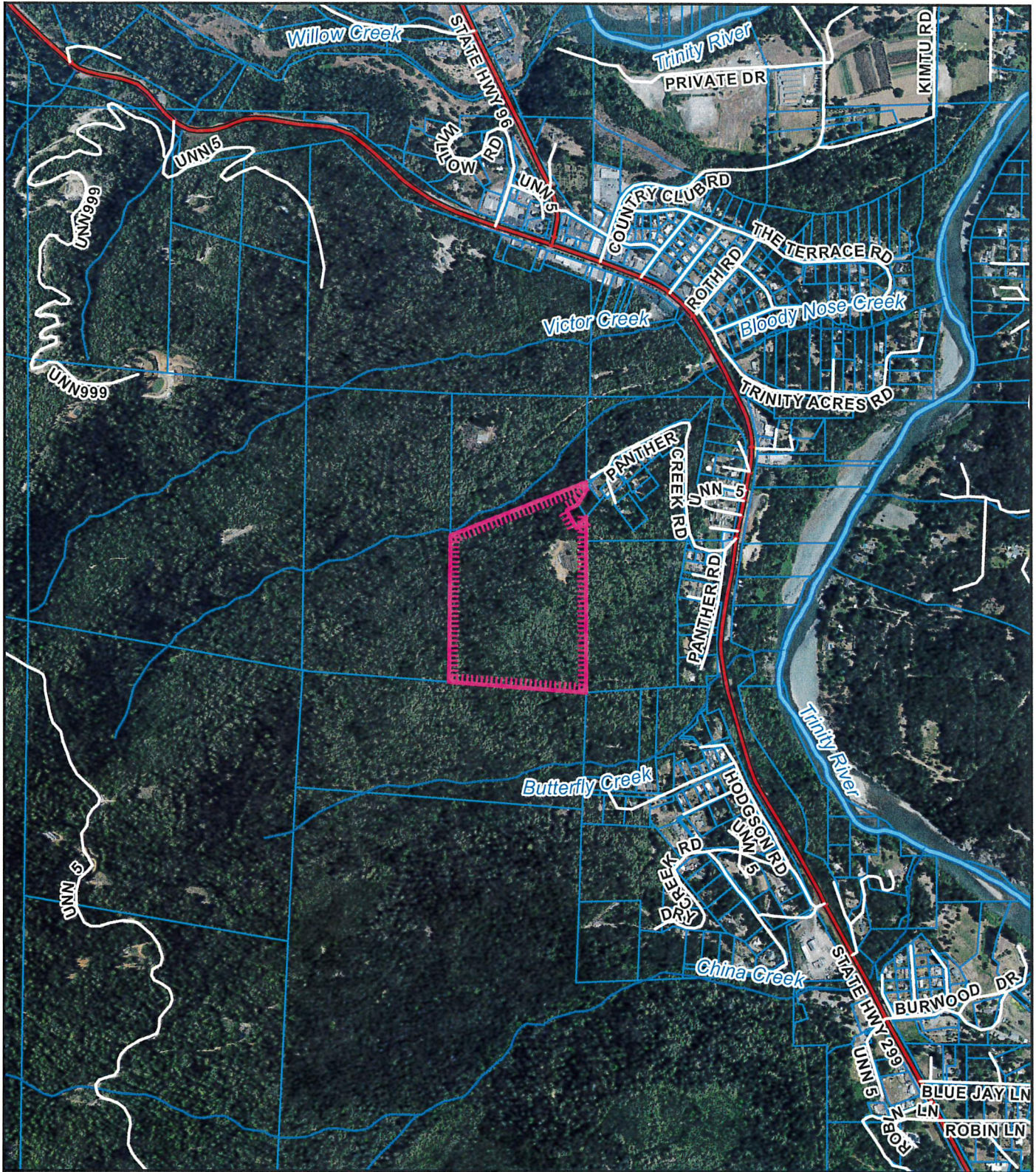
ZONING MAP
PROPOSED BUTTERFLY CREEK COLLECTIVE
WILLOW CREEK AREA
CUP-16-193
APN: 522-174-014
T07N R05E S32 HB&M (WILLOW CREEK)

Project Area = 



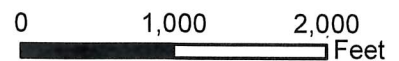
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





AERIAL MAP
PROPOSED BUTTERFLY CREEK COLLECTIVE
WILLOW CREEK AREA
CUP-16-193
APN: 522-174-014
T07N R05E S32 HB&M (WILLOW CREEK)

Project Area = 



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



DIRECTIONS TO SITE

FROM EUREKA, CA
 -HEAD NORTH ON US-101
 TOWARD CRESCENT CITY
 -TAKE CA-199 EAST EXIT
 TOWARDS WEAVERVILLE
 -1 MILE AFTER WILLOW CREEK
 TURN RIGHT ON PANTHER ROAD
 -MAKE FIRST RIGHT ON PANTHER
 CREEK ROAD
 -AT THE END OF ROAD A GATED
 PRIVATE DRIVEWAY
 400 PANTHER CREEK ROAD

BUTTERFLY CREEK COLLECTIVE

CONDITIONAL USE PERMIT FOR EXISTING CULTIVATION

APN: 522-174-014

PROJECT INFORMATION:

APPLICANT:
 BUTTERFLY CREEK COLLECTIVE
 290 SHIRLEY BLVD.
 ARCATA, CA 95521

OWNER:
 DACIN WHITE
 400 PANTHER CREEK ROAD
 WILLOW CREEK, CA 95573

SITE ADDRESS:
 APN: 522-174-014
 400 PANTHER CREEK ROAD
 WILLOW CREEK, CA

OWNERS AGENT:
 NORTHPOINT CONSULTING GROUP, INC.
 P.O. BOX 44
 EUREKA, CA 95501
 (707) 444-3800

TREES TO BE REMOVED: = 0
EARTHWORK QUANTITIES: = TBD
WATER: = PUBLIC
SEWER: = PRIVATE
PARCEL SIZE: = ±21 ACRES
ZONING: = AE = AG EXEMPT
 B-5 = SPECIAL BUILDING

SRA AREA: = YES
IN COASTAL ZONE: = NO
IN 100 YR FLOOD ZONE: = NO

BUILDING SETBACKS (BSL):

	AE	SRA
FRONT	30'	30'
SIDE	20'	30'
REAR	10'	30'

MAX. BLDG. HT.: = NONE
MAX GROUND COVERAGE: = 40%

- EXISTING OUTDOOR CULTIVATION AREA = 18000 SQ.FT.
- PROPOSED CULTIVATION FACILITY FOOTPRINT = 2500 SQ.FT.

SOLID WASTE MANAGEMENT NOTES

- SOIL FOR CULTIVATION ACTIVITIES WILL BE IN BEDS AND REUSED FOR AS MANY CULTIVATION CYCLES AS POSSIBLE. THE SOIL WILL BE RECONDITIONED TWICE ANNUALLY WITH AMENDMENTS SUCH AS CHICKEN MANURE, GREEN SAND, ROCK PHOSPHATE, BONE AND BLOOD MEAL, AND MUSHROOM COMPOST. ANY UNSUITABLE SOIL WILL BE BAGGED AND DISPOSED OF AT AN APPROVED WASTE MANAGEMENT FACILITY (HUMBOLDT WASTE MANAGEMENT AUTHORITY, ETC.).
- SOLID WASTE SHALL BE TRANSFERRED TO LIDDED WASTE BINS IN THE PROPOSED WASTE ENCLOSURE DAILY. WASTE BINS SHALL BE TRANSPORTED TO NEAREST APPROVED WASTE MANAGEMENT FACILITY EACH WEEK OR AS NEEDED.
- PROPOSED WASTE BINS:** (1) 64 GAL GARBAGE DUMPSTER, (1) 64 GAL RECYCLING DUMPSTER

PROJECT DESCRIPTION

BUTTERFLY CREEK COLLECTIVE IS PROPOSING TO PERMIT EXISTING MEDICAL CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MARIJUANA LAND USE ORDINANCE (CMMLUO), ORDINANCE NO. 2554. THE EXISTING OPERATION INCLUDES APPROXIMATELY 18000 SQUARE FEET (SF) OF OUTDOOR MEDICAL CANNABIS CULTIVATION. THE PROJECT PROPOSAL INCLUDES THE DEVELOPMENT OF WATER DIVERSION WORKS AND APPROPRIATE WATER STORAGE. THE DEVELOPMENT ALSO INCLUDES A 2,500 SF CULTIVATION FACILITY FOR DRYING, CURING, GRADING AND TRIMMING OF MEDICAL CANNABIS TO SERVE BUTTERFLY CREEK COLLECTIVE.

IRRIGATION AND DOMESTIC WATER USE

1. WATER FOR DOMESTIC AND IRRIGATION USES WILL BE SUPPLIED BY WILLOW CREEK COMMUNITY SERVICES DISTRICT..

GENERAL NOTES

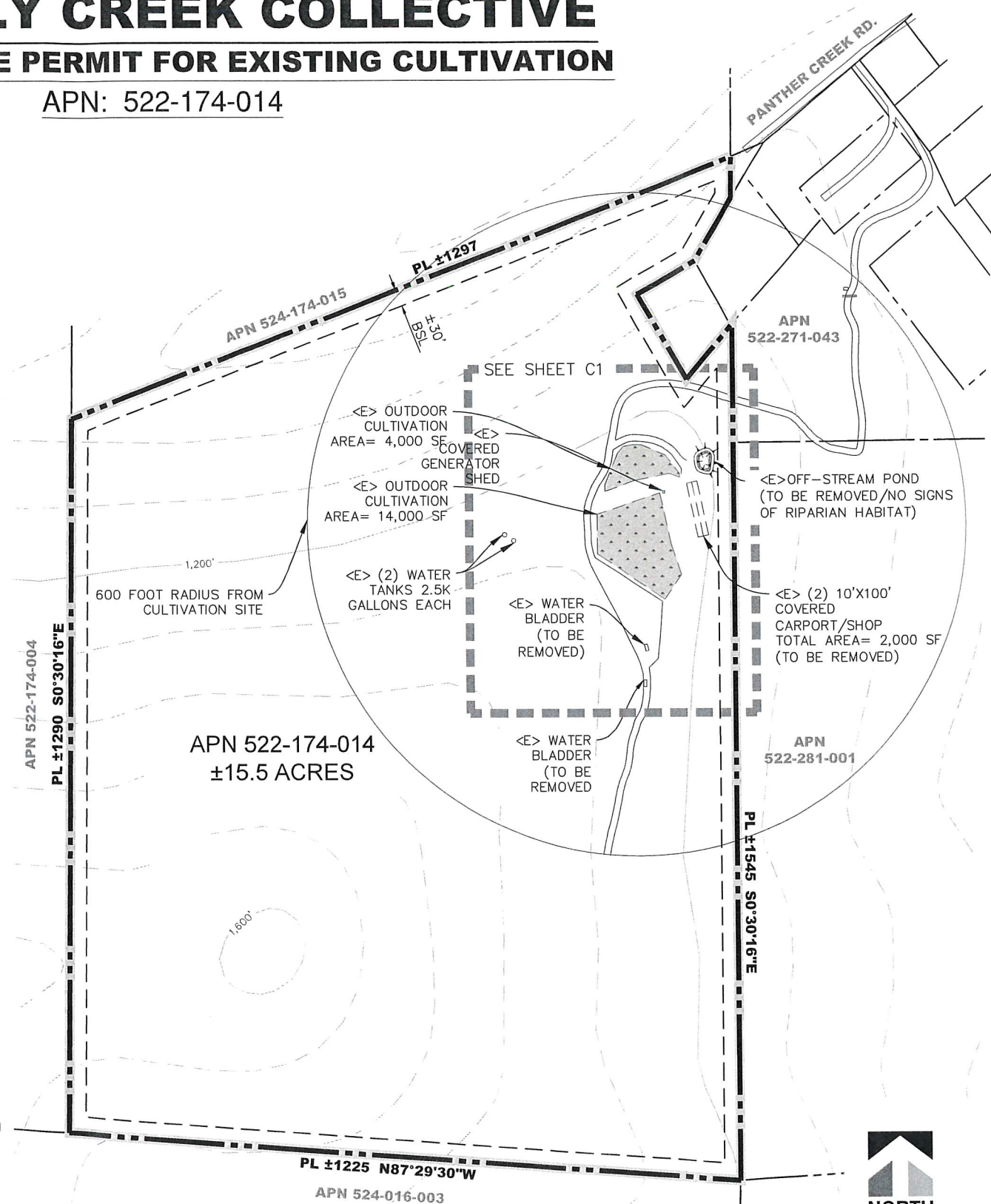
- DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA. MANHARD CONSULTING LTD. HAS NOT VERIFIED THIS PROPERTY BOUNDARY.
- EXISTING DEVELOPMENT ON THIS PARCEL WAS CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW.
- THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 300 FEET OF THE PROPOSED CULTIVATION AREAS.
- ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW WILL BE SUBJECT TO THE HUMBOLDT COUNTY BUILDING DEPARTMENT UPON APPROVAL OF THE CONDITIONAL USE PERMIT.

NCRWQCB NOTICE OF INTENT

THE SUBJECT PARCEL HAS BEEN ENROLLED IN THE NCRWQCB CANNABIS CULTIVATION WASTE DISCHARGE REGULATORY PROGRAM.
 WQID NUMBER 1B16167CHUM

SHEET INDEX

- C0- PLOT PLAN, VICINITY MAP, AND PROJECT NOTES
- C1- EXISTING AND PROPOSED SITE AREA PLAN
- A1- PROPOSED CONCEPTUAL CULTIVATION FACILITY ELEVATIONS
- A2- PROPOSED CONCEPTUAL CULTIVATION FACILITY FLOOR PLAN



PLOT PLAN
 SCALE: 1"=125'
 11x17 SHEET: 1"=250'
LEGEND

- EXISTING OUTDOOR CULTIVATION AREA

DATE	BY	REVISIONS
08/15/16	AS	AS NOTED



BUTTERFLY CREEK COLLECTIVE / APN: 522-174-014
 400 PANTHER CREEK RD. WILLOW CREEK
 PLOT PLAN, PROJECT NOTES & VICINITY MAPS

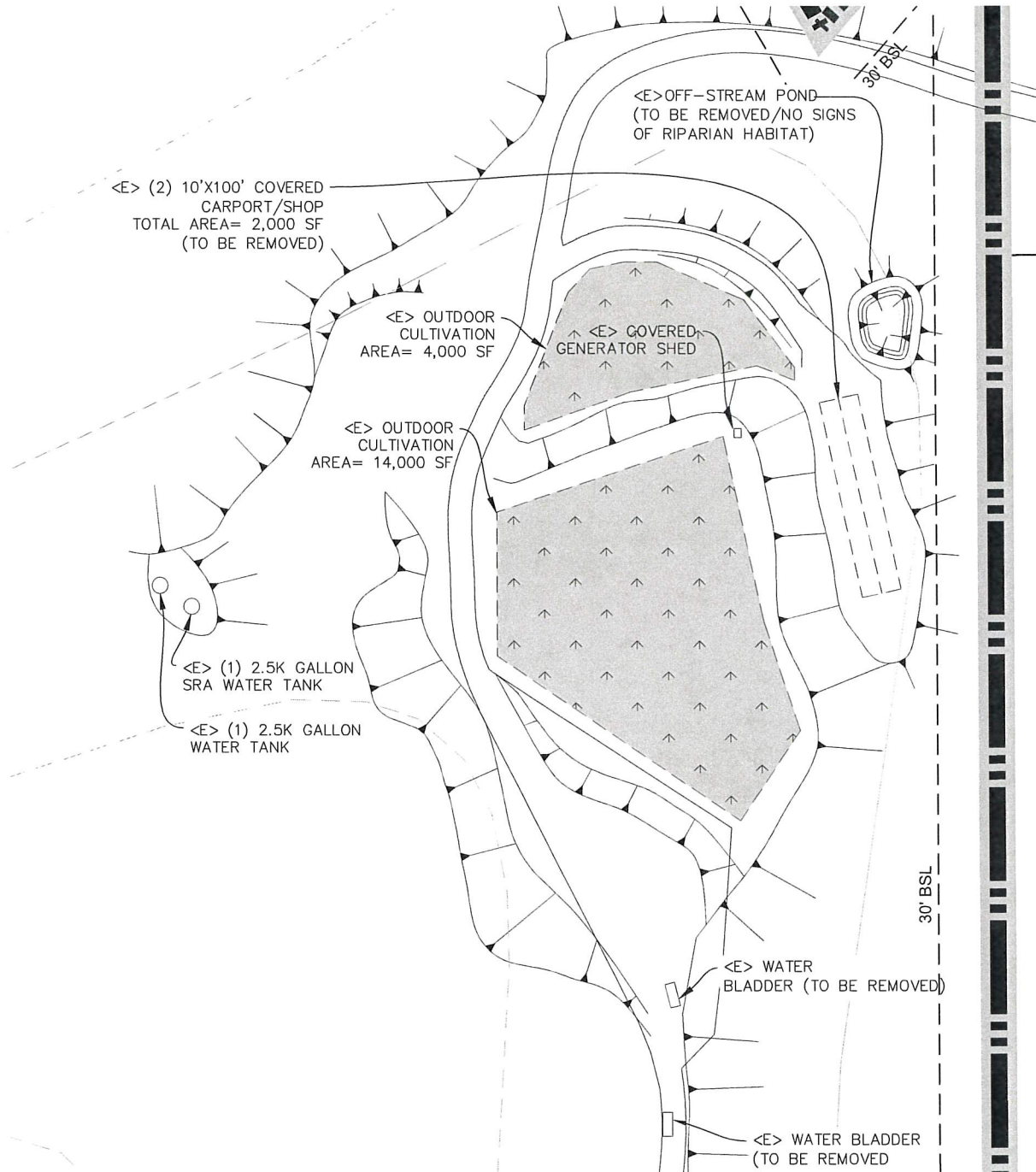
PROJ. NO.:	PBS
PROJ. ASSOC.:	RC
DRAWN BY:	AS
DATE:	08/15/16
SCALE:	AS NOTED
SHEET	C0
WHI/WCA	15-116
© 2008 ALL RIGHTS RESERVED	

July 27, 2018 - 10:42 Des: Name: P:\White_Design - Butterfly Creek Collective 16-193\CAD\WHIWCCA-CUP_Plan.dwg Updated By: Yong Romo



