

Project Title	DIB MANAGEMENT
Lead Agency Name	Humboldt County Planning & Building
Agency Address	Dept. 3015 H St. Eureka, CA 95501
Project Contact Person	Jared Sandifer
Project Name	DIB Management, LLC
Phone Number	(707)599-5487
Project Location	10924 DYERVILLE LOOP ROAD MYERS FLAT, CA 95554
Zoning	UNCLASSIFIED
GPLU	RA(5-20)
Project Custodian (Agent Information)	AgDynamix, LLC Teisha Mechetti 512 I St. EUREKA, CA, 95501 (707)798-6199
EIR Reference	Humboldt County Final Cannabis EIR

Prepared for DIB Management, LLC by AgDynamix, LLC (April. 2019)



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Executive Summary

DIB Management LLC is a sole member Limited Liability Company organized in California and is was formed to act as the developer to support Agricultural Activities on the project site. The business intends to create up to twenty (20) jobs for the Fruitland region.

The Project parcel is zoned U, which falls within the allowable zoning specified by the local authority. The Sponsor seeks Conditional Use Permit approval for 87,120 sq. ft. of outdoor cultivation that is both pre-existing and proposed, is supported by evidence, and involves natural light – except for the nursery areas, which are supplemented by low-intensity lighting. The project applicant will be seeking licensing for one (1) Medium Mixed Light Tier 1, six (6) Small Mixed Light Tier 1 and one (1) Specialty Mixed Light Tier 1 licenses from CDFA; CalCannabis.

The project site is supported by a primary residence for personal use only. The site is also equipped with ancillary barn and garage structures to support equipment and product storage. Additional facilities are proposed to support the project's goals. The project site is supported by PG&E power and will require an upgrade to support additional energy demands.

The project proposes an onsite permitted well and proposal for one-million-gallon rainwater catchment impoundment to support water demands of the project site. The project will pursue a grading permit to develop this pond and any fill will be used to level another proposed cultivation region of the parcel. The project site also features a permitted well that is currently used primary for domestic use purposes.

The onsite well is currently permitted and was reported to California Department of Fish and Wildlife (CDFW) for domestic uses. The project is currently in good standing with CDFW and qualified for a waiver pursuant to the application submitted. The project is pending State Board Order Enrollment pending approval of the proposed new cultivation.

Attached Reports

Attached to this application package you will find the following reports to accompany this application, that of which acts as the source for a majority of project specific information cited in this document.

1. Title Search/Parcel Determination/Creation Deed
2. Archaeological Survey
3. Lake & Streambed Alteration Notification (LSAN 1600)
4. CDFW Op Law Letter/Waiver
5. Road Evaluation
6. Biological/Botanical Study
7. Well Completion Report

Project Overview

The Project concerns Parcel No. 211-341-073 in Myers Flat, California that is seeking local permitting for outdoor commercial Cannabis cultivation with intent to obtain one (1) Medium Mixed Light Tier 1, six (6) Small Mixed Light Tier 1 and one (1) Specialty Mixed Light Tier 1 licenses from CDFA; CalCannabis. The Project features two (2) cultivation areas totaling just under two (2) acres. Cultivation and processing activities would occur on the central portion of the Property.

Project Summary

The Project parcel is zoned Unclassified, which falls within the allowable zoning specified by the local authority pursuant to the general plan land use designation. The Sponsor seeks permit approval for two (2) acres of outdoor cultivation that is new, and involves natural light, with exception for supplemental lighting for nursery use.

Location Description

The proposed Project would occur on legal Parcel No. 211-341-073 at 10924 Dyerville Loop Rd., Redway, CA, in the northwest quarter of the southwest quarter of Section 14, Township 2 South, Range 3 East, Humboldt Meridian.

Zoning

The property features zoning Unclassified and the following characteristics:

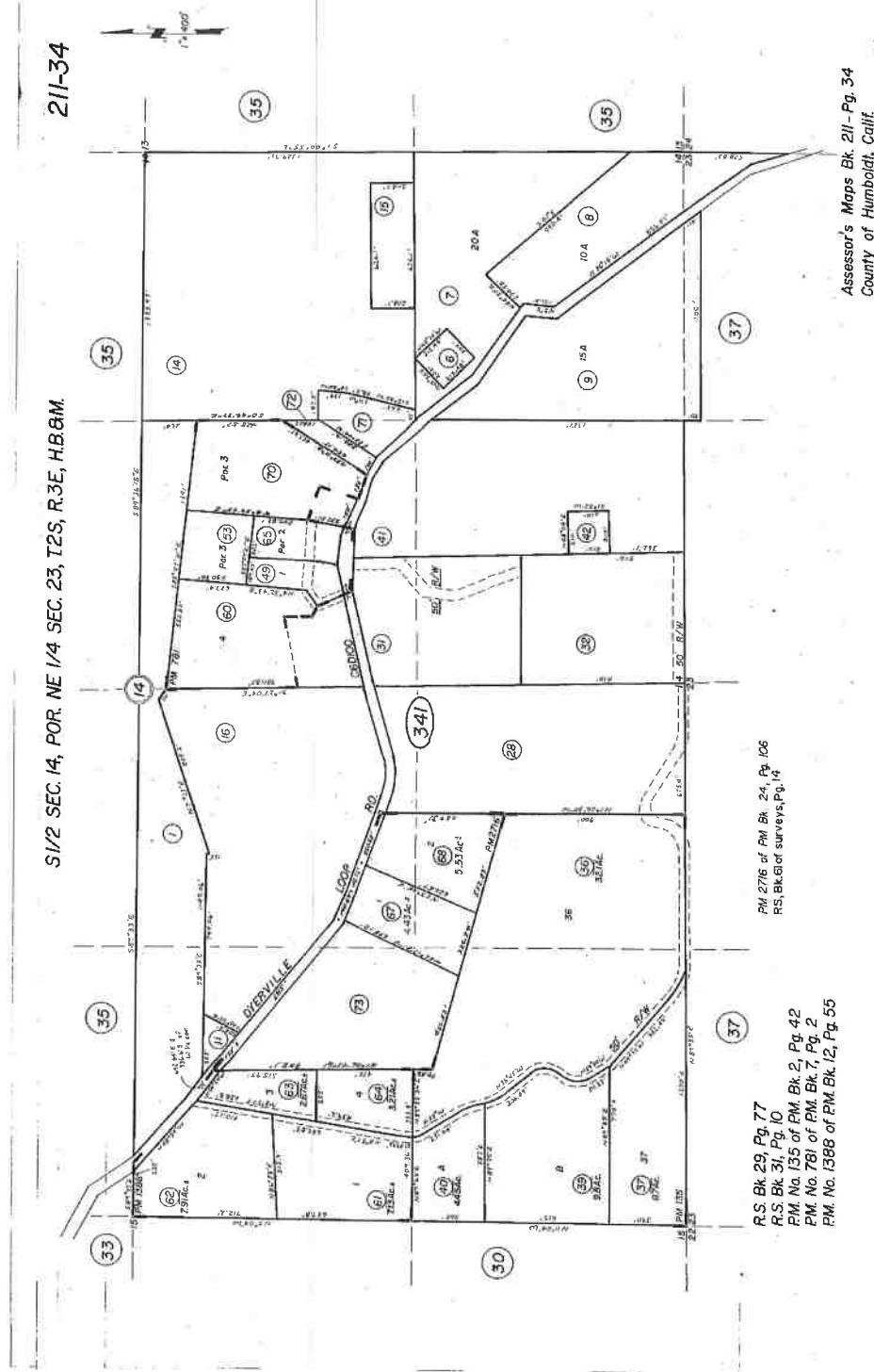
- GIS acres: 12.20
- Coastal Zone: Outside.
- 100 Year Flood Zone: Outside.
- Alquist-Priolo Fault Hazard Zone: Outside.
- Russ Fault Zone: Inside.
- Historic Landslide Areas: >600 ft.
- FEMA FIRM Flood Rating & Panel Number: N/A.
- Slope: >15% in most cultivation areas.
- Relative Slope Stability (Per General Plan Geologic maps): MODERATE INSTABILITY.

Soil Ratings

According to NCRS soil mapping database, the soil ratings are 643 and 645 geologic map units.

211-34

S1/2 SEC. 14, POR. NE 1/4 SEC. 23, T2S, R3E, H.B.&M.



R.S. Bk. 29, Pg. 77
R.S. Bk. 31, Pg. 10
P.M. No. 135 of P.M. Bk. 2, Pg. 42
P.M. No. 781 of P.M. Bk. 7, Pg. 2
P.M. No. 1388 of P.M. Bk. 12, Pg. 55

PM 2716 of PM Bk 24, Pg. 106
RS, Bk.61 of surveys, Pg. 14

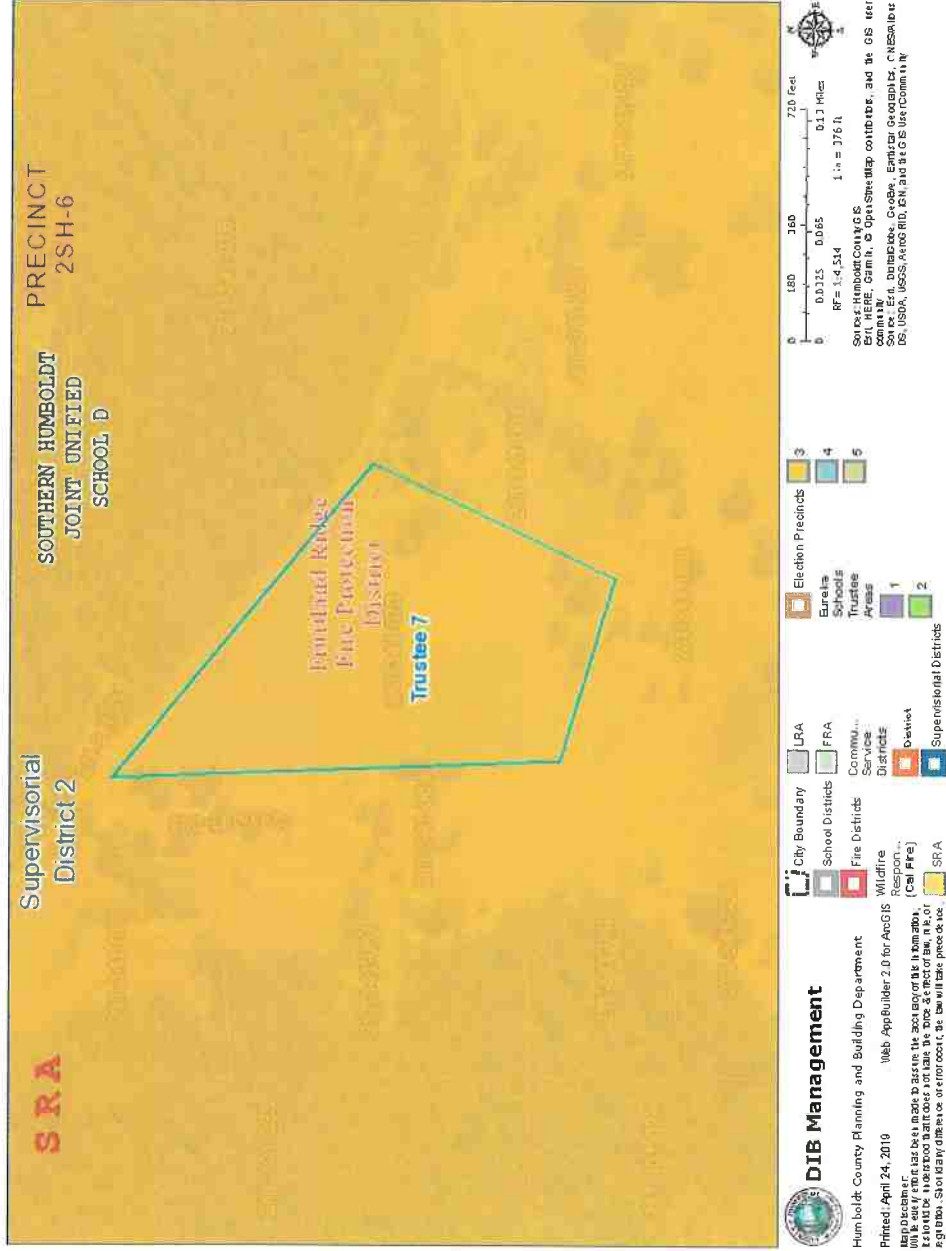
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Assessor's Maps Bk. 211 - Pg. 34
County of Humboldt, Calif.