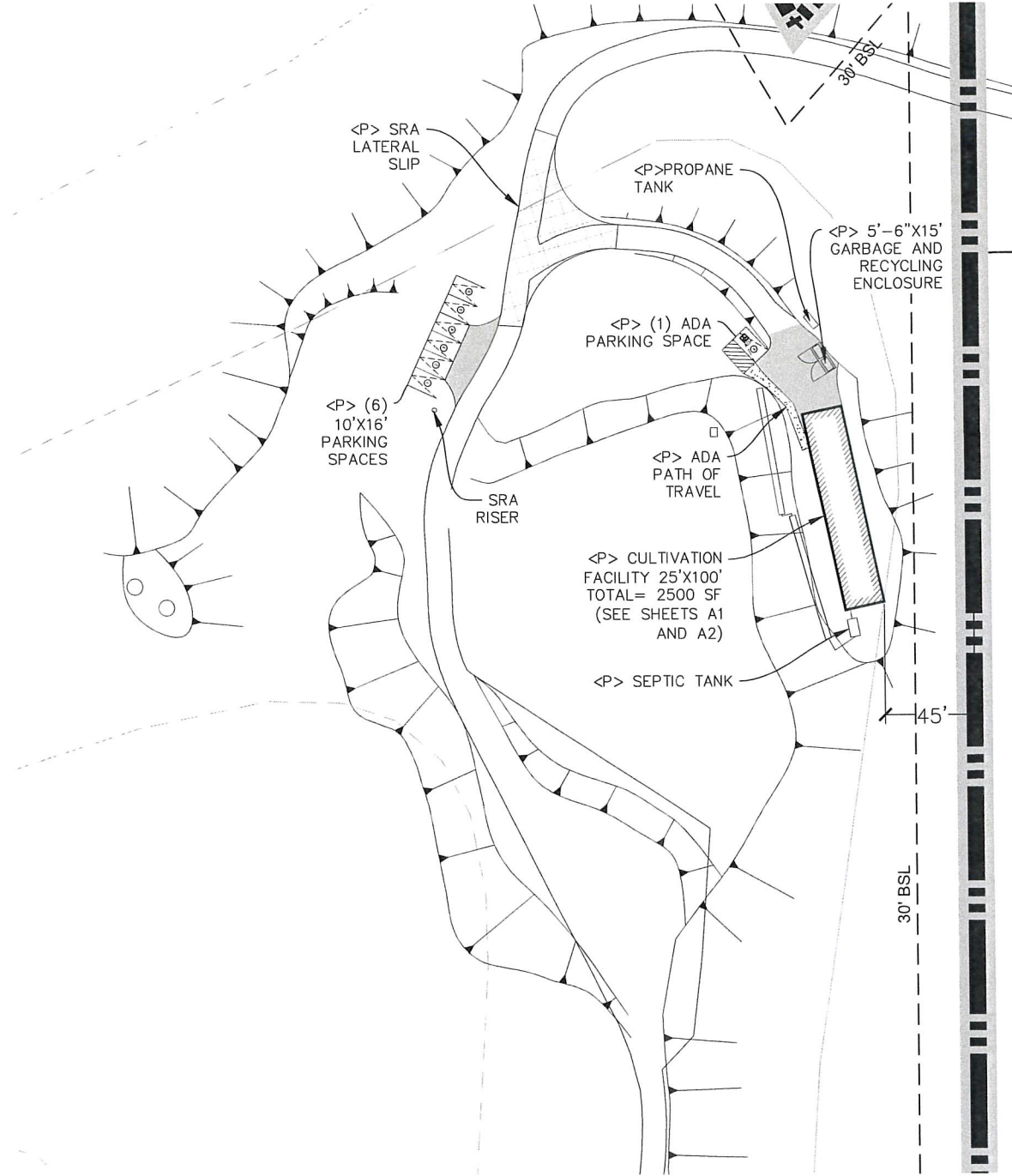
LEGEND

EXISTING OUTDOOR CULTIVATION AREA



EXISTING SITE AREA PLAN

SCALE: 1"=40' (11x17 SHEET SCALE: 1" = 80')



PROPOSED SITE AREA PLAN

PARKING CALCULATIONS					
FT ²	USE TYPE	SPACE/USE FT ²	EMPLOYEES	SPACE/EMPLOYEE	PARKING REQUIRED
2200 FT ²	WAREHOUSE	1/ 2500 FT ²	1	1:1	1
192 FT ²	MANUFACTURING	1/1500 FT ²	2	1:1	2

PARKING SUMMARY	
PARKING REQUIRED	3 SPACES
PARKING PROVIDED	3 SPACES
ACCESSIBLE PARKING PROVIDED	1 SPACE

DATE	
REVISIONS	



BUTTERFLY CREEK COLLECTIVE / APN: 522-174-014

400 PANTHER CREEK RD. WILLOW CREEK

EXISTING AND PROPOSED SITE AREA PLAN

PROJ. NO.: PBS
 PROJ. ASSOC.: RC
 DRAWN BY: RC
 DATE: 08/15/16
 SCALE: AS NOTED

SHEET

C1

WHIWCCA 15-116
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SCALE: 1"=40' (11x17 SHEET SCALE: 1" = 80')

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

Approval of the Conditional Use Permit is conditioned on the following terms and requirements which must be satisfied before release of the building permit or initiation of operations, whichever occurs first.

Section 1: Development Restrictions

1. Within 60 days of the effective date of project approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #2 –17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Within 60 days of the effective date of project approval, the applicant shall submit a plot plan showing the location of nursery operations.
3. The Applicant shall be responsible for obtaining all necessary County and State permits or licenses, and for meeting all of the requirements as set forth by other regulatory agencies.
4. The applicant shall secure permits for all grading and structures related to the cannabis cultivation and other commercial cannabis activity. Specifically, removal and replacement of carports/shops with 2,500 sf processing facility and associated grading for said facility, pond removal and any driveway/road improvements. The plans submitted for building permit approval shall be consistent with the project description, approved project Plot Plan and Water Resources Protection Plan. A letter or similar communication from the Building Division verifying that all structures and grading related to the cannabis cultivation are permitted will satisfy this condition.
5. The approved building plans shall meet all applicable fire codes including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign off on the Occupancy Permit by the Building Division shall satisfy this requirement.
6. The applicant shall demonstrate the driveway and emergency vehicle turn around conform with the Humboldt County Code Section 3112-12, the Fire Safe Regulations. The applicant shall be responsible for implementing any necessary improvements to bring the driveway and emergency vehicle turn around into compliance. A letter from a qualified engineer shall satisfy this requirement.
7. The applicant shall supply a copy of the Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
8. The applicant shall implement all corrective actions detailed within the Water Resource Protection Plan (WRPP) developed for the parcel, prepared pursuant to Tier 2 enrollment under the North Coast Regional Water Quality Control Board (NCRWQCB) Cannabis Cultivation Waste Discharge Regulatory Program, including those measures determined necessary during annual and periodic site inspections in accordance with the monitoring element. A copy of the report form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the County Planning and Building Department concurrent with the submittal to the NCRWQCB. A letter or similar communication from the NCRWQCB or the Third Party Consultant verifying that all their requirements have been met will

satisfy this condition. [After July 31, 2019, plans and reporting shall conform to the Cannabis Cultivation Policy and Cannabis General Order adopted October 17, 2017 by the State Water Board.]

9. The project area has been determined to have potential nesting, roosting or foraging habitat for Northern Spotted Owl (*Strix occidentalis caurina*), and resiting, denning or foraging habitat for West Coast Fisher (*Pekania Pennant*). The following avoidance and minimization measure shall be implemented:
 - a. Prior to tree removal activities (limited to removal of hazard trees only), land clearing, or construction of any new facilities, a qualified wildlife biologist with experience in Northern Spotted Owl (NSO) and/or West Coast Fisher protocol surveys shall complete a survey of the site to determine if there are trees that could provide nesting or roosting habitat for the NSO. No tree that could provide suitable nesting or roosting habitat for this species shall be removed or altered.
 - b. No work will occur in the NSO nesting season (February 1st- July 31st) or West Coast Fisher nesting season (January 1st- July 15th) unless a wildlife biologist with experience in NSO protocol surveys completes a biological assessment of the property to determine whether the area has NSO presence and whether site specific avoidance measures are necessary to avoid any impact to the species. Any measures developed by the biologist must be adhered to during the nesting season.
 - c. No proposed activity generating noise levels 20 or more decibels above ambient noise levels or with maximum noise levels above 90 decibels may occur during the NSO or West Cost Fisher nesting season. Condition of approval #9 below addresses this concern.
 - d. No human activities shall occur within a visual line-of-sight of 40 meters (131 feet) or less from a known nest location.
 - e. For the life of the project, the applicant shall submit annual monitoring reports prepared by a qualified wildlife biologist with experience in NSO and West Coast Fisher protocol surveys for the review and approval of the Planning Director.
 - f. The applicant shall not use Monofilament Netting to minimize the risk of ensnaring and strangling wildlife. The applicant shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
 - g. If any wildlife is encountered during the Authorized Activity, Permittee shall not disturb the wildlife and shall allow wildlife to leave the work site unharmed.
10. A noise evaluation was completed for the project by NorthPoint Consulting Group and found that the sound level from the generator is approximately 58 dB. Based on noise decreasing over distance, it was estimated the noise level at the site of the NSO observation would be approximately 18.7 dB. After County consultation with CDFW, the applicant shall be required to and will agree to place the generator in a shed to further reduce noise by placing the generator in a shed or other structure. The applicant shall show that this measure will reduce noise at the property line to 20 dB or less at the property line.
11. Prior to the issuance of building or grading permits, a qualified biologist shall conduct surveys to determine if Northern Spotted Owls are present. Night time call surveys performed per federal protocol can assess if NSO are present. The project applicant shall submit a written report of survey results to the County Planning and Building Department. If survey results are negative, no further action is required. If survey results are positive, the project applicant shall consult with CDFW and the County planning Department regarding avoidance, minimization, and mitigation measures, and those measures shall be incorporated into building and grading permits.
12. Prior to removal of the existing dry "off stream pond," the applicant shall submit an LSA Notification prior to removal of the pond as it may be jurisdictional to Fish and Game Code Section 1602. In the

application, the applicant will state if the pond is still dry or now contains water so that CDFW can make a determination of its status.

13. Prior to issuance of any building or construction permits, a grading, erosion and sediment control plan shall be prepared by a qualified engineer. The plan shall identify the cubic yards of all grading that has been done and any proposed grading.
14. Prior to any ground-disturbance, the applicant shall consult with, or obtain a permit as needed from, the North Coast Air Quality Management District (NCAQMD). Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.
15. The applicant shall secure permits and install an on-site sewage disposal system and restroom facility for use by employees. Portable toilet and handwashing facilities may be utilized during the construction of these permanent improvements. The applicant shall furnish receipts or other documentation to the DEH for the continual use of portable toilets for employees either through 2019 or until a permanent septic system is installed to their satisfaction. A letter or similar communication from DEH verifying that all their requirements have been met will satisfy this condition.
16. Prior to issuance of any building or construction permit, the applicant shall prove the satisfaction of the County Planning and Building Department that the existing Onsite Wastewater Treatment System (OWTS) is adequate to serve the proposed use and meets applicable standards.
17. The Applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
18. The Applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the Applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. All components of the project shall be developed, operated, and maintained in conformance with the project description, the approved Site Plan, or revised site plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
2. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
3. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort towards compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Planning Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow for additional time to meet the outstanding requirements.

4. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
5. Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
6. Confinement of the area of cannabis cultivation, processing, manufacture or distribution to the locations depicted on the approved site plan. The applicant shall ensure that the commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any School, School Bus Stop, Church or other Place of Religious Worship, or Tribal Cultural Resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d). The allowance for a setback reduction of 600 feet from a Public Park is approved as part of this project.
7. Maintain enrollment in Tier 2, certification with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023, if applicable; or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
8. Comply with the terms of any applicable Lake and Streambed Alteration Agreement (1600) Permit obtained from the Department of Fish and Wildlife.
9. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
10. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
11. The applicant shall, to the satisfaction of the County Department of Environmental Health, maintain the portable toilet(s) on-site to accommodate for worker waste until such time a permitted septic system, or other such permanent human waste facility can be designed and installed.
12. Pay all applicable application, review for conformance with conditions and annual inspection fees.
13. Storage and handling of fuel shall be in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Protection Agency CUPA program, and in such a way that no spillage occurs.
14. The applicant shall maintain the Master Log Books to track production and sales shall be maintained for inspection by the County.
15. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
16. Participate in and bear costs for permittee's participation in the Medical Cannabis Track and Trace Program administered by the Humboldt County Agricultural Commissioner..

Performance Standards for Cultivation and Processing Operations

17. Pursuant to the MCRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."

18. 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, California Occupational Health and Safety (CAL/OSHA), Occupational Health and Safety (OSHA), California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
19. Cultivators engaged in processing shall comply with the following Processing Practices:
 - i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - iii. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - iv. Employees must wash hands sufficiently when handling cannabis or use gloves.
20. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
 - I. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (a) Emergency action response planning as necessary;
 - (b) Employee accident reporting and investigation policies;
 - (c) Fire prevention;
 - (d) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (e) Materials handling policies;
 - (f) Job hazard analyses; and
 - (g) Personal protective equipment policies, including respiratory protection.
 - II. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (a) Operation manager contacts;
 - (b) Emergency responder contacts;
 - (c) Poison control contacts.
 - III. 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.
 - IV. On-site housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
21. All cultivators shall comply with the approved Processing Plan as to the following:
 - I. Processing Practices.
 - II. Location where processing will occur.
 - III. Number of employees, if any.
 - IV. Employee Safety Practices.
 - V. Toilet and handwashing facilities.
 - VI. Plumbing and/or septic system and whether or not the system is capable of handling increased usage.
 - VII. Drinking water for employees.
 - VIII. Plan to minimize impact from increased road use resulting from processing.
 - IX. On-site housing, if any.

22. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit (SP) issued pursuant to the CMMLUO shall expire after one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
23. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the SP or permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to section 55.4.13.
24. Permit Renewals to comply with Updated Laws and Regulations. Permit renewal per Ongoing Condition of Approval #24 above is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
25. Acknowledgements to Remain in Full Force and Effect. Permittee Acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located will not support diversions for irrigation.
26. Permittee further acknowledges and declares that:
- (1) All commercial cannabis activity that I, my agents, or employees conduct pursuant to a permit from the County of Humboldt for commercial cultivation, processing, manufacturing, and distribution of cannabis for adult use or medicinal use within the inland area of the County of Humboldt, shall at all times be conducted consistent with the provisions of the approved County permit; and
 - (2) All cannabis or cannabis products under my control, or the control of my agents or employees, and cultivated or manufactured pursuant to local Ordinance and the State of California Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") (SB 94), will be distributed within the State of California; and
 - (3) All commercial cannabis activity conducted by me, or my agents or employees pursuant to a permit from the County of Humboldt will be conducted in compliance with the State of California MAUCRSA
27. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements, and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new Owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new Owner in accordance as required for the initial Permit application;
 - c. The specific date on which the transfer is to occur; and
 - d. Acknowledgement of full responsibility for complying with the existing Permit; and

e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

28. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years of the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the Permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"); except where the Compliance Agreement per Condition of Approval#1 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Condition of Approval #25 and 26 of the On-Going Requirements /Development Restrictions, above.
3. If cultural resources are encountered during any construction activities, the contractor or applicant site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist as well as the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

4. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
5. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

6. A Notice of Exemption (NOE) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. Within three days of the effective date of permit approval, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOE and will charge this cost to the project.

ATTACHMENT 2

STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

The County Zoning Ordinance, Sections 312-1.1.2 and 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specify the findings that are required to grant a Conditional Use Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations;
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity;
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and
6. In addition, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA. The project either:
 - a. Is categorically or statutorily exempt; or
 - b. Has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c. Has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

Staff Analysis of the Evidence Supporting the Required Findings: To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

1. The proposed development must be consistent with the General Plan. The following table identifies the substantial evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt County General Plan.

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Land Use Chapter 4</p> <p>Land Use Designations Section 4.8</p>	<p>Residential Agriculture (RA40): Applies to large lot residential uses that typically rely upon on-site water and wastewater systems. Varying densities are reflective of land capabilities and/or compatibility issues. RA5-20 and RA20 are rural residential designations for lands with slopes generally less than 30% and served by individual water and wastewater systems and good road access. RA40, RA60, and RA160 designations are applied to more remote, steep, and high hazard areas or where appropriate to ensure compatibility with adjacent resource production and open space uses.</p> <p>Primary and Compatible Uses include: Single-family and second residential units, and general agriculture.</p> <p>Density Range: One (1) dwelling unit per 160 acres to one dwelling unit per 5 acres, as specified on the map.</p>	<p>The referenced section enumerates "resource production allowing intensive management" as a primary and compatible use. The project entails the permitting of two existing cultivation areas totaling 18,000 square feet (sf) on an approximate 76-acre site. These actions are consistent with these objectives.</p> <p>The MMRSA, Health and Safety Code section 11362.777(a) provides that cannabis is an agricultural product, subject to extensive state and local regulation. The CMMLUO provides for the cultivation and processing of medical cannabis within the zoning districts where agriculture is a principally permitted use, with limits and in compliance with performance standards that will preserve space for more traditional agricultural activities that supply food and fiber contributing to a diverse economic base. The existing cultivation and proposed relocation of the existing cultivation areas is considered an agricultural use, and the processing facility and supportive infrastructure may be considered accessory to the agricultural use.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Circulation Chapter 7	<p>Goals and policies contained in this Chapter relate to a balanced, safe, efficient, accessible and convenient circulation system that is appropriate for each type of unincorporated community (C-G1,CT-G2); coordinated planning design, development, operations, and maintenance between the County and other transportation system service providers (C-G3); and access for all transportation mode types with improved opportunities to move goods within, into and out of Humboldt County (C-G5)</p> <p>Related policies:C-P1. Circulation System. C-P3. Consideration of Transportation Impacts in Land Use Decision Making.</p>	<p>Access to the project site is a via private drive and roadway accessed directly from Bloody Nose Lane, which is a paved and striped road with a centerline. A Road Evaluation Report with pictures and aerial photograph showing the photo locations was prepared for the private drive by Manhard Consulting in December 2017. Manhard Consulting concluded the entire road segment was sufficient to meet the demand of the proposed use.</p> <p>Conditions of approval requiring the roadway to be maintained have been added to the project.</p>
Housing Chapter 8	<p>Goals and policies contained in this Element seek to identify existing and projected housing needs and establish goals, policies, standards and measures for the preservation, improvement, and development of housing.</p> <p>Related policies: H-P3, Development of Parcels in the Residential Land Inventory</p>	<p>The proposed project does not involve residential development, nor is the project site part of the Housing element Residential Land Inventory. However, the project will not preclude any future residential development. The project will not reduce the residential density for any parcel below utilized by the Department of Housing and Community Development in determining compliance with housing element law.</p>
<p>Conservation and Open Space Chapter 10</p> <p>Open Space Section 10.2</p>	<p>Goals and policies contained in this Chapter relate to an Open Space and Conservation Program that is complimentary to other agencies' plans and that preserves the county's unique open spaces (CO-G1,CO-G3)</p> <p>Related policies: CO-P1, Conservation and Open Space Program; CO-P8, Development Review, CO-S1. Identification of Local Open Space Plan, and CO-S2. Identification of the Open Space Action Program</p>	<p>The proposed project is for the continued operation of cannabis cultivation and would not authorize any timber harvesting. The proposed project would leave intact, the existing open space areas surrounding the cultivation areas as well as surrounding parcels. The proposed project is planned Residential Agriculture (RA40-160)and zoned Agricultural Exclusive (AE). The project can be found consistent with the Open Space Plan Open Space Action because the proposed project is consistent with the allowable uses of the Land Use Designations. The proposed cannabis cultivation - an agricultural product - is within land planned for agricultural purposes, consistent with the use of Open Space land for management production of resources.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Conservation and Open Space Chapter 10</p> <p>Biological Resources Section 10.3</p>	<p>Goals and policies contained in this Chapter relate to mapped sensitive habitat areas where policies are applied to protect fish and wildlife and facilitate the recovery of endangered species (BR-G1, Threatened and Endangered Species, BR-G2, Sensitive and Critical Habitat, BR-G3, Benefits of Biological Resources)</p> <p>Related policies: BR-P1, Compatible Land Uses, BR-P11, Biological Resource Maps.</p>	<p>The proposed project has no watercourses running through the site. Locally, the project is in the Lower Trinity Planning Watershed. A Water Resources Protection Plan (WRPP) was prepared in August 2016. The remediation efforts were expected to be completed by end of 2017. According to NorthPoint Consulting, the applicant has completed most of the required measures of the WRRP plan except for pond and water bladder removal. Continuing maintenance according to the WRPP and BMPs is on-going.</p> <p>Although there were no recorded Northern Spotted Owl (NSO) observations on-site, a NSO activity center is approximately 0.5 miles from the site and the generator sound level is approximately 18.7 dB. At the property line, approximately 200 feet, the sound level is approximately 39.2 dB. To further avoid disturbance and harassment to wildlife species, the applicant will agree to construct a noise containment structure for all generators and fans on the parcel until PGE service obtained. These structures shall be required to ensure that noise released is no more than 50 decibels at 100ft from the source. The noise containments and connection to PGE is as a condition of approval. The generator will be in operation from April to November for drying cannabis and will be stored in a shed which would further reduce noise levels. While, no NSO or West Coast Fisher were observed within the project site there were observations of NSO in adjacent areas. Therefore, standard permitting conditions and compliance with the standards set forth in Section 55.4.11(o) of the CMMLUO and Department Policy Statement #DPS-16-005 are required. Implementation of these conditions also would avoid impacts to the West Coast Fisher, should it be present. Construction of the proposed processing shed has the potential to disturb NSO, and so a condition of approval has been added to require the applicant to perform surveys for presence of NSO and if present to determine appropriate measures in consultation with CDFW and the County prior to the issuance of building and grading permits.</p> <p>In addition to the requirements for erosion control for protection of aquatic resources, other conditions of approval have been added regarding measures needed to protect the NSO, west coast fisher, and any other sensitive species. These conditions, requiring biological surveys as well as other permitting conditions, would be sufficient to protect natural resources on this parcel.</p>
<p>Conservation and Open Space</p>	<p>Goals and policies contained in this Chapter relate to the protection and enhancement of</p>	<p><i>Phase I Cultural Resource Inventory Report for Butterfly Creek Cooperative LLC</i> dated June 2018 was conducted by DZC. The report includes a review of</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Chapter 10 Cultural Resources Section 10.6</p>	<p>significant cultural resources, providing heritage, historic, scientific, educational, social and economic values to benefit present and future generations (CU-G1, Protection and Enhancement of Significant Cultural Resources)</p> <p>Related policies: CU-P1. Identification and Protection, CU-P2. Native American Tribal Consultation. CU-P3. Consultation with Other Historic Preservation Agencies and Organizations]. CU-S1. Significant Cultural Resources Defined.</p>	<p>records, reports, and published literature of the Northwest Information Center (NWIC) and correspondence with tribal representatives. The study also conducted field survey, historic research, and archeological research.</p> <p>The cultural resources survey had negative results and found no effect to historic, archeological, or tribal cultural resources as defined by CEQA and a Finding of No Significant Impacts to historic properties, as defined by the National Historic Preservation Act. No additional archeological studies are recommended for permit approval. A condition regarding inadvertent archaeological discovery be including prior to project approval.</p>
<p>Conservation and Open Space Chapter 10 Scenic Resources Section 10.6</p>	<p>Goals and policies contained in this Chapter relate to the protection of scenic areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources (SR-G1); and a system of scenic highways roadways that increase the enjoyment of, and opportunities for, recreational and cultural pursuits and tourism in the County. (SR-G2)</p> <p>Related policies: SR-P1. Working Landscapes.</p>	<p>The project involves cultivation in two adjacent locations consisting of full-sun outdoor only. The applicant's Site Plan Overview and Cultivation and Operations Plan does not include the use of artificial light. The project site is not located near any designated scenic highway but is approximately 0.5 miles from Highway 299 which listed as an Eligible State Scenic Highway but is not officially designated. None of the cultivation areas will be visible from the highway.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Water Resources Chapter 11</p> <p>Stormwater Drainage</p>	<p>Goals and policies contained in this Chapter relate to coordinated watershed planning and land use decision making to advance management priorities (WR-G3, WR-G4, WR-G5); watershed conservation and restoration efforts aimed at delisting water bodies and watersheds which are restored to meet all beneficial uses, including water use, salmon and steelhead recovery plans, recreational activities, and the economy (WR-G1, WR-G2, WR-G7, WR-G8, WR-G11); and</p> <p>Related policies: WR-P8. Erosion and Sediment Discharge; WR-P36. Erosion and Sediment Control Measures.</p>	<p>The project site falls within Tier 2 of the North Coast Regional Water Quality Control Board's (NCRWQCB) Order No. 2015-0023 (Order), which requires preparation of a Water Resources Protection Plan (WRPP) to protect water quality from cannabis cultivation and related activities. A WRPP was prepared for the project in August 2016 to describe and address the required elements and compliance with the 12 Standard Conditions established by the Order. The WRPP identified areas where the Project site does not meet all 12 Standard Conditions and set a preliminary schedule prioritizing corrective actions to reach full compliance with the Order. The WRPP identifies remediation efforts and corrective actions based on a site evaluation and previous studies, as well as a monitoring and reporting plan following remediation activities. Sites identified in the WRPP have recommended corrective actions as conditions of approval. According to NorthPoint Consulting, the applicant has completed most of the required WRPP measures except for the pond and water bladder removal. Continuing maintenance according to the WRPP and BMPs is on-going.</p>
<p>Water Resources Chapter 11</p> <p>Onsite Wastewater Systems</p>	<p>Goals and policies contained in this Chapter relate to adequate public water supply as well as onsite wastewater systems and natural and developed storm drainage systems that minimize interference with surface and groundwater flows and storm water pollution (WR-G6, WR-G9, WR G11)</p> <p>Related policies: WR-IM7. Basin Plan Septic Requirements; and IS-P20. On-Site Sewage Disposal Requirements.</p>	<p>Water is provided by the Willow Creek Community Services District (WCCSD). Municipal water is pumped uphill from a station, filtered, and stored in two (2) 2,500-gallon tanks. In a letter dated June 27, 2017 from WCCSD, in response to an inquiry from the applicant, WCCSD stated in part, "I understand you have inquired if this meter could be used for approximately 270,000 gallons (36,093 cubic feet) of water per month for agricultural purposes. This is acceptable to the WCCSD). As the proposed project would use approximately 276,500 gallons per year, there is adequate supply for the project. This letter also serves to address CDFW concerns about WCCSD supplying water to the project. The project site does not yet have an Onsite Wastewater Treatment System (OWTS). The WRPP states that the property owner is in the process of applying for permits to install a primary and secondary septic system for the new processing facility. A condition of approval has been included and requires the applicant to provide portable toilets to accommodate worker waste until a permitted septic system or other such human waste facility can be designed and installed to the satisfaction of Humboldt County Planning and Building Department. In addition, a requirement to maintain the portable toilets on-site until a permanent system can be installed has been incorporated as a condition of approval.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
Noise Chapter 13	<p>Goals and policies contained in this Chapter discourage incompatible uses within communities and reduce excessive noise through the application of standards (N-G1, N-G2)</p> <p>Related policies: N-P1, Minimize Noise from Stationary and Mobile Sources; N-P4, Protection from Excessive Noise</p>	<p>The project site is approximately 76 acres in size. There are no residences on the site but residences are located on adjacent parcels. The applicant uses a Honda GX390 EFI generator. The generator model has a sound rating of 58 dB at 23 feet from the generator. Generator noise audible from residences on adjacent parcels is below thresholds. From the nearest owl observation, which is an identified activity center approximately 0.5 miles from the site, the sound level will be approximately 18.7 dB. At the property line, approximately 200 feet, the sound level is approximately 39.2 dB. To further avoid disturbance and harassment to wildlife species, the applicant agreed to construct a noise containment structure for all generators and fans on the parcel. These structures shall be required to ensure that noise released is no more than 50 decibels at 100ft from the source. This has been added as a condition of approval. The generator will be in operation from April to November for drying cannabis and will be stored in a shed which would further reduce noise levels. While no Northern Spotted Owls (NSO) or West Coast Fisher were observed within the project site, there were observations of NSO in adjacent areas. Therefore, standard permitting conditions and compliance with the standards set forth in Section 55.4.11(o) of the CMMLUO and Department Policy Statement #DPS-16-005 are required. Implementation of these conditions also would avoid impacts to the West Coast Fisher, should it be present. Connecting to PGE and use of the generators as emergency back-up only is a condition of approval.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Geologic & Seismic</p>	<p>Goals and policies contained in this Chapter relate to communities that are designed and built to minimize the potential for loss of life and property resulting from natural and manmade hazards; and to prevent unnecessary exposure to areas of geologic instability, floodplains, tsunami run-up areas, high risk wildland fire areas, and airport areas planned and conditioned to prevent unnecessary exposure of people and property to risks of damage or injury (S-G1, S-G2)</p> <p>Related policies: S-PX1. Site Suitability, S-P6. Structural Hazards,</p>	<p>Based on the Humboldt County Web GIS, the project site is not located in a mapped Alquist-Priolo fault zone nor is subject to liquefaction. The project is located within an area that was mapped as part of the Caltrans Landslide Map of the Highway 299 Corridor project. However, the site, nor the adjacent area have mapped historic landslides. According to Humboldt County WebGIS, the nearest fault to the project site is the Grogan fault located approximately nine miles to the west. The project site is not mapped in an existing floodplain, it located between approximately 950 to 1,300 feet above mean sea level (amsl) and is approximately 27 miles east of the Pacific Ocean coast and is not subject to Tsunamis. The proposed project is not located in an airport contour area or military training route. The proposed project is located within a State Responsibility Area (SRA), but will provide required buffers, setbacks, fire turnarounds, and water for supply for fire suppression. According to the Humboldt County Web GIS, the site is shown as being in an area of moderate instability in relation to seismic safety but the site is not shown with a history of historic landslides. According to the California Department of Conservation (CDOC) geologic hazards data and maps, the project site is not location within the landslide inventory and does not have any active or historic landslide. If any grading occurs, it would be conducted in conformance with a Humboldt County Codes. Conditions of approval have been added to ensure that all grading is properly permitted.</p>
<p>Safety Element Chapter 14</p> <p>Flooding</p>	<p>Goals and policies contained in this Chapter relate to the use of natural drainage channels and watersheds that are managed to minimize peak flows in order to reduce the severity and frequency of flooding. (S-G3)</p> <p>Related policies include: S-P10, Federal Flood Insurance Program; S-P11, Flood Plains; S-PX3, Construction Within Special Flood Hazard Areas</p>	<p>The subject site is outside any mapped flood hazard areas and is not within a mapped dam or levee inundation area. The project site is approximately 26 miles distance from the coast and between approximately 950 to 1,300 feet above mean sea level which is outside the areas subject to tsunami run-up.</p>

Plan Section	Summary of Applicable Goal, Policy or Standard	Evidence Which Supports Making the General Plan Conformance Finding
<p>Safety Element Chapter 14</p> <p>Fire Hazards</p>	<p>Goals and policies of this Chapter encourage development designed to reduce the risk of structural and wildland fires supported by fire protection services that minimize the potential</p> <p>Related policies: S-P15, Conformance with State Responsibility Areas (SRA) Fire Safe Regulations;</p>	<p>The subject property is located within the State Responsibility Area where the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. County WebGIS shows the site within a very high fire hazard severity zone. The project proposed designating a fire turn-around and pull-out area for emergency vehicles and management of trees and vegetation around structures to maintain the required 100-foot defensible space, in addition to installation of a dedicated 2,500 gallon tank with SRA riser and hydrant if required by CAL FIRE. All water stored in the two existing 2,500 gallons tanks would be available for fire suppression efforts as well. CAL FIRE comments recommended compliance with the requirements of the County's Fire Safe Regulations, Resource Management policies, and for cannabis cultivation in SRA lands. The project would comply with the requirements of the County's Fire Safe Regulations and the Humboldt County Fire Safe Ordinance (Section 3111-1 et seq.), which establishes development standards for minimizing wildfire danger in state responsibility designated areas. The applicant will be required to have a dedicated 2,500-gallon water tank for fire suppression. Conditions of approval addressing other CALFIRE requests have been added.</p>
<p>Air Quality Chapter 15</p>	<p>Goals and policies contained in this Chapter relate to improved air quality to meet current and future state and federal standards, including attainment of particulate matter requirements (AQ-G1, AQ-G2) and the successful reduction of greenhouse gas emissions to levels consistent with state and federal requirements (AQ-G3)</p> <p>Related policies: AQ-P4, Construction and Grading Dust Control, AQ-S1. Construction and Grading Dust Control, AQ-P7. Interagency Coordination.</p>	<p>As a condition of project approval, applications for grading and or building permits shall be referred to the North Coast Air Quality Management District (NCAQMD) for review and consultation. Dust control practices will be required during all work on the project site to include, culvert and BMP installation, any grading that would occur for work on the project site. All work shall achieve compliance with NCAQMD fugitive dust emission standards.</p>

2. **Zoning Compliance and 3. Conforms with applicable standards and requirements of these regulations:** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Zoning Regulations.

Zoning Section and Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
<p>§312-1.1.2 Legal Lot Requirement: development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations.</p>	<p>The property, which consists of APN 522-174-014, 522-271-043, and 522-281-001 is one legal parcel created through Parcel Map 2010 filed in Book 17 of Parcel Maps, Page 129. There is no evidence indicating there have been any subsequent acts to merge or divide this parcel. Therefore, the subject parcel was lawfully created in its current configuration and can be developed as proposed.</p>
<p>§314-7.1 Agricultural Exclusive (AE): Intended to be applied in fertile areas in which agriculture is and should be the desirable predominate use and in which protection of this use from encroachment from incompatible uses is essential for the general welfare.</p>	<p>The applicant is seeking a CUP for an existing 18,000 sf outdoor cannabis cultivation operation with a 2,500 sf appurtenant metal processing facility served by an on-site septic system on a property zoned AE. The legal parcel is 76 acres and the specific assessor's parcel where the commercial cannabis activity occurs is 41 acres thus it meets the minimum parcel size of the B-5 combining zone. General and intensive agriculture are allowed use types for this designation.</p>
<p>§314-17.1 B-5 (40) Special Building Site Combining Zone specifying a 40 acre minimum parcel size</p>	<p>All general agricultural use is enumerated as a principally permitted use in the Agricultural Exclusive (AE) zoning district. The project is for the cultivation of commercial medical cannabis using outdoor production. Commercial medical cannabis cultivation is recognized under State law as an agricultural product. Although State law specifies it is agricultural use and general agricultural uses are principally permitted in AE, pursuant to Humboldt County Code Section 314-55.4.3.7, the commercial cultivation of cannabis for medical use is a regulated specialty crop and the cultivation of that specialty crop is not a principal permitted use under the General Agriculture use type classification in the Humboldt County Zoning Regulations. The applicant has applied for the requisite permit. Based on the referenced principally permitted use and the above, a finding of consistency with the AE zoning district can be made for the project.</p>

Willow Creek Community Plan Area (WCCP): This plan area is in southern Humboldt County and includes policies to protect resource production land, increase rural densities, provide economic development, and identification of areas of special concern.

The proposed project is within the WCCP area. The proposed project will support the major policies of the WCCP. The proposed project will protect resource production lands, is consistent with the rural densities of surrounding areas, and is an existing use within the existing community. While the proposed project does not consist of housing, it would contribute to the local economy, and is sensitive to existing habitats, species, resources, and environmental hazards including geotechnical issues. The project proposes use of an OWTS, would not result in housing on a hillside, and will not conflict with the rural nature of the area. Therefore, this proposed project is consistent with the history of and current uses within the WCCP area.