Jurisdictional Boundaries Map



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Land Use (Critical Facilities) Map



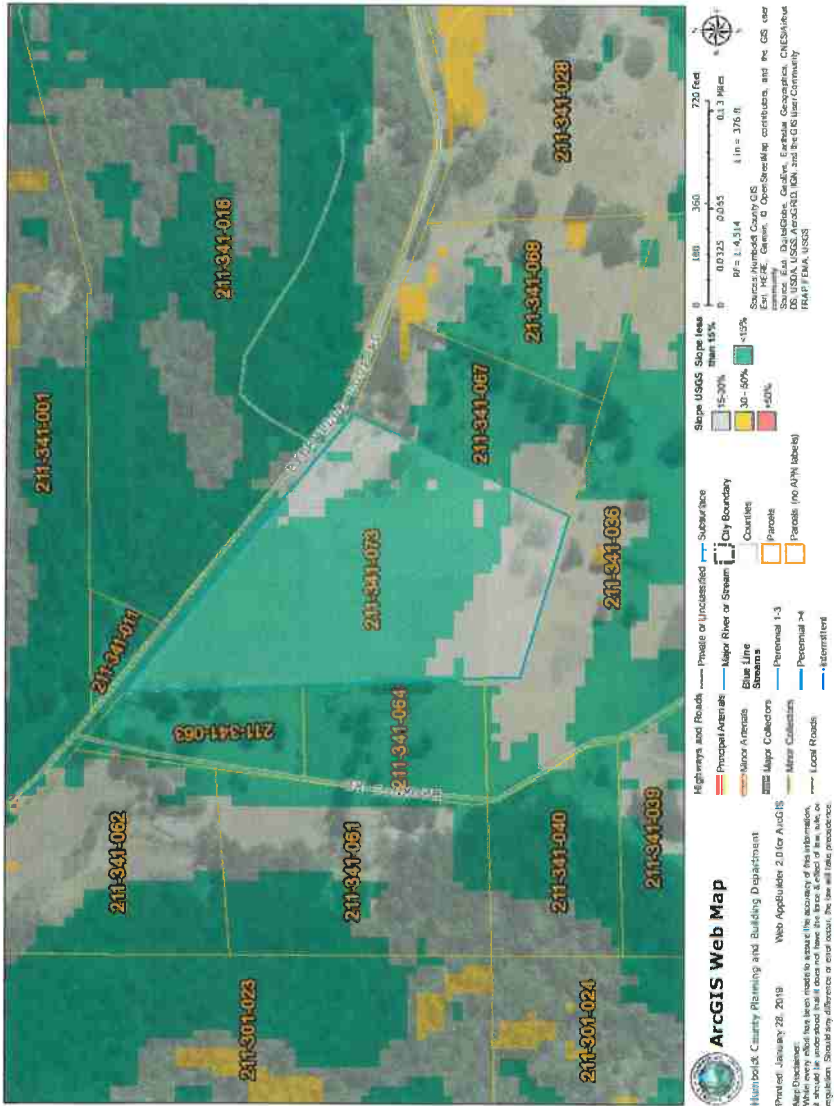
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Streamside Management Areas Map



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11111 Mainway

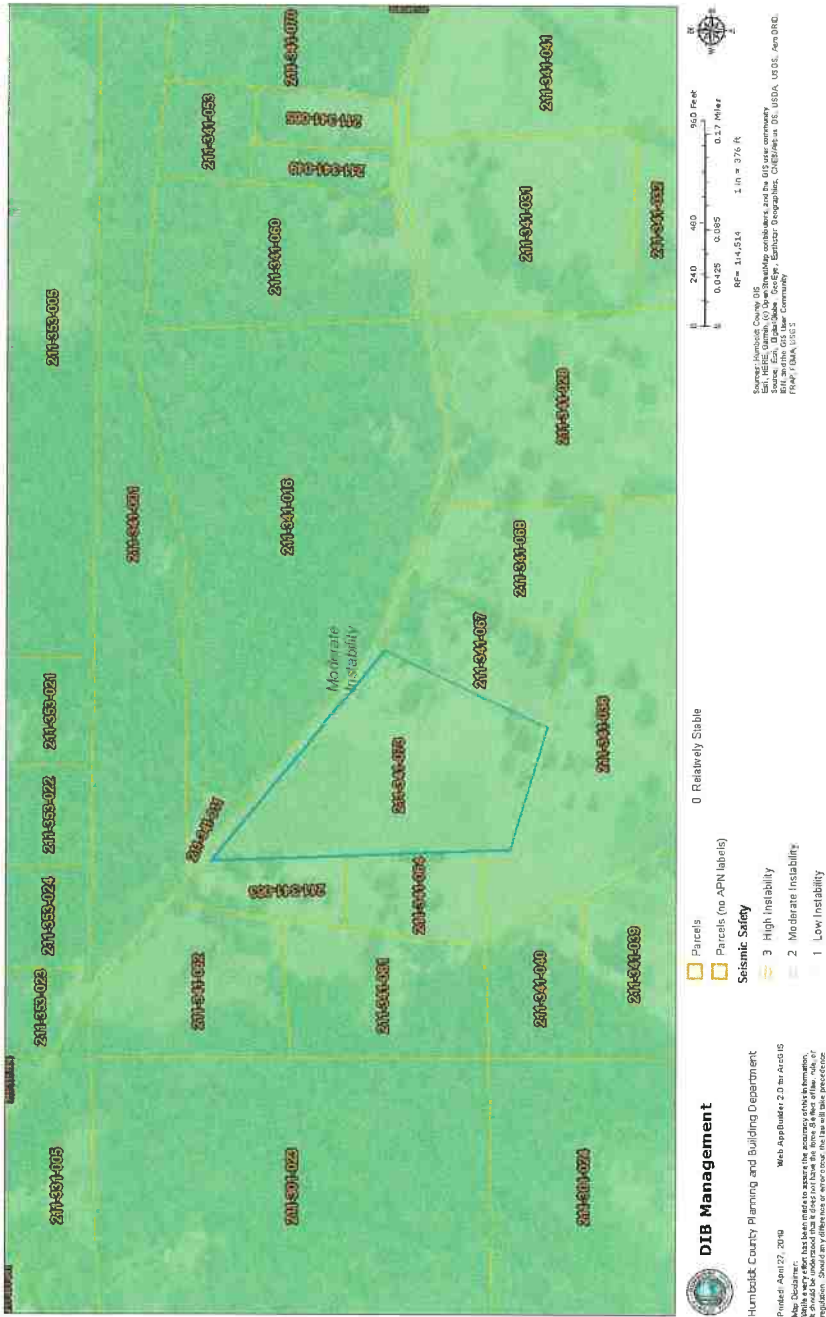
Slope Map



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SOLUTIONS

Stability Map



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Earthquake Fault Zone



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Historic Landslide Areas



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Environmental Impacts & Standards

Environmental impacts and standards include a comprehensive summary of all environmental elements related to the proposed Project. Impacts could include land use, development, pollutants, nuisances, and related environmental concerns. Federal and State standards have been set—with oversight from the United States Environmental Protection Agency (EPA) and the U.S. Department of Agriculture (USDA)—regarding potential environmental impacts caused by general industry applications.

Mitigation measures that can be employed for cultivation activities to prevent environmental detriment often feature the implementation of Best Management Practices (BMPs) suggested by the State Water Resources Control Board (SWRCB) under the Water Board Order and enrollment/compliance with the Waste Waiver Discharge (WWD) program through the North Coast Regional Water Quality Control Board (NCRWQCB). This can include the potential requirement for a Water Resource Protection Plan (WRPP). Additional conformance may be required with the California Department of Fish & Wildlife (CDFW) (formerly Fish & Game) under a Lake and Streambed Alteration Agreement (LSA-1600/1602).

All Projects must also adhere to standards and maintain compliance with regulations set forth by the Division of Environmental Health (DEH) through a Contingency Plan (see *Contingency Plan* below) regarding all wastes (known as a Waste Management Plan). Applicants must also abide by regulations set forth by the Department of Pesticide Regulations (DPR) and the Tribal Historical Preservation Office (THPO) for archaeological preservation.

Often it is found, during the review of the Project, that there may be additional requirements and/or specific needs to support a sound environmental action or mitigative plan to adhere to the standards set under additional agency authority.

Summary

Potential Project impacts could include biological resources, land use/planning, transportation/traffic, agriculture and forestry, hazards and hazardous materials, public services, utilities/service systems, geology/soils, and hydrology/water quality.

Development impacts could include those regarding landscapes, infrastructure, roadways, and other environmental ramifications resulting from the Project.

Nuisance mitigation would include prevention of environmental impacts such as through odors, lights, and sounds that could potentially adversely affect neighboring properties or habitats. The proposed Project area would be required to meet all setback standards required by all agencies within the State of California and the local authority.

Background

On January 1, 1970, President Nixon signed the National Environmental Policy Act (NEPA). California Governor Reagan followed suit by signing the California Environmental Quality Act (CEQA) into law on September 18 of the same year. These laws required the incorporation of environmental values into governmental decision making. These statutes require Federal, State, and local agencies to analyze and disclose the potential environmental impacts of their decisions, and—in the case of CEQA—to minimize significant adverse effects to the extent feasible.

NEPA was codified under Title 42 of United States Code § 4331 et seq. (42 U.S.C. 4331 et seq.). Under NEPA, Congress established the White House Council on Environmental Quality (CEQ) to ensure that Federal agencies meet their obligations under the Act. CEQ's Regulations for Implementing the Procedural Provisions of NEPA are found in Title 40 of the Code of Federal Regulations, § 1500 et seq. (40 CFR 1500 et seq.). In California, CEQA was codified under Division 13 of California's Public Resources Code (CPRC), section 21000 et. seq. (Cal. Pub. Res. Code § 21000 et seq.). The Guidelines for Implementation of the CEQA regulations are in Title 14 of the California's Code of Regulations (CCR), § 15000 et seq. (14 CCR § 1500 et seq.).

NEPA and CEQA are similar, both in intent and in their respective review processes (analysis, public engagement, and document preparation) that they dictate. Importantly, both statutes encourage a joint Federal and State review for Projects that require both Federal and State approvals. In such cases, a joint review process can avoid redundancy, improve efficiency and interagency cooperation, and be easier for applicants and citizens to navigate. Despite the similarities between NEPA and CEQA, there are several differences that require careful coordination between the Federal and State agencies responsible for complying with the statutes. Conflict arising from those differences can create unnecessary delay, confusion, and legal vulnerability.