Zoning Section	Summary of Applicable Requirement	Evidence That Supports the Zoning Finding
§314-7.1 AE B-5(40)	Agricultural Exclusive with B-Combining Zone	Legal lot is 76 acres and Assessor's Parcel (522-174-014) where cannabis activity occurs is 41 acres.
Minimum Lot Size	20 acre	76 acres.
Maximum Ground Coverage	40 percent	The applicant proposes coverage of less than one acre, which is well below the lot coverage.
Minimum Lot Width	100 feet	2,400 feet
Maximum Lot Depth	None specified	N/A
Setbacks Front: 30 feet Rear: 10 feet Side: 20 feet		Front, north property line: the project Operation Plan shows a 30-foot setback. The outdoor cultivation area is approximately 400 feet from the northern boundary. Rear, south property line: the project Operation Plan shows a 30-foot setback. The cultivation area is approximately 1,000 feet from the southern boundary. Side, east property line: the project Operation Plan shows a 30-foot setback. The cultivation area is approximately 900 feet from the eastern property line. Side, west property line: the project Operation Plan shows a 30-foot setback. The cultivation area is approximately 960 feet from the western property line.
Fire Safe Standards require a 30 foot setback from all property lines.		All existing and proposed structures meet the Fire Safe setback requirements.
Max. Building Height	None specified	The applicant proposes a 2,500 sf processing facility with 15-foot 10-inch ridge height.
§314-61.1 Streamside Management Area (SMA)	Purpose: to provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.	Water is sourced municipal water source and stored in two water 2,500 gallon tanks. A Lake and Streambed Alteration Agreement (LSAA) is not required. CDFW will potentially require an LSAA application as part of removal of the pond. According to the applicant the pond is now dry and likely would not require such an agreement. A condition of approval; however, has been added requiring consultation with CDFW.
§314-109.1.2.3 Off-Street Parking	Parking Facilities shall be provided for any new building constructed.	Six (6) parking spaces are proposed as well as one (1) ADA-compliant space for a total of seven (7) parking spaces.

314-55.4 et seq. HCC: Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use Inland Land Use Regulation (CMLLUO)

<p>§ 314-55.4.8.2.2</p>	<p>On AE parcels (no parcel size limitation), existing outdoor and mix-light cultivation may be permitted with a Zoning Clearance Certificate, Special Permit or Use Permit.</p>	<p>In accordance with the referenced section the applicant has applied for the necessary CUP due to the parcel being approximately 76 acres in size and existing cultivation is greater than 10,000 sf.</p>
<p>§314-55.4.8.2.2 Critical for approval for existing outdoor and mix-light cultivation areas:</p>		
<p>No expansion of the existing cultivation area shall be permitted. The total cultivation area allowed on a single parcel shall not exceed one acre for outdoor cultivation and 22,000 square feet for mixed-light cultivation.</p>	<p>The applicant does not propose to expand the area within the project site currently under outdoor cultivation. The area under cultivation is approximately 18,000 SF, which is less than what is allowed</p>	
<p>With documented current water right or other non-diversionary source of irrigation water.</p>	<p>The applicant's operation uses municipal water from the WCCD. The project pumps municipal water uphill from a station, filters, and stores the water in two 2,500-gallon tanks. Per the Plan of Operation and Water Resource Protection Plan, the operation will utilize municipal water as the primary source of irrigation water. In a letter dated June 27, 2017 from WCCSD, in response to an inquiry from the applicant, WCCDD stated in part, "I understand you have inquired if this meter could be used for approximately 270,000 gallons (36,093 cubic feet) of water per month for agricultural purposes. This is acceptable to the WCCSD). As the proposed project would use approximately 276,500 gallons per year, there is adequate supply for the project. This letter also serves to address CDFW concerns about WCCSD supplying water to the project. The applicant proposes hand watering and drip irrigation to reduce water use. The applicant is not proposing to use any additional surface diversion or wells for irrigation water. Based on the submitted evidence, the project complies with the referenced section.</p>	

§314-55.4.8.2	In all zones where cultivation is allowed consisting of timberland, the commercial cultivation of cannabis for medical use shall only be permitted within a 3-acre conversion exemption area, or non-timberland open area, subject to the conditions and limitations set forth in this Section.	A 3-acre conversion was completed in 2011 with exemption number 1-11-EX091HUM. All cultivation and processing activities occur within the approved conversion area. The applicant does not propose to expand the cultivation area and existing operations.
§314-55.4.8.10 Permit Limit	No more than four commercial cannabis activity permits may be issued to a single person, as defined in the referenced section.	The applicant is applying for a single CUP for this project. This application is for one permit and the only permit the applicant is applying for and is entitled to four. According to records maintained by the Department, this is confirmed.
§314-55.4.9.1 Accessory Processing	Processing for cultivation requiring a Special Permit or Use Permit will be considered in the Use Permit application.	All commercial medical cannabis cultivated will be dried, cured, and trimmed by the applicant and by employees and temporary workers. Cannabis will be processed onsite in the <i>Drying and Curing Facility</i> . The project has been conditioned to include all applicable Employee Safe Practices enumerated in Section 55.4.11(a) through (u). In correspondence, the applicant has state specific intent to conform to all processing requirements.
§314-55.4.9.4 Pre-Application Registration	Existing cultivation sites shall register with the County within 180 days of the effective date of this ordinance.	A Commercial Cannabis Registration Form for the site, APN 522-174-014, was filed with the Planning Division on June 23, 2016, and within the specified window.
§314-55.4.10 Application Requirements	Identifies the Information Required for All Applications	Attachment 3 identifies the information submitted with the application, and shows all the required information was received.
§314-55.4.11 Performance Standards	Identifies the Performance Standards for Cannabis Cultivation Activities	All the applicable performance standards are included as conditions of project approval. They are required to be met throughout the timeframe of the permit.
§314-55.4.11.c Performance Standards-Water	Compliance with all statutes, regulations and requirements of the California State Water Resources Control Board, Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration.	The applicant utilizes municipal water (Willow Creek Community Services District) as the source of irrigation thus is not required to obtain water rights.

<p>§314-55.4.11.d Performance Standards- Setbacks</p>	<p>The area of cannabis cultivation and on-site processing shall be setback at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, public park, or tribal cultural resources (TCRs).</p>	<p>The applicant's site plan shows that the cultivation and processing area is setback greater than 30 feet from all property lines. The applicant's plot plan also shows that the cultivation and processing area conforms to required 600-foot setback from any school, school bus stop, church or other place of public worship, or public park. The project site was surveyed for cultural resources with negative results and a condition for inadvertent discovery for archaeological resources has been added. The proposed project is compliant with the referenced standard.</p>
<p>§314-55.4.11.o Performance Standards- Generator Noise</p>	<p>The noise produced by a generator used for cannabis cultivation shall not be audible by humans from neighboring residences. The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service</p>	<p>The applicant uses a Honda GX390 EFI generator. The location of the generator is not located in proximity to any residences and it would be stored in an insulated structure to reduce noise. The generator model has a sound rating of 58 dB at 23 feet from the generator. Generator noise audible from residences on adjacent parcels would be below thresholds. From the nearest NSO observation, approximately 0.5 miles from the site, the sound level will be approximately 18.7 dB. At the property line, approximately 200 feet, the sound level is approximately 39 dB. To further avoid disturbance to wildlife species, the applicant will agree to construct a noise containment structure for all generators and fans on the parcel. These structures shall be required to ensure that noise released is no more than 50 decibels at 100ft from the source. This has been added as a condition of approval. The generator will be in operation from April to November for drying cannabis and will be stored in a shed which would further reduce noise levels. There were no observation of Spotted Owl within the project site, however, the Owl and West Coast Fisher have the potential to be on the site and in adjacent areas. Standard conditions of approval regarding ensuring and/or reducing the decibel levels from the project have been incorporated as conditions of approval. These conditions will reduce harassment of the Spotted Owl and West Coast Fisher and, therefore, the project conforms with the referenced standard.</p>
<p>§314-55.4.17 Sunset Date</p>	<p>No application for any Use Permit pursuant to the CMMLUO shall be processed for issuance or approval that is received after December 31, 2016.</p>	<p>The applicant filed the application on September 26, 2016.</p>

4. Public Health, Safety and Welfare, and 6. Environmental Impact: The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity, and will not adversely impact the environment.

Code Section	Summary of Applicable Requirements	Evidence that Supports the Required Finding
§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	The Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved or provided comments on the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project is not expected to cause significant environmental damage.
§§15304 (a) and 15311 of CEQA	Categorically exempt from State environmental review.	CEQA Exemption Class 1, Section 15301 – (Existing Facilities), Class 3, Section 15303 – (New Construction or Conversion of Small Structures), Class 4, Section 15304 (Minor Alterations to Land), and Class 33, Section 15333 (Minor Habitat Restoration project) of the State CEQA Guidelines are applicable to the proposed project and based on proposed project consistency with the requirements therein, the proposed project is Categorically Exempt from further CEQA review. Environmental review for this project was conducted and based on the results of that analysis, staff believes the existing cultivation and processing aspects of the project can be considered an "Existing Facility" as defined by Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it consists of "the operation, repair, maintenance, permitting, leasing licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agencies determination." Additionally, the construction of the proposed an OWTS and processing facility which may be considered "New Construction or Conversion of Small Structures" as defined by Section 15303 of the CEQA Guidelines. As Lead Agency, the Department has determined that the "Minor Alterations to Land" from minor earthwork to enable continued implementation of the WRPP is Categorically Exempt as defined by Class 15304 of the CEQA Guidelines. Lastly, the project is exempt because it would include a, "Small Habitat Restoration Project," as defined by Section 15333. The site of the pond would be modified and revegetated with native species which would reduce the potential for erosional impacts or failure which would benefit the surrounding environment.

5. Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	The property was not included in the 2014 Housing Inventory because of the land use designation and zoning. The proposed project does not contain any residential unit and there is no proposal to construct a residential unit on the project site. The project is in conformance with the standards in the Housing Element.

ATTACHMENT 3

Applicant's Evidence In Support of the Required Findings

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (Not applicable)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or Tribal Cultural Resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Attached)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; and proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel, and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Attached: on CD)
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (N/A)
6. Description of water source, storage, irrigation plan, and projected water usage. (On file)
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (On file)
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the Department of Fish & Wildlife. (On file)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (CAL-FIRE). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE. (Attached)

11. Consent for onsite inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in section 55.4.8.2.3, and plan for compliance with applicable Building Codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation. (On file)
14. Acknowledge that the county reserves the right to engage with local Tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the Tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The county shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On-file)
15. Butterfly Creek Collective, MBC. Cultivation and Operations Manual, Revised, July 2018, (Attached)
16. Butterfly Creek Collective, MBC Existing and Proposed Site Plan, Revised, July 2018 (Attached)
17. Manhard Consulting, Water Resource Protection Plan, (on file)
18. Manhard Consulting – Individual Sewage Disposal System Design. February 3, 2016.
19. DEH Worksheet and Road Evaluation Report (on file)
20. NorthPoint Consulting – Generator Sound Memo. July 31, 2018 (on file)
21. NorthPoint Consulting Responses to County Information Needs (on file)
22. Letter from Willow Creek Community Services District (WCCSD) dated June 27, 2017 Re: water supply for the project, (on-file)

**BUTTERFLY CREEK COLLECTIVE, MBC
CULTIVATION AND OPERATIONS MANUAL
HUMBOLDT COUNTY, CA**

**PROPOSED MEDICAL CANNABIS
CULTIVATION FACILITIES**

PREPARED FOR:



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**Cultivation and Operations Manual
For
Butterfly Creek Collective, MBC**

Proposed Medical Cannabis Cultivation Facilities

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BUTTERFLY CREEK COLLECTIVE, MBC

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1. PROJECT SUMMARY

1.1. PROJECT OBJECTIVE

Butterfly Creek Collective, MBC is proposing to permit existing medical cannabis cultivation activities in accordance with the County of Humboldt's (County) *Commercial Medical Marijuana Land Use Ordinance* (CMMLUO). The project requires a Conditional Use Permit for approximately 18,000 square feet (sf) of outdoor cannabis cultivation. The project includes the permitting of existing and proposed facilities appurtenant to the cultivation including, greenhouses, septic and a cultivation facility for drying, curing, and trimming of medical cannabis. The applicant aims to become fully compliant with State and Local cultivation regulations.

1.2. SITE DESCRIPTION

The Project at the end of Panther Creek Rd, (APN 522-174-014) just south of the community of Willow Creek. The subject parcel is approximately 43.13 acres in size (per the County of Humboldt's WebGIS). The parcel is on a ridge at an elevation at 1,200 feet and drains to the north west and the south east. The site has a rugged landscape that host dense hardwood forest intermixed with oak and other species. Development has taken place in the north-east corner of the parcel. The approximate 2-acre site is proposed to include the 18,000 square feet of outdoor cultivation, a 25'x100' cultivation facility, 4 parking spots and a garbage and recycling enclosure.

1.3. LAND USE

The subject property has a General Plan designation of Agricultural Land as identified by the Humboldt County General Plan and is zoned Agriculture Exclusive (AE). The surrounding parcels are zoned Agricultural Exclusive (AE), Timber Production Zone (TPZ), and Residential Single Family (RS).

1.4. STATE AND LOCAL COMPLIANCE

1.4.1. STATE OF CALIFORNIA COMMERCIAL CANNABIS ACTIVITY LICENSE

Butterfly Creek Collective, MBC will obtain a Commercial Cannabis Activity license from the State of California at time such a license becomes available.

1.4.2. STATE WATER RESOURCES CONTROL BOARD

Water for domestic and cultivation uses are provided by the Willow Creek Community Services District, and no diversion of surface waters are proposed. Accordingly, the filing of water rights with the State of California Water Resources Control Board is not required for this project.

1.4.3. NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

Effective March 3, 2016, Butterfly Creek Collective, MBC enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for coverage under Tier 2 of Order No. 2015-0023 *Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region* (WDID Number 1B16203CHUM). A Water Resources Protection Plan was developed for the project by Manhard Consulting, and has been implemented for activities associated with onsite cultivation since September 2016.

1.4.4. HUMBOLDT COUNTY BUILDING DEPARTMENT

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the Conditional Use Permit

1.4.5. CAL FIRE

A 3-acre conversion was completed 2011 with exemption number 1-11-EX091HUM. The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designating a fire turn-around and pull-out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines. If required by Cal Fire, a 2,500-gallon water tank with a riser to SRA specifications will be installed in addition to the hydrant.

1.4.6. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

No in-stream work or work within wetland areas is proposed as part of the project. Therefore, a Lake and Streambed Alteration Agreement (LSAA) from the Department of Fish and Wildlife (DFW) is not required.

1.4.7. CULTURAL RESOURCES

If buried archaeological or historical resources are encountered during construction or cultivation activities, the applicant or contractor shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.

2. CULTIVATION AND PROCESSING

2.1. NURSERY PROPAGATION AND INITIAL TRANSPLANT

Juvenile plants are propagated on site from seeds or clones. The seeds are sprouted in starter cube or plug. Once roots are developed the juvenile plant is transplanted into a 4 inch to 3 gallon pots and placed into the nursery. As plants mature, the lead or assistant cultivator begins transplanting the juvenile plants into the outdoor garden. This final transplant will typically occur around the first week of May.

2.2. MIXED LIGHT CULTIVATION PLAN AND SCHEDULE

No mixed light cultivation is proposed as part of this conditional use permit.

2.3. INDOOR CULTIVATION PLAN AND SCHEDULE

No indoor cultivation is proposed as part of this conditional use permit.

2.4. IRRIGATION PLAN AND SCHEDULE

Irrigation and fertigation of plants occurs using a combination of top-feed hand watering methods and drip emitters. Juvenile plants will be hand watered as needed. Butterfly Creek Collective, MBC maintains that irrigation and fertigation is more efficiently managed via hand watering, allowing for daily inspection of each plant by the cultivator and tailored irrigation and nutrient application depending on the needs of each individual juvenile plant. Once plants are transplanted into the beds a pumped watering system is used. Tubing is running the length of the beds with drip emitters placed

at the base of the plant. Each emitter delivers the right amount of water directly to the base of the plants. The monthly Cultivation Schedule in Appendix C details the irrigation activities associated with all cultivation.

2.5. EMPLOYEE PLAN

Butterfly Creek Collective, MBC is an “agricultural employer” as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code), and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

2.5.1. JOB DESCRIPTIONS AND EMPLOYEE SUMMARY

- *Agent in Charge*: Responsible for business oversight and management of the Butterfly Creek Collective, MBC. Responsibilities include, but are not limited to: inventory and tracking, personnel management, record keeping, budget, and liaison with State and County inspectors as needed. This is a part-time to full-time, seasonal position.
- *Lead Cultivator*: Oversight and management of the day to day cultivation of medical cannabis. Responsibilities include, but are not limited to: plant propagation and transplant, soil management, irrigation, fertilization, pesticide management, and harvest activities. This is a full-time, year-round position.
- *Assistant Cultivator / Processing Manager*: Provides support to the *Lead Cultivator* in their day to day duties and takes the lead role during times when the *Lead Cultivator* may be off site. Once processing activities commence, the *Assistant Cultivator* duties switch to oversight and management of processing the dried medical cannabis. This is a full-time, seasonal position.
- *Seasonal Laborer*: Provides cultivation, harvesting, and processing support including trim machine operation and hand-finish trimming. This is a part-time to full-time, seasonal position.

2.5.2. STAFFING REQUIREMENTS

In addition to the *Agent, Lead Cultivator, and Assistant Cultivator positions*, up to three (6) part-time to full-time seasonal labor positions are employed. The number of seasonal laborers varies based on the needs of the farm during the cultivation, harvest and processing seasons. During the peak harvest and processing season, there are an estimated total of six (6) employees on site.

2.5.3. EMPLOYEE TRAINING AND SAFETY

On site cultivation, harvesting, drying, and trimming is performed by employees trained on each aspect of the procedure including: cultivation and harvesting techniques and use of pruning tools; proper application and storage of pesticides and fertilizers; trim machine use and cleaning; and correct hand trimming methods. All cultivation and processing staff are provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the onsite cultivation, drying and processing facilities are limited to authorized and trained staff.

All employees are trained on proper safety procedure including fire safety; use of rubber gloves and respirators; proper hand washing guidelines; and protocol in the event of an emergency. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control as well as the Agent in Charge will be posted at the employee restroom. Each employee is provided with a written copy of emergency procedures and contact information. The material safety data sheets (MSDS) are kept on site and accessible to employees.

2.5.4. TOILET AND HANDWASHING FACILITIES

The proposed drying and processing building will include one (1) ADA-compliant restroom, including a working flush toilet as well as a sink with hot and cold running water. The septic system for the processing building will be designed to accommodate a peak count of (6) employees which occurs during processing. During the rest of the year, there will be a peak of approximately (3) employees. Anti-bacterial Liquid Soap and paper hand towels will be made available. Employees will work at a distance typically no greater than 400 feet from the restroom facility. A portable toilet will be seasonally used until the facility is built.

2.5.5. ON SITE HOUSING

No residences or on site housing is part of this conditional use permit.

2.6. SECURITY PLAN AND HOURS OF OPERATION

2.6.1. FACILITY SECURITY

The main and only access road will have a locked gate at all times. Restricted access signs are posted conspicuously at the entry gates. Security fencing at the gate. Cultivation facilities will be completely enclosed by a six foot (6') security fence that features a locked gate. Proposed lighting outside of the cultivation and processing facility consists of a minimum of four (4) security lights that illuminate the entrances. Butterfly Creek Collective, MBC is proposing to have a minimum of two (2) security cameras and data storage for up to thirty (30) days. Employees will be accompanied at all times while on the premises.