Federal, State, and local agencies have cooperated in the environmental review of Projects ranging from infrastructural development to renewable energy permitting. As State and Federal governments continue to pursue shared goals, there will be a continued need for an efficient and transparent environmental review processes that meets the requirements of both statutes.

Recognizing the importance of implementing NEPA and CEQA efficiently and effectively, the CEQ and the California Governor's Office of Planning and Research (OPR) developed a handbook regarding conducting joint NEPA and CEQA review processes. The CEQ oversees Federal agency implementation of NEPA, which includes writing the CEQ NEPA regulations and preparing guidance and handbooks for Federal agencies.

OPR plays several roles in the administration of CEQA, including development of CEQA Guidelines in coordination with the California Natural Resources Agency, providing technical assistance to State and local agencies, and coordinating State-level review of CEQA documents. Agencies conducting an environmental review must also consider any additional requirements or deadlines established in the individual agency's administrative regulations or procedures that implement NEPA and CEQA. These requirements could prescribe additional or more stringent requirements than the CEQ regulations and CEQA guidelines.

The NEPA and CEQA handbook provides practitioners with an overview of the NEPA and CEQA processes and practical suggestions for developing a single environmental review process that can meet the requirements of both statutes. The handbook contains three main elements. First is a "Question and Answer" section that addresses the key similarities and differences between NEPA and CEQA. This section compares each law's requirements or common practices and identifies possible strategies for meeting the requirements of both laws. These strategies are not meant to prescribe methods that agencies must use; rather, the handbook provides suggestions that help agencies identify and analyze potential issues.

Mandatory Compliance Factors

In accordance with the State of California environmental guidelines pursuant to CEQA and under SB94 along with supplemental State agency regulations, it is a requirement that all agricultural operations pertaining to Cannabis obtain the appropriate environmental filings to support land alterations, diversions, and discharges of affluent.

Water Sources

The parcel is supported by an onsite well (for domestic and cultivation use) and a proposed 1,000,000-gallon rainwater catchment pond to support cultivation uses.

Initial Statement of Water Diversion & Use (ISWDU)

Not Applicable.

Small Domestic Use Registration (SDU)

Not Applicable.

Small Irrigation Use Registration (SIUR)

Not Applicable.

State Water Protection Permit (SWPP)

Proposed graded area is over one acre, therefore, a State Water Protection Permit will need to be filed prior to grading,

Lake and Streambed Alteration Agreements (LSAA-1600/1602)

It was determined that a LSAA-1600/1602 is not required for this Project as per their attached letter. Periodic inspections may be conducted by a third-party agent, Trinity Valley Consulting Engineers or CDFW to determine the need and application for future filing.

State Water Board Order: Water Quality Protection Permit (WQPP)

Initial inspections by an undesignated agent regarding water usage, discharges, and standard conditions compliance will be conducted. The initial notice of intent and monitoring/reporting forms, under the Waste Waiver Discharge Program never were filed under the Regional Board Order under the North Coast Regional Water Quality Control Board (NCRWQCB) as no commercial activities were conducted under this program. The Project will comply under the State Water Resources Control Board (SWRCB) WQPP. A reporting/recording system would be developed, monitored, and reported to comply with annual renewal requirements under this order.

Additional inspections (post enrollment) would be conducted by the undesignated agent, annually to ensure compliance. The proposed Project falls into Tier 1 due to the property specific factors. It is deemed that the Project would not pose a notable threat to the environment due to several conditions that will be documented in the Site Management Plan.

Site Management Plan (SMP)

A Site Management Plan is to be developed from pre-existing conditions on the property documented under documented activities that have been reported in the WQPP registration and SMP.

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Biological/Botanical Reconnaissance

A biological reconnaissance survey has been prepared by Tributary Biological and is included in this submission.

Archaeological Inspections & Survey

There is a current archaeological inspection on file within this application package. Additional records may also be accessible through Sonoma State University's Northwest Information Center (NWIC) and the local THPO within the tribal jurisdiction that applies. Findings have to adhere to 600' setback requirement, and in some instances, can be protected against proposed or existing site impacts in coordination with the Tribal jurisdiction.

Air Quality Protection Permit

PG&E supports the project site; therefore, no generator use applies.

Performance Standards

Performance standards include nuisance mitigation (for noise, odors, light, and other potential hazards of the Project), setback requirements, and a consent to inspect.

Setback Requirements

The proposed Project area does not meet all other setbacks from neighboring residences. All other setbacks comply with the project. Applicant has provided setback waivers from adjacent residences within 300' of subject project area.

There are no known schools, school bus stops, public parks, places of religious worship, or Tribal cultural resources that are known within 600' of the cultivation area.

The property does meet the 1000' setback from Community Planning Areas and Tribal Boundary territory.

Setbacks from nearby waterways adhere to the SWRCB and the CDFW's setback requirements.

It is deemed that Environmentally Sensitive Habitat areas will not be impacted by the proposed Project.

Additionally, a 30' setback from the PG&E pole and 12' of overhead lines and property borders is/is not satisfied.

Nuisance Mitigation

The Project would mitigate the potential for existing nuisances, including odors, lights, sounds, and other nuisances that extend beyond the boundaries of an adjacent property, with adherence to State and local (County and/or municipality) regulations pertinent to this Project.

Best mitigation efforts:

- Aesthetics: General Property Maintenance, Permitted Infrastructure, Neutral Curb Appeal.
- Odor: Odor Scrubbers. (Mandatory Compliance for Properties within Community Planning Areas).
- Light: Light Shielding. (Mandatory for all Supplemental Light Operations).
- Sound: Noise Attenuation. (Applicable to Projects with over 50 dB of any sound at the Parcel Border or to nearest habitat).
- Traffic: Traffic Control Plan- Seasonal Traffic Schedules (For roads that do not meet Category 4 or "Same Practical Effect").
- Greenhouse Gas Emissions: Carbon Scrubbers. (Gas/Diesel Powered) or the use of Alternative Energy Generators (Ethanol, Propane, Biodiesel).

Energy Source

Project energy demands are supported by PG&E power and will require an upgrade to support additional power demands.

Consent to Inspect

This section hereby grants to the relevant authority an authorization to conduct an annual compliance inspection with a minimum notice of 24 hours. The inspection would be conducted by officials during regular business hours (Monday-Friday, 9:00 am-5:00 pm), excluding government recognized holidays.

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Noise Source Assessments and Mitigation Plan

Source of Noise

Freezer Units, Fans, Dehumidifiers within the drying structures.

Distance from Points of Interest

Property Border: Over 30'

Neighboring Residences: 250-300'

Identified Habitat: Nearest identified habitat is greater than one thousand feet (>1,000)

Ambient Noise Levels

>35 dBA

Natural Noise Mitigation Features

Light Pollution Control Plan

Light Impact Mitigation

Light shielded within Nursery structures; no additional light impact proposed.

Operational Plan

The Operational Plan covers many aspects of the business, including location, organization, and a description of the Project's business sponsor that includes its mission, vision, and values. It also includes a description of what is produced by the Project, including sales and marketing efforts.

Summary

The Operational Plan details use of the organization's resources in pursuit of the strategic plan. It prescribes specific activities and events to be undertaken to implement strategies. It is a plan for the day-to-day management of the organization (encompassing a one-year period). An operational plan should not be formulated without reference to a strategic plan. Operational plans may evolve from year to year with business growth. The chief executive, lead staff, and third parties of or for the organization often produce the Operational Plan.

The products produced by the Project would have the primary designated use of the treatment of consumers with varying intended uses. Cannabis products would be distributed to qualified Cannabis consumers through qualified retail locations throughout the State of California.

Business Organization

DIB Management, operated by Jared Sandifer, a single member Limited Liability Company (LLC) operating under entity number 201631410004. The manager is responsible for delegating primary activities pertinent to the organization's daily and future management.

Management Team

Jared Sandifer, Chief Executive Officer.

Business Description

The primary goal of DIB Management is, within the State of California, to conduct agricultural activities and produce specialty agricultural products.

Mission

DIB Management is a for-profit entity with the mission of producing high-grade specialty Cannabis agricultural products to support the Cannabis supply chain for California-based retail outlets.

Vision

DIB Management adheres to a sustainable and homestead-driven, integrative farming model that includes standards related to organically produced crops and onsite agricultural resource sustenance. The Company's model integrates sustainable living and production principles with Cannabis cultivation.

Values

DIB Management values the need for prudent land management strategy, social equity, and the quality production of Cannabis to supply medical consumers and the treatment of their conditions. The Company is committed to operating within full compliance of local, County, and State regulations.

Products

DIB Management would produce specialty agricultural Cannabis and nursery stock to support the onsite cultivation of high-grade organically produced Cannabis flower products that are tested and assured for quality. Cultivation byproducts of additional value would be distributed to permitted manufacturers (for the processing of extracts, concentrates, and topical products).

The primary designated use of the raw medical Cannabis (flower) produced would be for the use by consumers with varying needs. Premium-grade Cannabis can be consumed via multiple methods, including inhalation, vaporization, ingestion, and dermal (topical) applications. Cannabis has proven to deliver positive efficacy for myriad ailments, conditions, and symptoms. Research is underway regarding additional benefits of Cannabis.

Sales & Marketing

DIB Management's product would be distributed to Cannabis consumers via wholesale outlets and retail dispensary locations and ancillary marketplaces. The quality, testing thresholds, and branding would target consumers who lead a Lifestyle of Health and Sustainability (LOHAS) and who prefer premium organically produced product.

Chain of Custody

DIB Management adheres to a robust system of chain of custody for recordkeeping and sourcing potential contamination of seed/nursery product, flower product, trim, or value-added byproducts. This system would serve to verify responsibility for and liability of products during cultivation, processing, distribution, and wholesale/retail sales.

Packaging

After testing and processing, products would be packaged per quality control standards and in tamper-proof packaging that does not appeal to minors. Products packaged in larger volumes would be distributed directly to consumers and retail outlets. Individual consumer labelling may be applied at the distributor or retailer level, after transfer of ownership in the chain of custody. If the business chooses to protect its branding through the Agricultural Commissioner, products would be individually packaged and labelled within the County of Origin.

Distribution

DIB Management will secure trading outlets for its products through existing local distribution networks. These distribution networks service retail dispensary outlets that seek licensure within their respective jurisdictions, as well as the State licensing platform under the Department of Consumer Affairs (DCA). The established consumer base has created a demand and fulfills the need for many Cannabis products from multiple licensed suppliers within the State of California.

Track and Trace Standards

As per the Track and Trace provisions as of June 27th, 2017 under the Medical Adult Use Cannabis Regulation and Safety Act (MAUCRSA), Senate Bill 94. The State utilizes a reporting system by the name of METRC, which is intended to track all licensed product through the supply chain.

Chapter 6.5. Unique Identifiers and Track and Trace

26067. (a) The department, in consultation with the bureau, shall establish a track and trace program for reporting the movement of Cannabis and Cannabis products throughout the distribution chain that utilizes a unique identifier pursuant to Section 26069, secure packaging, and can provide information that captures, at a minimum, all the following:

(1) The licensee receiving the product.

(2) The transaction dates.

(3) The cultivator from which the product originates, including the associated unique identifier pursuant to Section 26069.

(b) (1) The department, in consultation with the State Board of Equalization, shall create an electronic database containing the electronic shipping manifests to facilitate the administration of the track and trace program, which shall include, but not be limited to, the following information:

(A) The variety and quantity or weight of products shipped.

(B) The estimated times of departure and arrival.

(C) The variety and quantity or weight of products received.

(D) The actual time of departure and arrival.

(E) A categorization of the product.