2.6.2. HOURS OF OPERATION

Activities associated with cultivation in the greenhouses (watering, transplanting, and harvesting) generally occur during daylight hours. All other activities such as processing typically occur no earlier than 8am and extend no later than 8pm.

3. ENVIRONMENT

3.1. WATER SOURCE AND PROJECTED WATER USE

Water for domestic and cultivation uses are provided by the Willow Creek Community Services District. Butterfly Creek Collective, MBC utilizes water management strategies to conserve and reuse onsite water and fertilizers to achieve net zero discharge. Refer to section 2.4 for a summary of irrigation practices, and Appendix C for the monthly irrigation schedule.

The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use.

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
0	2,800	6,200	6,000	15,000	40,000	62,000	62,000	60,000	22,500	0	0

3.2. WATER STORAGE

Municipal water is pumped uphill from a station, filtered, and stored in two (2) 2,500 gallon tanks. The tanks are gravity fed to a mixing tank where fertilizer and tea is added. This tank supplies the drip irrigation system. The pond on site is a man made off-stream and in a potential unstable area. The pond proposed to be removed as part as the Water Resource Protection Plan. The pond has been dry and not used in 2016 or 2017, shows no signs of riparian habitat.

3.3. SITE DRAINAGE, RUNOFF, AND EROSION CONTROL

Butterfly Creek Collective, MBC is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for Tier 2 coverage, and a Water Resources Protection Plan (WRPP) has been developed utilizing best management practices (BMP's) in accordance with the NCRWQCB's recommendations. The drainage and erosion control measures described below are referenced from the WRPP in Appendix E.

3.3.1. SITE DRAINAGE AND RUNOFF

Site investigation for the development of the Water Resources Protection Plan (WRPP) showed no evidence of surface runoff with associated with the cultivation. Moreover, the cultivation structures are located approximately 500 feet from the nearest water course, providing a sufficient buffer to prevent sediment and nutrient delivery. To further prevent runoff to riparian areas, water conservation and containment measures will be implemented including the use of hand irrigation to prevent excessive water use, and the maintenance of a stable, vegetated buffer between the cultivation area and riparian zone. There is one main access road to the site that would benefit from being outsloped, rocked and the installation of two (2) rolling dips. There is one abandoned logging road that has no distinct drainage patterns and should have waterbars installed every 75 to 100 ft to reduce the length of the runoff.

3.3.2. EROSION CONTROL

The Water Resource Protection Plan (WRPP) includes erosion and sediment control BMP's designed to prevent, contain, and reduce sources of sediment. The WRPP also includes corrective actions to reduce sediment delivery, including: the installation of erosion control blankets, seed and straw, and a drainage ditch on at the base of the hill slope to reroute water from the site. Additionally, the WRPP requires mulch piles and spoils from any grading to be stored in a designated location away from watercourse. See the WRPP section titled *Best Management Practices for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities* in Appendix E for complete BMP recommendations and specifications.

3.4. WATERSHED AND HABITAT PROTECTION

Adherence to the Water Resource Protection Plan (WRPP) ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures are >500 feet from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the NCRWQCB's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits and the WRPP. Refer to the WRPP in Appendix E for detailed descriptions of watershed and habitat protection measures.

3.5. MONITORING AND REPORTING

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the Water Resource Protection Plan (WRPP) and determine if the site meets all Standard Conditions. Inspections

will include photographic documentation of any controllable sediment discharge sites as identified on the site map. Visual inspection will occur at those locations on the site where pollutants or wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from roads or developed areas drains into or towards surface water. The inspection will also document the progress of any plan element subject to a time schedule, or in the process of being implemented. A monitoring plan is included in the WRPP with photo points identified on WRPP map.

Onsite monitoring shall occur:

- Before and after any significant alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site. Inspection should include photographic documentation, with photo records to be kept on site.
- Prior to October 15 and December 15 to evaluate site preparedness for storm events and stormwater runoff.
- Following any rainfall event with an intensity of 3 inches precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service by entering the site zip code at <http://www.srh.noaa.gov/forecast>.

A Monitoring and Reporting Form (Order No. 2015-0023 Appendix C) will be submitted upon initial enrollment in the Order (NOI) and then annually by March 31 to the Regional Water Board. The annual report will include data from the monitoring reports.

3.6. ENERGY AND GENERATOR USE

Butterfly Creek, MBC will limit the use of the generator to an as needed basis following all guidelines set up by Humboldt County and the State of California. The generator model Honda GX390 EFI has a sound rating of 58 dB at 23 ft from the generator (Honda, 2018). Noise levels will decrease with distance from the source by 6 dB each time the distance from the source is doubled (The Engineering ToolBox, 2018). The generators will be in operation from April to November for drying cannabis. As part of the phase for the proposed cultivation facility electricity will be provided by Pacific Electrical and Gas. This will also allow for the current uses of generators to be phased out and only used for backup power. Generators are stored inside a covered shed and kept off the ground with the 5-gallon gasoline containers. Secondary containment for spill prevention will be implemented.

3.7. USE AND STORAGE OF REGULATED PRODUCTS

3.7.1. BEST MANAGEMENT PRACTICES

Best Management Practices (BMP's) are employed when storing, handling, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides are located in a locked storage room, and contained within water tight, locked and labeled containers in accordance with manufactures instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the Water Resources Protection Plan (WRPP). Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer's recommendations. See the WRPP for complete BMP specifications for the use and storage of regulated products. Compost tea is brewed on site out of a variety of ingredients depending on plant strain, size, and stage of growth. A typical tea for Butterfly Creek Collective, MBC comprises of water, bat guano, kelp meal, and worm castings with a maximum daily use of 200 gallons a day in peak seasons.

3.7.2. FERTILIZERS

Nutrients and biological inoculants used for cultivation and quantity kept on site:

- Bat Guano - 100 lbs.
- Oyster Shell - 100 lbs.
- Cottonseed Meal - 100 lbs.
- Worm castings - 500 lbs.
- Chicken Manure - 500 lbs.
- Feather Meal - 100 lbs.
- Blood Meal - 100 lbs.
- Bone Meal - 100 lbs.

See Appendix B - *Regulated Products Resource List* for product details.

3.7.3. PESTICIDES AND FUNGICIDES

Pesticides and fungicides used for cultivation include:

- Compost tea as foliar spray

See Appendix B - *Regulated Products Resource List* for product details.

3.7.4. FUELS AND OILS

Fuels and oils stored on site include:

- Gasoline –2 to 5- Five-(5) Gallon Canisters

3.8. WASTE MANAGEMENT PLAN

3.8.1. SOLID WASTE MANAGEMENT

Trash and recycling containers will be located at the proposed cultivation facility. The containers are situated to prevent storm water contamination and leachate from entering or percolating to receiving waters. With the proposed processing facility, the containers will be enclosed within a fenced area to prevent animal intrusion. Solid waste and recycling is hauled off-site to the proper disposal facility.

3.8.2. CULTIVATION WASTE AND SOIL MANAGEMENT

Cultivation vegetative matter such as root balls are left in the ground over the winter and decomposed. Branches, stems and leaves are burned at a designated area. Spent potting soil is left in the ground and cover crop is planted and soil is reamended at the bringing of the next cultivation season. All packaging from soil amendments and fertilizers will be collected and disposed at an appropriate facility.

4. PROCESSING PLAN

4.1. SUMMARY OF PROCESSING PRACTICES

Through proprietary growing and nutrient rich methods, BUTTERFLY CREEK COLLECTIVE will deliver finished cured flowers of female cannabis plants. The final flower will be harvested when the Lead Cultivator has examined and determined the flower and trichome content has reached the point of peak potency. The active compounds are determined to be at peak potency in the flower's lifecycle by three main trichome factors: (1) size; (2) definition; and (3) color. As the window for peak

harvesting lasts about one week, the use of our own proprietary scale to establish said peak will determine the exact harvest date.

The Lead Cultivator will be responsible for all training of seasonal harvest and processing employees. Workers employed as harvesters/processors will be required to train in each aspect of the procedure including use of harvesting tools, proper harvesting techniques and fresh harvested plant handling, trimming machine use and handling of cured processed flowers. This training will also include the use of rubber gloves, face masks and hand washing requirements. Access to any part of the onsite Drying and Curing Facility will be limited to the Agent in Charge, the Lead Cultivator, the Process Manager, the Trimming Manager and authorized trained processing employees.

Harvesting

Harvesting will be done by hand employing seasonal help. Each harvester will be issued an agricultural grade, spring loaded, hand held anvil style pruner. Each harvester will be trained by the Lead Cultivator on the use of the pruner and the methods by which each plant is to be harvested. In addition, BUTTERFLY CREEK COLLECTIVE will provide all harvest workers with proper hand, eye, body and respiratory safety equipment.

Each plant will be harvested individually and cut into pieces, approximately sixteen inches (16") long. The original numbered tag will remain with the cut plant. Each branch will be rough trimmed by means of a *Trim Pro Original* (see Figure 1). This machine allows for the quick removal of the large water leaf. This water leaf will be collected, labeled, dried, weighed and packaged for transport to an approved manufacturing facility. At the time of harvest, each plant will be recorded into the master log. After each piece of the cut plant has been through the *Trim Pro* process, the pieces are placed into a sterilized, locking lid bin. Once full these bins will be labeled and sealed and transported to our on-site drying and curing facility.



Figure 1. Trim Pro Original

Drying and Curing

Upon entering the on site drying and curing facility, each bin will be weighed, recorded and logged into the Master Log. The contents in each bin will be examined by the Processing Manager. Each cut branch will then be hung on wire lines. Each line will contain the numbered tag(s) of the plant(s). The exact date and time of day along with the identification numbers of each plant(s) will immediately be recorded into the Master Log.



Figure 2. Vulcan50 Cannabis Specific Drying Machine.

Since drying temperature and humidity control is paramount to the elimination of molds and bacteria forming, BUTTERFLY CREEK COLLECTIVE will employ the use of *Vulcan50 Cannabis Specific Drying Machines* (see Figure 2). The *Vulcan50* is thermostatically controlled to achieve the desired climate. The *Vulcan50* is fully automated to run various, customizable cannabis drying schedules and contains a proprietary feature that has been proven to eradicate 99.9% of molds including aspergillus and botrytis. Air circulation will be achieved via wall mounted, oscillating fans. Using this proven methodology BUTTERFLY CREEK COLLECTIVE will be able to deliver a clean, mold free product to our patient base.

The drying and curing process takes between five (5) and seven (7) days. The Processing Manager and the Lead Cultivator will be checking the facility five (5) to six (6) times per day to monitor the progress. Once the material has reached the desired consistency the processing will begin. At this stage the Processing Manager will also randomly select up to five batch samples for third party testing. The samples will be vacuum sealed and labeled with a batch number, strain, plant number and site number and recorded into the Master Log.

Processing

Once the *Lead Cultivator* has determined the drying and curing process meets BUTTERFLY CREEK COLLECTIVE proprietary standards, the dried and cured flowers are sent to process. The *Lead Cultivator* will then instruct the Processing Manager to begin removing the labeled and stamped plants from the wire lines for processing. Processing will consist of three following main components: Bucking Down, Trimming, and Packaging. The Processing Manager will be responsible for training employees hired as processors. This training will include the bucking down procedure and proper use of automatic trimming machines, along with the use of rubber gloves, particulate masks and hand washing.

Bucking Down is the process by which the actual flowers or buds are removed from the stalks. This is achieved by using scissors to cut each individual bud from the stalk into a sterilized, locking lid bin. The discarded stalks will then be shredded and composted on site. Once each bin is full the Processing Manager will seal, label, weigh and record in the Master Log the contents of each bin. Great care will be taken to ensure that each of the original numbered tags of the plants the bin contains are affixed to the corresponding bin. Each bin will then be moved into the trimming room. Once the bins arrive in the trimming room the Processing Manager will record the date, time of day, weight and plant(s) or batch number(s) into the Master Log. Once all of the flowers from the drying chamber have been bucked down, binned and recorded the trimming process will begin.

Trimming will be done via trimming machines. BUTTERFLY CREEK COLLECTIVE will employ the use of a *GreenBroz Model 420 Commercial Dry Cannabis Trimming Machine* (see Figure 3). This machine is capable of high volume and high output finished product thus negating the need for large crews of trimmers. Each trimming cycle takes between thirty and forty-five minutes. At the end of each cycle the material will again be placed into sterilized locking lid bins. These bins will be weighed, labeled, logged and sealed. Great care will be taken to ensure that the original numbered corresponding plant tag remains affixed to each bin. The Processing Manager will then deliver the sealed and logged bins to the processed materials holding facility.



Figure 3. GreenBroz Model 420 Trimming Machine.

The waste product from the machines or “trim” will be collected and placed into sterilized locking lid bins. These bins will then be weighed, labeled and sealed for transport and delivery to an offsite, contracted, licensed Manufacturing Facility. All weights will be recorded in the master log. Upon completion of the trimming process, the *Processing Manger* will turn over all of the now processed material to the *Agent in Charge* or the *Lead Cultivator* and log this action in the Master Log. Only the *Agent in Charge* or the *Lead Cultivator* can accept and handle material in the processed state. Once in control of either the *Agent in Charge* or the *Lead Cultivator* the final processed material is removed from the Drying and Curing Facility and moved to a secured and locked storage facility. This facility will be only accessible to either the *Agent in Charge* or the *Lead Cultivator*. Once securely in the Processed Material Holding Facility, the *Agent in Charge* and the *Lead Cultivator* will begin to weigh, vacuum seal and label individual one pound packages for distribution. This procedure will be done always with both the *Agent in Charge* and the *Lead Cultivator* present. After weighing, labeling and packaging each unit will be placed inside of a lock box or safe inside the *Processed Materials Holding Facility*.

4.2. DESCRIPTION OF PROCESSION LOCATION

The Butterfly Creek Collective will conduct all drying and processing on site at our *Drying and Curing Facility*. This facility will incorporate all aspects of processing including drying, curing, bucking down and machine trimming. This facility will be housed in an approximately two thousand square foot (2000 SF) metal building that conforms to commercial building standards per the 2016 California Building Code. Once the required approvals are in place, the metal building will be constructed upon a cement slab and all work will be conducted by licensed and bonded contractors in accordance with Humboldt County Building Codes. The Butterfly Creek Collective will employ best management practices to ensure proper maintenance, not only of the structure, but of the site as well. The interior of the building will house the drying and curing chamber, trimming machines, commercial stainless steel work tables and ADA employee bathroom. The work space will be well lit and ventilated.

4.3. NUMBER OF EMPLOYEES

As previously discussed, BUTTERFLY CREEK COLLECTIVE intends on employing eight (6) employees, three (3) full time employees and up to five (3) part time/seasonal employees. The *Agent in Charge*, as well as the *Lead Cultivator*, are both principals in the BUTTERFLY CREEK COLLECTIVE operation. In addition to the principals, it is our intention to employ one (1) full time *Assistant Cultivator*, one (1) *Seasonal Processing Manager* and four (3) *Seasonal Harvest/Processing Assistants* for an estimated total of eight (6) people working the cultivation site at any given time during the harvest season. By using the latest in mechanical drying and trimming technology, it is our intention to minimize the number of employees thus mitigating impacts on septic systems and roads.

4.3. SUMMARY OF EMPLOYEE SAFETY PRACTICES

All part-time, seasonal employees will be trained by the *Lead Cultivator* on proper safety procedure. This training will include but not be limited to: fire safety, proper harvesting techniques, use of harvesting equipment, use of rubber gloves and respirators, use and cleaning of trimming machines per manufactures direction, proper hand washing guidelines and an Emergency Procedures Plan in case of emergency. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control as well as the *Agent in Charge*, the *Lead Cultivator* and the *Processing Manager* will be posted in a conspicuous place. BUTTERFLY CREEK COLLECTIVE will provide rubber gloves and respirators or dust masks to all employees. BUTTERFLY CREEK COLLECTIVE will provide saline eye wash stations at strategic places inside the processing facility. BUTTERFLY CREEK COLLECTIVE will also provide each Employee with a written copy of emergency procedures and contact information (see Attachment E – *Emergency Procedures and Contact Information*).

4.4. TOILET AND HANDWASHING FACILITIES

BUTTERFLY CREEK COLLECTIVE will install one (1) ADA-compliant restroom inside the processing center. The restroom will be clearly marked and well lit. It will include a working flush toilet as well as a sink with hot and cold running water. Hot water will be provided via a solar hot water heater with an on demand propane hot water heater as back up. Anti-bacterial Liquid Soap and paper hand towels will be made available. Above the sink in a conspicuous place a “*Before Returning to Work*” hand washing procedure placard will be posted. The cleaning and sanitation of the restroom will be the responsibility of the Processing Manager. A record of cleanings will be kept in the restroom at all times and include date and time of day cleaned.

4.5. PLUMBING AND SEPTIC SYSTEM

Two (2) newly designed septic systems are proposed for the Project. One system is designed as a residential system and is located near the caretaker’s residence. A second, commercially designed septic system is proposed near the drying and trimming facilities. Both systems will be installed by a licensed contractor in accordance with the applicable permit standard and conditions. BUTTERFLY CREEK COLLECTIVE will procure a maintenance contract with a local septic service company.

4.6. DRINKING WATER

BUTTERFLY CREEK COLLECTIVE will provide safe, clean, purified drinking water via store bought individual sealed bottled water bottles as well as an upright office style water cooler. Clean disposable paper cups will be made available to all employees.

4.7. ROAD USE AND MITIGATION STRATEGY

BUTTERFLY CREEK COLLECTIVE started its initial road repair and maintenance activities. All roads are in the process of being out sloped. In addition, rolling dips have been inserted at regular intervals as required for standard maintenance for logging roads. All outlets for water are clear of debris and allow free flow of water from the road surface. All berms have been removed. In addition, all roads on the property are in the process of being rocked. Once initial road repair and maintenance activities are complete, seasonal maintenance will include regrading of out slopes and rolling water bars to ensure good run off. We will also replace rock where necessary.

BUTTERFLY CREEK COLLECTIVE will conduct road maintenance inspections during any and all *major rain events*. BUTTERFLY CREEK COLLECTIVE considers a *major rain event* to be any rainfall above one half inch (1/2"). This inspection will include observing existing features for any minor or major issues, such as rolling dips, standing water in outlets, and the diversion of water running directly down and eroding the road surface.