(F) The license number and the unique identifier pursuant to Section 26069 issued by the licensing authority for all licensees involved in the shipping process, including, but not limited to, cultivators, manufacturers, distributors, and dispensaries

Transportation

All products would be transported through either the permitted/licensed cultivator with an additional transportation license to processing or distribution and/or via a licensed transporter to trading partners that are authorized to distribute Cannabis products to end consumer outlets (when applicable). These transporters would be responsible for adhering to guidelines that involve (but are not limited to) permitting, weights and measures, packaging/packing/labeling, verification of packing and freight

volumes, and liability insurance that covers product loss resulting from unintentional diversion or emergency.

All Transporters would be responsible for keeping a shipping manifest within the vessel carrying the shipment and are required to fulfill contractual deadlines in efforts to ensure delivery of products in a timely fashion to maintain positive standing with trading partners and protect the quality of a product that features a limited shelf life.

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Cultivation Plan

The Cultivation Plan adheres to robust standards promulgated under the DPR and regulated under the CDFA, and in accordance with DCA's consumer standards maintained by the Department of Public Health (DPH).

Summary

The Project proposes two (2) acres of outdoor cultivation in the form of two (2) garden areas that would be supported entirely by natural light.

Water for the Project would be sourced from an onsite permitted well, and one (1) 1,000,000-gallon rainwater catchment impoundment. Irrigation for the Project would be primarily supported by rainwater catchment pond, supplemented by the well, and possible dryland farming integration. Applicant will employ direct watering practices and consider an automated irrigation system to support cultivation activities.

Water Resources

Water for the proposed cultivation Project would be sourced from a total of an on-site permitted well, and a proposed 1,000,000-gallon rainwater catchment pond.

Water Conservation

Rainwater Catchment system.

Irrigation Methods

For most of the season, crop production would be directly irrigated from rainwater catchment impoundment. If approved, the Project has plans for water reduction irrigation systems.

Cultivation Schedule

The following table details the annual cultivation schedule, comprised of up to two (2) harvests per year, with breakdown by area. Water figures are indicated in gallons.

Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Outdoor	-	-	-	-	Veg	Veg	Veg	Veg/Blm	Blm	Blm	-	-
GH1-15	-	-	-	Veg	Veg/Blm	Blm	Blm/Veg	Blm	Blm	Blm	-	-
GH15-30	-	-	-	-	Veg	Blm	Blm	Blm	-	-	-	-
GH30-51	-	-	-	-	-	Veg	Veg	Blm	Blm	-	-	-
Propagation	Veg	Veg	Veg	Veg	Veg	Veg	Veg	-	-	-	-	-
Water	4500	12k	12k	20k+	20k+	25k+	30k+	40k+	30k+	20k+	-	-

*Water use as estimated.

Standard Conditions Compliance Factors

Water Storage- The project proposes one (1) one-million-gallon rainwater catchment impoundment and currently is operating under a CDFW waiver for the use of the well.

Fuel/Chemical Storage- All chemicals are securely stored on site, see plot plan for location.

Fertilizer/Amendment Storage- All fertilizer and amendments are securely stored on site, see plot plan for location.

Discharge Mitigation-Any discharges are mitigated through soil moisture retention and monitored irrigations practices.

Setbacks from Waterways (Outside Buffer Zones)

Emergency Water Plan

In the event of a water emergency, the proposed Project would feature adequate water supply to supply the cultivation activities from the 1,000,000 gallon rainwater catchment pond and a permitted onsite well.

Winterization Plan

During the fallow months, exposed ground would be cropped with green cover and native vegetation seed to protect against erosion and denitrification of the soil. Green manures would be incorporated into the native soils to enhance productivity during the forthcoming planting season.

Invasive Species Control Plan

Invasive Species Identifiers

See biological survey attached.

Invasive Species Control

See biological survey attached.

Stormwater Management Plan

Drainage Features and Facilities

The project site features one culvert featured on the plot plan that is a drainage feature from the water flow on the project site that flows into a nearby drainage feature. The project site might already include some French drainage features and proposes to implement additional drainage in the field to reduce soil moisture holding capacity in wetter regions of the field.

Drainage Conditions

The existing drainage feature was exempt from CDFW jurisdiction to upgrade.

Proposed Alterations to Drainage

Proposed implementation of additional French drain features to divert water away from low spots in the vineyard area of the property.

Drainage Measures

All measures employed are currently in working condition and any proposed additional features will comply with drainage features currently in place. In the event, that the stormwater drainage exceeds the threshold of existing drainage the applicant will improve this feature of the property.

Materials/Waste Management Plan

In accordance with specifications provided by the DEH and the California Unified Program Act (CUPA)—to meet the criteria required to ensure compliance with regulations that are intended to protect public health and the environment—this section addresses water production (including well construction) and the handling of onsite wastewater, solid waste, and hazardous materials.

Summary

The Materials/Waste Management Plan addresses onsite wastewater, solid waste removal and recycling, water production and well construction, hazardous materials handling and storage, and chemical spill procedure and guidelines.

Safety Data Sheets (SDS) for all fertilizers, soil amendments, pesticides, or other chemicals used in the operation would be made available onsite. If requested, all equipment maintenance performed onsite would be listed/described.

Project Specific Details

A primary residence and auxiliary agricultural structures would support the site. The site would also feature a structure that supports the propagation of nursery stock. It is also proposed that dual use would occur within proposed greenhouse structures. Project is supported by PG&E. The Sponsor has identified that the operation requires approximately ten (10) field employees and up to ten (10) during peak staffing to perform seasonal work activities. It is estimated that peak staffing would occur for a duration of approximately six (6) to eight (8) weeks (cumulative) throughout the active working parts of the season.

Water Production/Well Construction

The Project is supported by well to support domestic uses only (see plot plan for location). The cultivation activities are supported by a 1,000,000-gallon rainwater catchment impoundment.

Approximated water use for activities are denoted within the *Cultivation Schedule* under the Cultivation Plan. Monthly monitoring and annual reporting must be implemented to identify actual total uses for cultivation activities.