BUTTERFLY CREEK COLLECTIVE will implement procedures to reduce traffic on our roads. Transportation and deliveries of medical cannabis and associated supplies will be delivered in bulk to minimize road impacts. By employing the use of mechanical trimming and drying machines, BUTTERFLY CREEK COLLECTIVE will mitigate the need for a large number of employees for processing, therefore, reducing the number of daily trips to the property. BUTTERFLY CREEK COLLECTIVE will encourage ride sharing to and from the site by seasonal employees. It is also our intention to provide transportation to and from the work the site via a company car. It will be the responsibility of the *Processing Manager* to arrange the transportation of seasonal employees.

4.8. ON-SITE HOUSING

No residences or on site housing is part of this conditional use permit.

5. PRODUCT MANAGEMENT

5.1. PRODUCT TESTING AND LABELING

Samples are selected from individual harvested cannabis strains and are tested by a licensed third-party lab in accordance with State and local standards. The finished product is labeled with the Butterfly Creek Collective logo, and will include tracking ID's provided by the County of Humboldt and/or Statewide tracking systems once they become available.

5.2. PRODUCT INVENTORY AND TRACKING

Until such time as either a County or Statewide cannabis product and inventory tracking system becomes available, an internally-developed system of inventory and tracking is utilized. The Agent in Charge and Lead Cultivator ensure all medical cannabis from clone to packaged product is tracked, accounted for and inventoried. Records are kept at each phase of the harvest and processing

operation for reporting and compliance with State and Local regulations. The information recorded for each harvest includes:

- Cultivation canopy area
- Weight of flowers, by-product, and trim waste after drying and separation
- Weight of buds after trimming
- Product ID numbers and product weight
- Staff identification (at each step)
- Physical location of the plant material at all times

5.3. TRANSPORTATION AND DISTRIBUTION

Transportation will be handled by a third-party, contracted, licensed transporter/distributor in accordance with State and Local regulations. All merchantable product will be distributed through licensed medical cannabis dispensaries. Prior to moving packages from the on-site holding facility to another physical location, a transport manifest will be created by the distributor/transporter and will include:

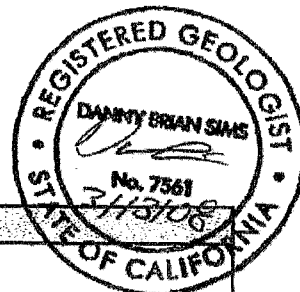
- Product ID numbers and product weight
- Route to be travelled
- Origin and destination addresses
- Time of departure
- Time of arrival

The *Agent in Charge* and the *Processing Manager* are responsible for performing a physical inventory of all packages being transported, and ensuring that the physical inventory coincides with the transport manifest.

Appendix A: Plot Plan

**Appendix B: Regulated Products
Resource List**

MATERIAL SAFETY DATA SHEET



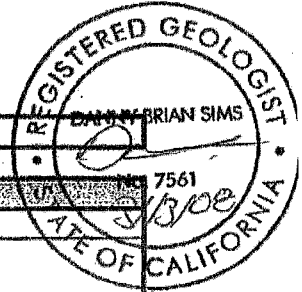
Section I. Chemical Product and Company Identification	
Product Name/ Trade Name	Archipelago Bat Guano Natural Organic Phosphate Fertilizer
Synonyms	Fossilized Bat Guano
Chemical Name	Carbonate Apatite, Crandallite, Calcite (10 wt.%), Quartz (2 wt.%)
Chemical Family	Ore from fossilized bat guano containing predominately phosphorous and calcium hydroxides, with 10 wt.% calcium carbonate, 2 wt.% silica dioxide, and trace iron oxide
Chemical Formula	Carbonate Apatite - $\text{Ca}_5(\text{PO}_4, \text{CO}_3)_3(\text{OH})$; Crandallite - $\text{Ca}_2\text{Al}_2(\text{PO}_4)_3\text{OH}\cdot 3\text{H}_2\text{O}$; Calcite - CaCO_3 (10 wt.%); Quartz - SiO_2 (2 wt.%)
Material Uses	Used as natural phosphate fertilizer without alteration
Manufacturer	Archipelago Bat Guano, LLC. P.O. Box 64328 Tucson, Arizona 85728-4328 Telephone: (520) 292-9319

Section II. Hazardous Ingredients								
Name	CAS #	Exposure Limits (ACGIH)						% by Weight
		TLV - TWA mg/m ³	TLV - TWA ppm	STEL mg/m ³	STEL ppm	CEIL mg/m ³	CEIL ppm	
Silica	14808-60-7	0.1						

Toxicological Data on Ingredients: No adverse effects expected

Section III. Hazards Identification	
Potential Acute Health Effects	Material contains fine grained particles. Dust may irritate eyes, nose, throat, and skin upon prolonged contact.
Potential Chronic Health Effects	Contains quartz. Prolonged or repeated overexposure without protective equipment may cause progressive and permanent respiratory disorder, including, but not limited to, silicosis.

Section IV. First Aid Measures	
Eye Contact	May cause irritation owing to abrasive nature of dust. Wash eyes with water to remove dust.
Minor Skin Contact	May cause dryness of skin. Wash with soap and water. Apply moisturizing cream if dryness occurs.
Extensive Skin Contact	No additional information
Minor Inhalation	Inhalation of dust may produce irritation of the respiratory tract, sneezing and coughing. Move to well-ventilated area and allow to rest. If symptoms continue, seek professional medical attention.
Severe Inhalation	No additional information
Slight Ingestion	Non toxic on ingestion. No specific treatment is required.
Extensive Ingestion	Contains less than 1% fluoride. Seek immediate professional medical attention for potential acute fluoridosis if ingestion approaches or exceeds 1 ounce of material per 10 pounds of body weight.



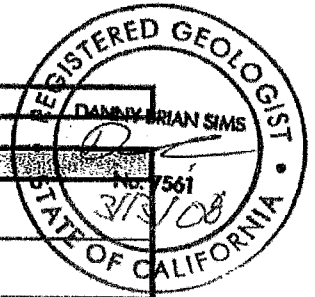
Section V: Fire and Explosion Data	
THE PRODUCT IS	Non-flammable.
AUTO-IGNITION TEMPERATURE	Not applicable.
FLASH POINT	Not applicable.
FLAMMABILITY LIMITS	Not applicable.
PRODUCTS OF COMBUSTION	Not applicable.
FIRE HAZARD IN THE PRESENCE OF VARIOUS SUBSTANCES	Not applicable.
EXPLOSION HAZARD IN THE PRESENCE OF VARIOUS SUBSTANCES	Not explosive.
FIRE FIGHTING MEDIA AND INSTRUCTIONS	Not Combustible.
SPECIAL REMARKS ON FIRE HAZARDS	No additional information.
SPECIAL REMARKS ON EXPLOSION HAZARDS	No additional information.

Section VI: Accidental Release Measures	
SMALL SPILL	Sweep and re-use if not contaminated. If contaminated, dispose of in accordance with Federal, State and Local regulations.
LARGE SPILL	No additional information.

Section VII: Handling and Storage	
PRECAUTIONS	If user generates dust, use ventilation to keep exposure levels below the stated TLV. Due to silica content of dust, respirators should be used that conform to OSHA 29 CFR 1910.134 requirements.
STORAGE	Prevent exposure to high temperatures and flames, and store in a dry clean area.

Section VIII: Exposure Controls / Personal Protection	
ENGINEERING CONTROLS	Use process enclosures or local exhaust ventilation to keep airborne levels below TLV.
PERSONAL PROTECTION	A filtering facepiece dust mask that meets OSHA 29 CFR 1910.134 requirements should be worn for respiratory protection. If conditions are dusty, long sleeved clothing, coveralls and light duty gloves are recommended to protect the skin. If conditions are dusty, tight fitting goggles are required to protect the eyes from the abrasive dust.

Section IX: Physical and Chemical Properties					
PHYSICAL STATE	Solid Powder	BOILING POINT	N/A	TASTE	Not Available
		MELTING POINT	N/A	DISPERSION	Not dispersed in water.
COLOR	Light Yellowish Brown	VOLATILITY	N/A	WATER / OIL DISTRIBUTION	Not Applicable
		SOLUBILITY IN WATER	Insoluble		
ODOR	Earthy	SPECIFIC GRAVITY OF POWDER	1.76	VAPOR PRESSURE	Not Applicable
ODOR THRESHOLD	Not Applicable			VAPOR DENSITY	Not Applicable
pH	N/A	BULK DENSITY OF POWDER (lbs/ft ³)	109.8		



Section X: Stability and Reactivity	
STABILITY	The product is stable.
INSTABILITY TEMPERATURE	Not available.
CONDITIONS OF INSTABILITY	No additional information.
INCOMPATIBILITY (materials to avoid)	No additional information.
CORROSIVITY	Low hazard for typical handling.

Section XI: Toxicological Information	
ROUTES OF EXPOSURE	Inhalation, Ingestion, Eyes, Skin
MEDICAL CONDITIONS AGGRAVATED	Exposure without protective breathing equipment may aggravate certain pre-existing upper respiratory disorders, such as bronchitis or asthma.
ACCUTE EFFECTS	
INHALATION	Temporary discomfort or mechanical irritation to upper respiratory tract, if protective breathing equipment is not used.
INGESTION	No adverse effects expected.
Eye	No adverse effects expected. High dust concentrations may cause mechanical irritation.
SKIN	No adverse effects expected.
CHRONIC EFFECTS	
INHALATION	Long term inhalation of product without protective breathing equipment may lead to the development of silicosis.
INGESTION	No adverse effects expected.
Eye	No adverse effects expected. High dust concentrations may cause mechanical irritation.
SKIN	No adverse effects expected.

Section XII: Disposal Considerations	
WASTE DISPOSAL OR RECYCLING	Recover and place material in a suitable container for intended use or disposal. Consult Federal, State and Local regulations on the appropriate disposal of the product.

Section XIII: Other Information	
Other Special Considerations	This is a natural occurring substance. Other than mechanical grinding, this product has not been altered from its natural state.
NOTICE TO READER	
<p>The buyer assumes all risk in connection with the use of this product. The buyer assumes all responsibility for ensuring that the product is used in a safe manner in compliance with applicable health and safety law; environmental laws; and policies and guidelines. Archipelago Bat Guano, LLC. assumes no responsibility or liability for the information supplied on this sheet, including any damages or injury caused thereby. No warranty expressed or implied is intended. The information contained in this sheet is developed from what Archipelago Bat Guano, LLC. believes to be accurate and reliable sources, and is based on the opinions and facts available on the date of preparation. The information is provided solely for your information and consideration.</p>	

MATERIAL SAFETY DATA SHEET

SECTION 1 – IDENTIFICATION OF PRODUCT

Manufacturers Name	Emergency Phone Number
Dr. Earth Company	(707) 448-4676
P.O. Box 460	Fax: (707) 448-4760
Winters, Ca 95694	

Trade Name & Synonyms
Dr. Earth® Bone Meal 3-15-0

Chemical Name & Synonyms	Chemical Family
Fertilizing Compounds	Organic Solid

SECTION II – HAZARDOUS INGREDIENTS OF MIXTURES

Component	%
Total Nitrogen (N)	3.0
3.0 % Water insoluble organic nitrogen	
Available Phosphoric acid (P205)	15.0
Soluble Potash (K20)	0.0
Calcium (Ca)	—
Magnesium (Mg)	—
Sulfur (S)	—
Inert Ingredients	82.0

SECTION III – PHYSICAL DATA

Appearance & Odor: Dry powdery, white to light yellow in color.		
Boiling Point (Degrees Fahrenheit)	Specific (Water = 1)	Bulk Density
N/A	N/A	N/A
Vapor Pressure (MM of Mercury)	Percent Volatile (By Volume)	
N/A	N/A	
Vapor Density (Air = 1)	Evaporation Rate (Butyl acetate = 1)	
N/A	N/A	
Solubility in Water		
Fairly soluble, but most remains solid.		

SECTION IV – FIRE AND EXPLOSION HAZARD DATA

Flash Point (Specify Method/Degrees F)	Flammable Limits	Lower	Upper
N/A	% by Volume	N/A	N/A
Fire Extinguishing Media: Use that which is appropriate for the surrounding fire.			
Special Fire Fighting Procedures: Wear bunker gear & a self-contained breathing apparatus.			

SECTION V – HEALTH HAZARD DATA

Effects of Overexposure: **May irritate sensitive individuals if on skin for prolonged period of time.**

Emergency and First Aid Procedures:

If Swallowed: Induce vomiting, get medical attention.

If on Skin: Flush with soap and water, remove and launder contaminated clothing.

If in Eyes: Flush with plenty of water for at least 15 minutes.

If Inhaled: Remove to fresh air.

SECTION VI – REACTIVITY DATA

Stability	Unstable	Conditions to Avoid N/A
	Stable X	
Incompatibility (Materials to Avoid): None Known		
Hazardous Decomposition Products: None Known		
Hazardous Polymerization	May Occur	Conditions to Avoid N/A
	Will not Occur X	

SECTION VII – SPILL OR LEAK PROCEDURES

Steps to be taken in case material is released or spilled: Sweep or scoop residue and remove. Mix with surrounding soil if possible; Recycle if possible.

Waste Disposal Method: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

SECTION VIII – SPECIAL PROTECTION INFORMATION

Respiratory Protection (Specify type): N/A	Mechanical (General): N/A
Ventilation: Use with adequate ventilation.	Local Exhaust: N/A
Protection Gloves: N/A	Eye Protection: N/A
Other Protective Equipment: Change cloths daily; bathe daily, wash cloths separately before reuse.	

SECTION IX – SPECIAL PRECAUTIONS

Precautions to be taken in handling and storing: Store in the original container, preferably in a locked storage area. **KEEP OUT OF REACH OF CHILDREN!**

Other precautions: Wash thoroughly after handling. Do not get in eyes; on skin or clothing do not breathe dust. Cover up open wounds contain live bacteria.

SECTION X – DOT INFORMATION AND DATE

DOT Classification and Label: Not required by DOT

MATERIAL SAFETY DATA SHEET

Feather Meal

Latest update: Jan 19,2013

PRODUCT IDENTIFICATION

Name: Feather Meal
Chemical Description: Organic Solid; Fertilizing Compound
Company: Applied Organic Solutions Inc (208) 346-7194

PHYSICAL /CHEMICAL CHARACTERISTICS

Specific Gravity: 0.47
pH: 7
Solubility in water: 1-5%
Appearance: Brown Powder
Odor: Not distinctive

FIRE AND EXPLOSION DATA

Flash Point Non-combustible
Flammable limits: Smolders when directly heated in flame
Extinguishing media: Water, CO2
Special firefighting procedures: No special methods required

REACTIVITY DATA

Stability: Stable at normal temperatures and pressures.
Conditions to avoid: Contact w/ strong oxidants, aluminum, diazomethane, phosphorus; winds.
Incompatibility: N/A
Hazardous decomposition: Carbon monoxide, carbon dioxide.
Hazardous polymerization: Has not been reported.

TOXICOLOGY

Acute oral LD/50:	More than 11500 mg/Kg
Acute intravenous LD/50:	More than 58 mg/Kg female rats
Acute intraperitoneally LD/50:	Rats 550 mg/Kg
Acute dermal LD/50:	Non skin irritant
Eye toxicity:	Non irritant

HEALTH EFFECTS/FIRST AID INFORMATION

ROUTES OF ENTRY

Inhalation:	Dust can cause irritation of mucus membrane, sneezing and coughing.
Eyes:	Will irritate on contact, wash out quickly.
Ingestion:	Can cause upper GI tract disturbance.
Skin:	Brief contact with the skin is not toxic. Repeated or prolonged contact will dehydrate skin.
Signs/symptoms of exposure:	Eye irritation and or sneezing, coughing and difficulty breathing.
Carcinogenicity:	Ingredient not carcinogenic.

EMERGENCY AND FIRST AID PROCEDURES

Eyes:	Flush eyes with plenty of water for at least 15 minutes, occasionally lifting the upper and lower eyelids. Get medical aid immediately.
Skin:	Get medical aid. Flush skin with plenty of water for at least 15 minutes while removing contaminated clothing and shoes. Wash clothing before reuse.
Ingestion:	If victim is conscious and alert, give 2-4 cups of milk or water. Never give anything by mouth to an unconscious person. Get medical aid immediately.
Inhalation:	Get medical aid immediately. Remove from exposure and move to fresh air immediately. If not breathing, give artificial respiration. If breathing is difficult, give oxygen.

PRECAUTIONS FOR SAFE HANDLING AND USE

Respiratory protection:	If dusting occurs use approved respirator to eliminate exposure.
Ventilation:	Exhaust fan recommended in controlling any dusting.
Protective gloves/clothing:	Rubber or plastic.
Eye protection:	Splash goggles recommended where dusting is expected.
Work practices:	Use good housekeeping practices. Keep containers tightly closed.
Spills:	Avoid creating dust when cleaning up. Scoop, shovel or sweep to labeled containers for recycling/salvage if not contaminated by other material.

Waste disposal method: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility. Dispose of product in accordance with local and national regulation.
Container disposal: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill.
Precautions in storing and handling: Avoid storage in wet or moist areas.

TRANSPORTATION

Follow the precautions indicated in the Safe Handling and Use of this MSDS.

DOT Proper shipping Name: Not Applicable
DOT Label: Not Applicable
US DOT: No information available
IMO: Not regulated as a hazardous material
IATA: Not regulated as a hazardous material
RID/ADR: Not regulated as a hazardous material
Canadian TDG: No information available

ENVIRONMENTAL HAZARDS

No special precaution needed. Product is not a contaminant.

REGULATORY INFORMATION

European/International Regulations
European Labeling in Accordance with EC Directives
Hazard Symbols: Not available
Risk Phrases: N/A
Safety Phrases: N/A

OTHER INFORMATION

NOTES: We do not accept liability for loss, injury, or damage which may result from misuse. Data is solely for guidance purposes of safe handling and uses. We encourage users to conduct their own testing best suited for their purposes under their conditions.

MATERIAL SAFETY DATA SHEET



In the event of a medical or chemical emergency contact ChemTel, Inc. North America 1-800-255-3924 or worldwide Intl. + 01-813-248-0585

Hi-Yield® Blood Meal

Voluntary Purchasing Groups, Inc.
230 FM 87
Bonham, Texas 75418

Effective Date: January 1, 2012

1. PRODUCT AND COMPANY IDENTIFICATION:

PRODUCT: Hi-Yield® Blood Meal

COMPANY IDENTIFICATION:

Voluntary Purchasing Groups, Inc.
230 FM 87
Bonham, TX. 75418

2. INGREDIENTS:

HAZARDOUS COMPONENT	% BY WEIGHT
Total Nitrogen (N)	12.00%

3. PHYSICAL DATA:

Boiling Point: N/A
Specific Gravity (H₂O=1): 0.5
Vapor Pressure: Not determined
Percent Volatile by Volume: Not determined
Vapor Density: Not determined
Evaporation Rate: Not determined
Solubility in Water: Slight
Reactivity in Water: Will not evolve flammable or toxic gases
Appearance and Odor: Finely ground, dark powder

4. FIRE AND EXPLOSION DATA:

Flash Point: None
Flammable Limits in Air: Lower: Does not apply Upper: Does not apply
Extinguishing Media: Use media which is suitable for surrounding materials. (Foam, Water, Dry Chemical.)
Unusual Fire and Explosion Hazards: None determined
Special Fire Fighting Procedures: Wear pressure-demand, self-contained breathing apparatus, (MSHA/NIOSH approved or equivalent, and full protective gear. Avoid inhalation of fumes and dusts.

5. HEALTH INFORMATION:

Primary Routes of Exposure and Target Organs: Inhalation, ingestion.

Signs and Symptoms of Exposure

- Acute Overexposure:** Symptoms of exposure are similar to those exposed to nuisance dusts. Inhalation of dusts may result in symptoms of respiratory discomfort including deposition of matter in the respiratory passages.
- Chronic Overexposure:** None determined.

Medical Conditions Generally Aggravated by Exposure: Disorders of respiratory system.

Chemical/Component Listed as Carcinogen or Potential Carcinogen: None.

NTP: No **IARC:** No **OSHA:** No

Other Exposure Limits:

ACGIH TLV for nuisance dusts = 10 mg/m³
OSHA PEL for nuisance dusts = 15mg/m³

Emergency and First Aid Procedures: Ingestion: Induce vomiting immediately by giving two glasses of water and sticking finger down throat. Never give anything by mouth to an unconscious person. Call a physician.

MATERIAL SAFETY DATA SHEET



Hi-Yield® Blood Meal

In the event of a medical or chemical emergency contact ChemTel, Inc. North America 1-800-255-3924 or worldwide Intl. + 01-813-248-0585

Voluntary Purchasing Groups, Inc.
230 FM 87
Bonham, Texas 75418

Effective Date: January 1, 2012

Inhalation: Remove to fresh air. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Call a physician.

6. REACTIVITY DATA:

Stability: Stable
Conditions to avoid: Does not apply
Incompatibility (Materials to Avoid): None determined
Hazardous Decomposition Products: None determined
Hazardous Polymerization: Will not occur

7. SPILL OR LEAK PROCEDURES:

Steps to be taken in case material is leaked or spilled: Clean up of spills may require personal protective equipment. See Section 8. Sweep up, vacuum the material and transfer to the original container, or to a sealed, labeled container. Residue may be washed away with water.

Waste disposal method: Dispose of in accordance with Federal, State, and local regulations.

8. PERSONAL PROTECTIVE INFORMATION:

Respiratory Protection: NIOSH/MSHA approved respiratory devices to protect against nuisance dusts.

Ventilation: General or local exhaust to maintain employee exposure below the TLV/PEL.

Protective Gloves: Not required under normal conditions of use.

Eye Protection: Safety glasses or goggles.

Other Protective Clothing or Equipment: None determined.

9. SPECIAL PRECAUTIONS:

Precautions to be taken in Handling & Storage: Store in a cool, dry area.

Other precautions: Not determined.

10. OTHER INFORMATION:

The information contained within was obtained from authoritative sources and is believed to be accurate for the manner in which the product is intended to be used. Other uses could result in ramifications, which are not included within this document.

MATERIAL SAFETY DATA SHEET

Sup'R Green Chicken Manure

1 - Product Identification

Manufacturer Name and Address: J & D Fertilizer, dba D. Stutzman Farms
P.O. Box 307
Canby, OR 97013

Emergency Phone: (503) 266-4610

Product Name: Sup'R Green Chicken Manure
Synonyms: Chicken Manure, DPW - Dry Poultry Waste

Date Prepared: February 8, 2002
Prepared By: Corporate Safety and Health

2 - Hazardous Ingredients/Identity Information

<u>COMPONENTS</u>	<u>PERCENT</u>	<u>OSHA PEL</u>	<u>ACGIH TLV</u>
Chicken Manure	~ 75	15 mg/M3	10 mg/M3
Water	~ 25		

APPEARANCE AND ODOR: Solid Brown, Slightly Putrid

3 - Physical / Chemical Characteristics

BOILING POINT (F OR C): NAP

VAPOR PRESSURE (MM HG): NAP

SPECIFIC GRAVITY (H2O = 1): <1

MELTING POINT (F OR C): NAP

EVAPORATION RATE (BUTYL ACETATE =1): NAP

SOLUBILITY IN WATER: NAP

% VOLATILE BY VOLUME @ 70 F: NAP

PH: 6.5 - 7.5, USUALLY - 7

4 - Fire and Explosion Hazard Data

FLASH POINT (METHOD USED): NAP

FLAMMABLE LIMITS:

LEL: See below under "Unusual Fire and Explosion Hazards"

UEL: NAP

EXTINGUISHING MEDIA: Water

AUTOIGNITION TEMPERATURE (F OR C): 400 - 500 F

SPECIAL FIRE FIGHTING PROCEDURES: None

UNUSUAL FIRE AND EXPLOSION HAZARDS: If deeply stacked in a compost pile under dry conditions, chicken manure may self ignite and smolder.

5 - Reactivity Data

STABILITY:

Unstable Stable

Conditions to Avoid: NAP

INCOMPATIBILITY (MATERIALS TO AVOID): None Listed

HAZARDOUS POLYMERIZATION:

May Occur Will not occur

Conditions to Avoid: NAP

6 - Precautions for Safe Handling and Use

STEPS TO BE TAKEN IN CASE MATERIAL IS RELEASED OR SPILLED:

Sweep up and place in suitable container for use, recycle, or disposal.

WASTE DISPOSAL METHOD:

If disposed or discarded in purchased form, incineration and/or dry land disposal is acceptable. It is, however, the user's responsibility to determine at the time of disposal whether your product meets RCRA criteria for hazardous waste. Follow applicable federal, state or local regulations.

PRECAUTIONS TO BE TAKEN IN HANDLING AND STORAGE:

No special handling requirements. Store away from open flame.

OTHER PRECAUTIONS:

If this product is used in a process which generates dust levels in excess of the OSHA or state standard for dust, a mask (NIOSH/MSHA approved) and goggles should be worn.

7 - Health Hazard Data

PRIMARY ROUTE(S) OF EXPOSURE:

- (x) Ingestion
- (x) Skin - Fiber, water, organics
- (x) Inhalation - Dust

8 - Control Measures

PERSONAL PROTECTIVE EQUIPMENT:

Respiratory Protection:

Not applicable for product in purchased form. A NIOSH/MSHA - approved respirator is recommended when the allowable exposure limits may be exceeded.

Protective Gloves:

Not required. However, cloth, canvas, or leather gloves are recommended to minimize potential mechanical irritation from handling product.

Eye Protection:

Not applicable for product in purchased form. However, safety glasses/goggles are recommended if the product is used in such a way as to generate high dust levels.

Other Protective Clothing or Equipment:

Not applicable for product in purchased form.

Work/Hygienic Practices:

Follow good hygienic and housekeeping practices. Clean up areas where product settles to avoid excessive accumulation; when dry, material is combustible. Minimize blowdown or other practices which generate high airborne-dust concentrations.

VENTILATION:

Local Exhaust:

Provide local exhaust as needed so that exposure limits are met.

Mechanical (general):

Provide general ventilation in processing and storage areas as needed so that exposure limits are met.

Special:

Self-contained breathing apparatus (SCBA) recommended when fighting fire.

Other: NAP

ACUTE HEALTH HAZARDS: Signs and symptoms of exposure/emergency first aid procedures:

Ingestions:

Not applicable under normal use. If ingested give 2-3 glasses of water and induce vomiting. Call a doctor.

Eye Contact:

Dust may mechanically irritate the eyes resulting in redness and watering
Treat dust in eye as foreign object. Flush with water to remove dust particle.
Get medical help if irritation persists.

Skin Contact:

For skin exposure, wash with soap and water. Get medical help if rash, irritation, or dermatitis persists.

Skin Absorption:

Not known to occur under normal use.

Inhalation:

Excessive dust concentrations may cause unpleasant deposit/obstruction in the nasal passages, resulting in dryness of nose, dry cough, and headaches.

Remove to fresh air. Get medical help if persistent irritation, severe coughing, or breathing difficulty occur.

Carcinogenicity Listing:

- () NTP: Not listed
- () IARC Monographs: Not listed
- () OSHA Regulated: Not listed

9 - User's Responsibility

The information contained in this Material Safety Data Sheet is based on the experience of occupational health and safety professionals and comes from sources believed to be accurate or otherwise technically correct. It is the user's responsibility to determine if this information is suitable for his/her applications and to follow safety precautions as may be necessary. The user has the responsibility to make sure this sheet is the most up-to-date issue.

10 - Additional Information

Definition of Common Terms:

ACGIH = American Conference of Governmental Industrial Hygienists

C = Ceiling Limit

CAS# = Chemical Abstracts System Number

IARC = International Agency for Research on Cancer

MSHA = Mining Safety and Health Administration

NAP = Not Applicable

NAV = Not Available

NIOSH = National Institute for Occupational Safety and Health

NTP = National Toxicology Program

OSHA = Occupational Safety and Healthy Administration

PEL = Permissible Exposure Limit

STEL = Short term Exposure Limit (15 minutes)

TLV = Threshold Limit Value

TWA = Time-Weighted Average (8 hours)

Vital Earth's®
Mega Worm®
Earthworm Castings

Material Safety Data Sheet

I. PRODUCT NAME/TRADE NAME:

Vital Earth's® Mega Worm® Earthworm
Castings

Sizes: Sample, 1 lb/0.4536 kg, 2.25 lb/1.0206
kg,

10 lb/4.5359 kg, 0.75 cu. ft./18 L, 1.1 cu. ft./30
L,

2 yd. tote/1528.2 L

EPA REGISTRATION #: none

CHEMICAL NAME/COMMON NAME:

Earthworm Castings/Worm Manure

Emergency Telephone Number:

503-493-2784

Information Telephone Number:

503-493-2784

Date Prepared:

02/15/07

Is not a controlled product and is not covered
under Hazardous Product Act and WHIMIS.
Soil Treatment, Soil Builder, Soil Media

WHIMIS Classification of Product:

Product use:

II. HAZARDOUS INGREDIENTS

Ingredient	%	CAS #	LD50	LC50	OSHA PEL	ACGIH TLV
NA	NA	NA	NA	NA	NE	NE

III. PHYSICAL/CHEMICAL CHARACTERISTICS

Boiling Point: NE Specific Gravity (H2O=1): NA

Vapor Pressure (mmHg): NA Melting Point: NA

Freezing Point: NA

Vapor Density (Air = 1): NE Evaporation Rate (Butyl Acetate + 1): NA

% Volatiles by vol.: NE Density: Variable

Solubility in Water: Soluble

Appearance and Odor: Black granular, odorless

Flash Point/Method: NA

pH: 5.5-7.0

IV. FIRE AND EXPLOSION HAZARD DATA

Flash point Flammable Limits: NA

(Method Used): NA

LEL: NA
Extinguishing Media: NA

UEL: NA

Hazardous Combustion Products: NA
Conditions of Flammability: NA

Sensitivity to Mechanical Impact: NA

Sensitivity to Static Discharge: NA

Auto Ignition (°C): NA

Special Fire Fighting Procedures: NA

Unusual Fire and Explosion Hazards: NA

V. REACTIVITY DATA

Chemical Stability: Stable

Incompatibility (Products to Avoid): NA

Hazardous Decomposition or Byproducts: NA

Hazardous Polymerization: NA

Condition to Avoid: NA

Reactivity, and under what conditions: NA

VI. TOXICOLOGICAL PROPERTIES/HEALTH HAZARD DATA

Route(s) of Entry

Skin: Wear proper personal protective equipment to reduce skin exposure.

Ingestion: Do not ingest. Wash hands and face thoroughly before eating, drinking or smoking.

Inhalation: Wear proper respiratory protection for the exposures encountered.

Eye Contact: Can cause eye irritation. Wear proper eye protection to reduce exposure. If contact occurs, flush eyes with water for a minimum of 15 minutes.

Health Hazard (Acute or Chronic): NA

Carcinogenicity:	IARC monographs	NTP	OSHA
	None Known	None Known	None Known
Signs and Symptoms of Exposure:	NA		
Irritancy of product:	NA		
Sensitization to Product:	NA		
Teratogenicity:	None		
Reproductive Toxicity:	None		
Mutagenicity:	None		
Synergistic Products:	None		

VII. PRECAUTION FOR SAFE HANDLING AND USE

Personal Protective Equipment

Respiratory: When dust is present, use a NIOSH/MSHA approved half- or a full-face respirator with a High Efficiency Particle Aerosol (HEPA) cartridge

Skin: Wear proper personal protective equipment to reduce skin exposure.

Eyes: Use appropriate eye protection e.g.: goggles, to minimize contact with dust.

Other: Wear sturdy work clothing and footwear for the specific application.

Environmental Hazards: Dike area to prevent entering drains, sewers or water courses.

Engineering controls: In restricted spaces, use effective ventilation, e.g. Local Air Ventilation. Do not permit excessive accumulation of dust in work areas. Best practice is to clean up with a vacuum equipped with a HEPA filter.

Steps to be taken in case material is released or spilled: If uncontaminated, collect for reuse or disposal. Use a clean up system which does not create dust, e.g. a vacuum equipped with a HEPA filter. If contaminated or not required for reuse, dispose in approved landfill in accordance with local regulations.

Waste Disposal Method: If uncontaminated, dispose as a non-metallic mineral. If contaminated, use appropriate

method for containment with applicable local regulation(s).

Precaution to be taken in handling and storing:

Product should be kept in a dry place. Avoid creation of respirable dust if possible. Protect workers as above. Use effective ventilation and dust collection. Avoid eye and skin contact with wet product during use.

Special shipping information:

NA

VIII. CONTROL/FIRST AID MEASURES/HEALTH PRECAUTION DATA

Respirator Protections:

Use only NIOSH/MSHA - approved respiratory protection for nuisance particles up to 10 times the PEL/TLV. Positive pressure self-contained breathing apparatus should be used for confined space entry and high exposures above the nuisance particulate PEL/TLV.

Ventilation:

Local exhaust/general ventilation to control nuisance dust.

Protective/Work Gloves:

Rubber, latex, vinyl, or other impervious gloves recommended

Eye Protection:

Safety Goggles or glasses with side shields and brow protection Recommended.

Other Protective Clothing or Equipment:

Not required

Work / Hygienic Practices:

Wash to remove dust after use

Eyes:

Flush with tempered water for at least 20 minutes. Obtain medical attention

Skin:

Wash with soap and water. For caustic burns to skin consult a doctor.

Ingestion:

Drink large amounts of water. Do not induce vomiting. Seek immediate medical attention.

Gross inhalation of dust:

Remove victim to fresh air and administer CPR if necessary.

SUPPLEMENT INFORMATION:

THE BACTERIA AND MYCORRHIZAE CONTAINED IN THIS PRODUCT ARE STRAINS OF TYPICALLY HARMLESS SOIL AND WATER-SOLUBLE BACTERIA AND MYCORRHIZAE, AND DO NOT CAUSE INFECTIONS UNDER NORMAL CIRCUMSTANCES. PROPER PRECAUTIONS ARE ADVISED TO PREVENT INFECTION OF OPEN WOUNDS, INHALATION OF EXCESSIVE AMOUNTS

OF DUST AND EYE IRRITATION. THE
PROPER HYGIENE PRACTICES
NECESSARY TO PREVENT HEALTH
HAZARDS FROM ANY NATURALLY
OCCURRING SUBSTANCE SUCH AS SOIL
ETC. SHOULD BE OBSERVED.

IX. SPECIAL PRECAUTIONS

Keep out of reach of children. Do not wash down storm or sanitary sewer system. Read and follow all label instructions.

X. REGULATORY DATA

SARA HAZARD CLASS: Acute

SARA 313: NO

SARA 302: NO

TPQ:

CERCLA: NO

RQ:

RCRA: NO

NFPA HAZARD RATING:

Health: [1]

Fire: [0]

Reactivity: [0]

NFPA HAZARD RATING SCALE:

0 = Minimal

3 = Serious

1 = Slight

4 = Severe

2 = Moderate

Special: []

HMIS CODES:

Health: [1]

Fire: [0]

Reactivity: [0]

HMIS HAZARD RATING SCALE:

0 = Minimal 3 = Serious

1 = Slight 4 = Severe

2 = Moderate

XI. PREPARATION DATE OF MSDS

Prepared by: Conscious Earthworks, LLC

Phone: 503-493-2784

Date: 02/15/07

All information appearing herein is based upon data obtained from the manufacturer and/or recognized technical sources. While the information is believed to be accurate as of the effective date given above, CONSCIOUS EARTHWORKS, LLC makes no representations as to its accuracy or sufficiency. Conditions of use are beyond CONSCIOUS EARTHWORKS' LLC control. Therefore, users are responsible for determining whether under their own operating conditions the product is suitable for their particular use. Users assume all risks of use, handling, and disposal of the product. The publication, use of, or reliance upon information contained herein does not relate to the use of this product in combination with any other material or in any other process.

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LIMITATION OF LIABILITY AND DISCLAIMER:

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MATERIAL SAFETY DATA SHEET



In the event of a medical or chemical emergency contact ChemTel, Inc. North America 1-800-255-3924 or worldwide Intl. + 01-813-248-0585

Hi-Yield® Cottonseed Meal

Voluntary Purchasing Groups, Inc.
230 FM 87
Bonham, Texas 75418

Effective Date: January 1, 2012

1. PRODUCT AND COMPANY IDENTIFICATION:

PRODUCT: Hi-Yield® Cottonseed Meal

COMPANY IDENTIFICATION:

Voluntary Purchasing Groups, Inc.
230 FM 87
Bonham, TX. 75418

2. INGREDIENTS:

HAZARDOUS COMPONENT	% BY WEIGHT
Total Nitrogen (N)	6.00%
Available Phosphate (P ₂ O ₅)	1.00%
Soluble Potash (K ₂ O)	1.00%

3. PHYSICAL DATA:

Boiling Point: N/A
Specific Gravity (H₂O=1): 0.8 – 1.0
Vapor Pressure: Not determined
Percent Volatile by Volume: Not determined
Vapor Density: Not determined
Evaporation Rate: Not determined
Solubility in Water: Not determined
Reactivity in Water: Will not evolve flammable or toxic gases
Appearance and Odor: Brown, granular powder

4. FIRE AND EXPLOSION DATA:

Flash Point: 489°F
Flammable Limits in Air: Lower: Not determined Upper: Not determined
Extinguishing Media: Dry chemical, carbon dioxide, Halon, water spray, or standard form
Auto Ignition Temperature: 650°F
Unusual Fire and Explosion Hazards: Dust from this product may form an explosive mixture with air.
Special Fire Fighting Procedures: Move container away from area, if possible. Do not scatter spilled material with high pressure water streams. Dike fire control water for later disposal. Use agents suitable for type of surrounding fires. Avoid breathing hazardous vapors. Keep upwind. Water or foam may cause frothing.

5. HEALTH INFORMATION:

Primary Routes of Exposure and Target Organs: Inhalation, eye or skin contact, ingestion.

Signs and Symptoms of Exposure

- Acute Overexposure:** Inhalation of dusts may cause unpleasant deposits in respiratory passages. Cottonseed meal will provide sufficient nutrient to promote fungal proliferation, and subsequent production of mycotoxins, which are toxic. Eye contact may result in irritation.
- Chronic Overexposure:** None determined.

Medical Conditions Generally Aggravated by Exposure: Disorders of respiratory system.

Chemical/Component Listed as Carcinogen or Potential Carcinogen: None.

NTP: No **IARC:** No **OSHA:** No

MATERIAL SAFETY DATA SHEET



Hi-Yield® Cottonseed Meal

In the event of a medical or chemical emergency contact
ChemTel, Inc. North America 1-800-255-3924 or worldwide
Intl. + 01-813-248-0585

Voluntary Purchasing Groups, Inc.
230 FM 87
Bonham, Texas 75418

Effective Date: January 1, 2012

Other Exposure Limits:

ACGIH TLV for nuisance dusts = 10 mg/m³

OSHA PEL for nuisance dusts = 15mg/m³

Emergency and First Aid Procedures: **Inhalation:** Remove to fresh air. If not breathing, give artificial respiration, preferably mouth-to-mouth. If breathing is difficult, give oxygen. Call a physician. **Eye or Skin Contact:** Immediately slush eyes with plenty of water for at least 15 minutes. Call a physician. Flush skin with water. Wash clothing before reuse. **Ingestion:** Treat symptomatically and supportively. Get medical attention immediately. If vomiting occurs, keep head lower than hips to prevent aspiration.

6. REACTIVITY DATA:

Stability: Stable
Conditions to avoid: Does not apply
Incompatibility (Materials to Avoid): Strong oxidizers
Hazardous Decomposition Products: Thermal decomposition may release acid smoke and irritating fumes.
Hazardous Polymerization: Will not occur

7. SPILL OR LEAK PROCEDURES:

Steps to be taken in case material is leaked or spilled: Sweep up material and transfer to the original container, or to a sealed, labeled container. Residue may be washed away with water.
Waste disposal method: Dispose of in accordance with Federal, State, and local regulations.

8. PERSONAL PROTECTIVE INFORMATION:

Respiratory Protection: NIOSH/MSHA approved respiratory devices to protect against nuisance dusts.
Ventilation: General or local exhaust to maintain employee exposure below the TLV/PEL.
Protective Gloves: When necessary to prevent skin contact.
Eye Protection: Safety glasses or goggles.
Other Protective Clothing or Equipment: When necessary utilize impervious clothing and other equipment to prevent skin contact with this substance.

9. SPECIAL PRECAUTIONS:

Precautions to be taken in Handling & Storage: Store in a cool, dry area away from ignition sources. Avoid contamination with moisture.
Other precautions: Not determined.

10. OTHER INFORMATION:

The information contained within was obtained from authoritative sources and is believed to be accurate for the manner in which the product is intended to be used. Other uses could result in ramifications, which are not included within this document.

MATERIAL SAFETY DATA SHEET (MSDS)

Section I Identity

Manufactured / Distributed By:
Down To Earth Distributors, Inc.
150 Shelton McMurphey Blvd
Eugene, OR 97401

Product Name:
Down To Earth Oyster Shell

Emergency Telephone: **1-800-234-5932**
Information Telephone: **1-800-234-5932**

Date Prepared:
1/29/2008

Section II Hazardous Ingredients / Identity Information

Hazardous Components: (Specific chemical identity, common names) OSHA PEL / ACGIH TLV / Other Recommended / % (optional)

No direct hazardous components are known.

Down To Earth Oyster Shell is comprised of ground oyster shells.

Formula :

N/A

Section III Physical / Chemical Characteristics

Boiling Point:	N/A	Specific Gravity (H ₂ O = 1):	N/A
Vapor Pressure (mm Hg):	N/A	Melting Point:	N/A
Vapor Density (Air = 1):	N/A	Evaporation Rate (Butyl Acetate = 1):	N/A
Solubility in Water:	N/A	pH:	N/A

Appearance & Odor:

White to light gray fine powder.

Little to no odor.

Section IV Fire and Explosion Hazard Data

Flash Point (Method Used):	Non-Flammable
Flammable Limits / LEL / UEL:	N/A
Extinguishing Media:	Water Spray
Special Fire Fighting Procedures:	Use standard self contained breathing apparatus.
Unusual Fire and Explosion Hazards:	No acute hazard

Section V Reactivity Data

Stability:	Stable
Incompatibility (Materials To Avoid):	None Known
Hazardous Polymerization:	Will Not Occur
Hazardous Decompositions or Byproducts:	None Known
Conditions to Avoid:	None

MATERIAL SAFETY DATA SHEET (MSDS)

Section VI

Health Hazard Data

Health Hazards:

No known acute health hazards. No known chronic health hazards.

Nuisance dust may require use of dust mask and safety glasses. Gloves are recommended.

Carcinogenicity:

N/A

Routes of Entry:

Inhalation / Skin / Ingestion

Signs and Symptoms of Exposure:

None serious. Temporary skin irritation may result from prolonged exposure.

Medical Conditions Aggravated by Exposure:

None Known

Emergency and First Aid Procedures:

Wash thoroughly with soap and water after handling. Ingestion can cause nausea or vomiting. If ingested, give large amounts of water and call a physician.

Section VII

Precautions for Safe Handling and Use

Steps to be taken in case material is released or spilled:

Shovel up large spills for use or disposal. Sweep up small spills.

Waste Disposal Method:

Handle like any natural fertilizing material. Dispose of in accordance with local, state and federal regulations. Disposal in waterways or sensitive areas should be avoided.

Precautions to be taken in Handling and Storage:

Store in a dry place.

Other Precautions:

Proper precautions are advised to prevent infection of open wounds, inhalation of excessive amounts of dust, eye irritation and ingestion.

Section VIII

Control Measures

Respiratory Protection (Specify):

Standard respirator for dust.

Local Exhaust Ventilation:

Open windows and doors as needed.

Mechanical Ventilation (General):

Roof or wall exhausters as needed.

Protective Gloves:

Ordinary work gloves or rubber gloves.

Eye Protection:

Safety glasses as needed.

Other Protective Clothing or Equipment:

Ordinary protective clothing.

Work / Hygienic Practices:

Wash thoroughly with soap and water after handling. Use of proper hygienic practices is advised to prevent possible health hazards from any naturally occurring substance such as fertilizers, soil, composts, etc.

MATERIAL SAFETY DATA SHEET

SECTION 1 – IDENTIFICATION OF PRODUCT

Manufacturers Name	Emergency Phone Number
Dr. Earth Company	(707) 448-4676
P.O. Box 460	Fax: (707) 448-4760
Winters, Ca 95694	

Trade Name & Synonyms
Dr. Earth® Bone Meal 3-15-0

Chemical Name & Synonyms	Chemical Family
Fertilizing Compounds	Organic Solid

SECTION II – HAZARDOUS INGREDIENTS OF MIXTURES

Component	%
Total Nitrogen (N)	3.0
3.0 % Water insoluble organic nitrogen	
Available Phosphoric acid (P205)	15.0
Soluble Potash (K20)	0.0
Calcium (Ca)	—
Magnesium (Mg)	—
Sulfur (S)	—
Inert Ingredients	82.0

SECTION III – PHYSICAL DATA

Appearance & Odor: Dry powdery, white to light yellow in color.		
Boiling Point (Degrees Fahrenheit)	Specific (Water = 1)	Bulk Density
N/A	N/A	N/A
Vapor Pressure (MM of Mercury)	Percent Volatile (By Volume)	
N/A	N/A	
Vapor Density (Air = 1)	Evaporation Rate (Butyl acetate = 1)	
N/A	N/A	
Solubility in Water		
Fairly soluble, but most remains solid.		

SECTION IV – FIRE AND EXPLOSION HAZARD DATA

Flash Point (Specify Method/Degrees F)	Flammable Limits	Lower	Upper
N/A	% by Volume	N/A	N/A
Fire Extinguishing Media: Use that which is appropriate for the surrounding fire.			
Special Fire Fighting Procedures: Wear bunker gear & a self-contained breathing apparatus.			

SECTION V – HEALTH HAZARD DATA

Effects of Overexposure: May irritate sensitive individuals if on skin for prolonged period of time.
Emergency and First Aid Procedures: <i>If Swallowed:</i> Induce vomiting, get medical attention. <i>If on Skin:</i> Flush with soap and water, remove and launder contaminated clothing. <i>If in Eyes:</i> Flush with plenty of water for at least 15 minutes. <i>If Inhaled:</i> Remove to fresh air.

SECTION VI – REACTIVITY DATA

Stability	Unstable	Conditions to Avoid N/A
	Stable X	
Incompatibility (Materials to Avoid): None Known		
Hazardous Decomposition Products: None Known		
Hazardous Polymerization	May Occur	Conditions to Avoid N/A
	Will not Occur X	

SECTION VII – SPILL OR LEAK PROCEDURES

Steps to be taken in case material is released or spilled: Sweep or scoop residue and remove. Mix with surrounding soil if possible; Recycle if possible.
Waste Disposal Method: Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

SECTION VIII – SPECIAL PROTECTION INFORMATION

Respiratory Protection (Specify type): N/A	Mechanical (General): N/A
Ventilation: Use with adequate ventilation.	Local Exhaust: N/A
Protection Gloves: N/A	Eye Protection: N/A
Other Protective Equipment: Change cloths daily; bathe daily, wash cloths separately before reuse.	

SECTION IX – SPECIAL PRECAUTIONS

Precautions to be taken in handling and storing: Store in the original container, preferably in a locked storage area. KEEP OUT OF REACH OF CHILDREN!
Other precautions: Wash thoroughly after handling. Do not get in eyes; on skin or clothing do not breathe dust. Cover up open wounds contain live bacteria.

SECTION X – DOT INFORMATION AND DATE

DOT Classification and Label: Not required by DOT

Appendix C: Cultivation Activities Schedule

Appendix C: Cultivation Activities Schedule

CULTIVATION ACTIVITIES SCHEDULE

Highlight or check off the months when the following activities will take place.

Item	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Drainage, Runoff, and Erosion Control	Winterization (storage of pots/greenhouse covers)										X X		
	Temporary Erosion Control BMP's (straw, seeding, fiber rolls, etc)										X X		
	Road maintenance			X							X		
	Culvert and inboard ditch maintenance/inspection (N/A)												
Irrigation Activities	Cultivation waste hauled off site (Composted)												
	Cover soil beds and seed/straw with cover crop										X X		
	Irrigation of juvenile plants /Seeds			X X	X X X X								
	Irrigation of flowering plants								X X	X X X X X X X			
Pre-cultivation Activities	Propagate seeds			X X									
	Transplant cuttings into pots				X X X X								
	Transplant seed into beds					X X							
	Amend soil in greenhouses			X X									
Light Dep Cultivation and Harvest Schedule	Import new cultivation soil												
	Light Dep Cycle 1												
	Light Dep Cycle 2 (N/A)												
	Mixed Light Cycle 3 (N/A)												
Outdoor Cultivation and Harvest	Harvest activities												
	Vegetative Phase												
	Outdoor Cultivation Cycle			X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X
	Harvest activities										X X		
Drying and Processing	Drying activities										X X X X	X X	
	Trimming activities (Will take place offsite)										X X X X	X X X X	
Staffing Presence	Agent in Charge	X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X
	Lead Cultivator			X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X
	Assistant Cultivator x2			X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X	X X X X
	Seasonal Laborors									X X	X X X X	X X X X	X X X X

Appendix D: References

Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.

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State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008.
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**Appendix E: Emergency Procedures
and Contact Information**

Emergency Procedures Instructions Butterfly Creek Collective

The first priority in the event of an emergency is for the safety of all people present. Move quickly out of area danger. Meet at assigned meeting place to get a headcount. Enact Emergency Procedures.

Emergency Phone Numbers

Dial 911 for Fire/Police/Ambulance:

- 1. Tell the operator which emergency service you want**
- 2. Wait until the service answers**
- 3. Give the following address:**

**400 Panther Creek Rd.
Willow Creek, CA
Humboldt County AP #522-174-014**

- 4. Do not hang up until told to do so by the 911 Operator**

Other Emergency Contacts

Humboldt County Sheriff: 707-445-7251

Humboldt County HazMat: 707-445-6215

Humboldt County Ag Dept.: 707-441-5260

Fire and Emergency Procedures Checklist

You must know and understand what to do if a fire occurs. Your first concern is the immediate safety of visitors and staff; secondly, the need to call emergency services and then to contain the fire but only if it is safe to do so. If help is available, allocate responsibilities to others to create a competent fire fighting team.

- Evacuate people from the area
- If it is safe to do so, switch off power to all equipment
- Call the fire department (dial 911)
- If a small fire, use your fire extinguisher if it is safe to do so – try to contain and extinguish the fire
- If the fire is near a fuel tank, do not attempt to extinguish the fire – retreat to a safe distance
- Be prepared to direct the fire service to the scene

Spill Procedures Checklist

You must know and understand what to do if a spill occurs. Your first consideration is the immediate safety of visitors and staff; secondly, the need to call emergency services and then contain the spill if it is safe to do so. If help is available allocate responsibilities to others to create a competent team to deal with the spill.

- If the spill is from the hose or tap, shut the isolation valve
- Warn people in area of the spill – evacuate if necessary
- Remove sources of ignition if flammable substance present
- Evaluate the spill – only respond if you believe it is safe to do so
- Refer to the safety data sheet or call on an approved handler or other specialists for advice
- If necessary, call emergency services and advise local authority
- Put on safety equipment (e.g. overalls, boots, gloves, eye protection, etc.)
- Contain the spill if it is safe to do so – utilize a drip tray or oversize container or spill kit to soak up the substance
- Dispose of waste safely as set out in the material safety data sheet

Incident Reporting

Every accident resulting in injury or damage to farm property must be reported to your manager immediately.

Respond to the accident promptly and positively

Collect relevant information about the accident

Develop and take remedial actions

Complete insurance claims and reports required

First Aid

- A first aid kit must be kept on the premises and maintained
- All staff must know basic first aid procedures

Minor Injury Accidents

- Minor cuts and abrasions must be attended to immediately
- If in doubt contact a physician or call 911

Serious Injury Accidents

- Call an ambulance immediately (dial 911)
- Seek the assistance of any first responder
- Stabilize Victim
- Advise your manager

Property Damage

- All damage to farm property must be reported to your manager

Emergency First Aid-Procedures

Control of Bleeding

1. Direct pressure – use your hand(s).
2. Elevate (raise) the limb
3. Apply a pad and firm bandage.
4. If necessary use clean rags or clothing.

Remember!!

- *Always check circulation below the bandage!*
- *If there is tingling, numbness or blueness loosen the bandage.*

Management of Burns

1. Cool the burnt area with cool water for 10-15 minutes
2. If necessary, cover the burn with a clean dressing or plastic wrap before removing person to medical aid.

Remember!!

- *Do not burst blisters.*
- *Do not remove clothing that is stuck.*
- *Do not apply creams*

Management of Eye Injuries

Foreign bodies in the eye(s)

1. Wash the eye(s) with eyewash or clean water.
2. If the foreign body is stuck to the eye **DO NOT** attempt remove.
3. Place covering over the eye and obtain medical attention.

Management of Chemicals in Eye(s)

1. Wash the eye(s) with clean cool water for at least 15 minutes.
2. Wash from near the nose outward.
3. Always wash under the upper eyelid.
4. Obtain medical attention

Breathing

If a person is breathing but unconscious turn them on their side to prevent tongue swelling or vomit from obstructing airway.

If person *is not breathing*

- *Check airway for blockage and clear*
- *Call 911*

- *Administer CPR*

Location of Firefighting Equipment, Spill and First Aid Kits

A **fire extinguisher** is located in the following places:

- *All Generator Sheds*
- *All Cold Frames*
- *Fertilizer Storage Facility*
- *Pesticide Storage Facility*
- *Drying and Processing Facility*

A **first aid kit** is located in the following places:

- *All Generator Sheds*
- *Cultivation Site*
- *Fertilizer Storage Facility*
- *Pesticide Storage Facility*
- *Drying and Curing Facility*

A **spill kit** is located in the following places:

- *All Generator Sheds*
- *Cultivation Site*
- *Fertilizer Storage Facility*
- *Pesticide Storage Facility*

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Conditional Approval	On file with Planning
CALFIRE	✓	Conditional Approval	On file with Planning
California Department of Fish & Wildlife		Conditional Approval	On file with Planning
Public Works Land Use Division	✓	Conditional Approval	Road Evaluation Exhibit A of Attachment 1
Health and Human Services Environmental Health Division	✓	Conditional Approval	On file with Planning, with recommendations incorporated into Attachment 1
California Department of Transportation District #1		No Response	
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
Regional Water Quality Control Board		No Response	
Humboldt County Sheriff		No response	
Klamath-Trinity Joint Unified School District		No Response	
Willow Creek Community Services District		No Response	
Willow Creek Fire Protection District	✓	Approval	On File with Planning
Hoopa Valley Tribe		No Response	
Northwest Information Center	✓	Archeology study	On file with Planning
Tsnungwe Tribe	✓	Approval	On file with Planning