Waste Management

The sections below address the Project-specific details, impacts, and procedures for handling all cultivation project related waste products.

Common waste products that would be used or generated onsite include:

- Fertilizers.
- Fuels.
- Household chemicals.
- Human refuse.
- Human waste.
- Pesticides/herbicides/fungicides.

Waste Management Methods

- Green Waste (Compost) (Onsite Composting)
- Household/Operational Refuse (Eel River Resource Recovery, Fortuna)
- Electrical Fixtures (Eel River Resource Recovery, Fortuna)
- Chemical Waste Products (Fuel, fertilizers, pesticides, fungicides, chemicals, containers) (Eel River Resource Recovery, Fortuna).
- Excrement Waste (Household septic, domestic, portable toilets, cultivation activities) (On-site Septic for Domestic Uses, B&B Portable Toilets for Field Workers)

Solid Waste Removal/Recycling

All project refuse will be contained within a holding structure and is to be removed no less than once per week. All waste and/or recycling materials will be processed by a permitted solid waste/recycling facility. The facility designated to receive waste products for this Project is Eel River Resource Recovery, Fortuna.

Soil Management Plan

Medium Used: Potting Soil

Volume of Soil Used:

Phase 1 (Initial Acre of Cultivation) 435 cubic yards of soil

Phase 2: (Second 1 acre of Relocation Cultivation) 435 cubic yards of soil

Annual Replacement of 86 cubic yards

Soil Purchase/Disposal Documentation: Administrative records are stored in home office pertaining to soil purchases, no spent soil is anticipated from the Project site. In the event of contamination biologic remedies would be applied. If biological remediation is ineffective then soil would be disposed of through an approved facility.

Soil amendment, compost tea, and biologic treatment.

Wastewater Management

The proposed Project location is equipped with a septic system that is plumbed to the main residential structure. Employees would not utilize the primary septic system for regular uses. A portable facility will be provided in lieu of septic support to support employee waste activities. Now, no record of permit or data exists regarding age or specifications of the system. Further inspections may be required to identify the septic system's ability to support increased use during peak seasonal work times and whether it requires an upgrade to meet commercial standards.

Wastewater Management Standards

As per the CCR, Title 8, § 3457, which addresses field sanitation standards, the cultivation site is required to provide access to waste facilities within one-quarter (1/4) mile or a five (5) minute walk, whichever is shorter.

If the primary septic system is not within this accessibility threshold, a portable facility or pit privy may be provided in lieu of septic to support waste activities. The standards for portable waste facilities are as follow:

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- Toilet facilities: Shall be always operational, maintained in a clean and sanitary condition, and kept in good repair. Records of service and maintenance shall be retained for two years.
- Chemical toilet wastewater tank: Shall be constructed of durable, easily cleanable material and have a minimum tank capacity of forty (40) gallons. Construction shall prevent splashing on the occupant, field, or road.
- Chemical tanks: Contents shall be disposed of by draining or pumping into a sanitary sewer, an approved septic tank of enough capacity, a suitably sized and constructed holding tank approved by the local health department, or any other method approved by the local health department.
- Privies: Shall be moved to a new site or taken out of service when the pit is filled within two (2) feet of the adjacent ground surface. When the privy is moved, the pit contents will be covered with at least two (2) feet of well-compacted dirt.

Hazardous Materials Assessments

Not Applicable.

Contingency Plan

Project site should be exempt from Contingency Plan requirements and CERS reporting due to the following factors:

- 250 Gallons Propane- Domestic Use Only

Hazardous Materials Handling

Fuels may be used and/or stored to support equipment and machinery and may include gasoline, oils, diesel, propane or other alternative fuels. All fuels used for equipment would be stored per the SWRCB guidelines and pursuant to California Unified Program Act (CUPA) reporting and storage guidelines pertaining to reportable quantities.

To meet industry standards, applicants must maintain a list of and describe all compressed gases, cleaners, and sanitizers (including, but not limited to, household chemicals, bleach, and alcohol) and document quantities stored onsite. Fuels, pesticides, and other agricultural/household chemicals are required to be stored in locked containment, separate from other input products. Any substance in use shall be accompanied by a posted notification that clearly identifies its nature. To prevent spills onto ground surfaces, any motors, fuel containers, etc. would be stored in drop pans and within an enclosed area.

Product Storage Standards

Per California Department of Food and Agriculture (CDFA) regulations, other chemicals would be stored separately from fuels, oils, and similar products. Fertilizers and pesticides, specifically, would be stored in locked containment within a secured outdoor structure.

As per the DPR (enforced by CDFA or the local Agriculture Commissioner), Projects that utilize pesticides and fertilizers must meet guidelines pursuant to CCR, § 6670, Title 3, Division 6, *Pesticide, and Pesticide Control Operations*. General guidelines dictate that chemicals are to be stored separately from fuels, oils, and similar products. Fertilizers and pesticides would be stored in locked containment within an enclosed outdoor structure.

Chemical spills would be handled and reported per directions in the Project's Chemical Spill Procedure.

To ensure mitigation of potential pollution of grounds, nearby waterways, and ecological habitats, the proper treatment, storage, removal, and overall security of potentially polluting products would be ensured using dedicated areas and containers that are covered and watertight.

Hazardous Material Standards

Quantities that trigger disclosure are based on the maximum amount onsite at any one time, as follows:

- 55 gallons, 500 pounds, or 200 cubic feet (for 30 days or more at any time during a year).
- Any amount of hazardous waste.
- Category I or II pesticides.
- Explosives.
- Extremely hazardous substances (above the planning threshold).

SDS for all fertilizers, soil amendments, and pesticides (including organically produced examples) would be furnished and made available onsite. Compressed gases, cleaners, and sanitizers are stored on the premises in the quantities outlined in the *Gases and Cleaners* inventory list that is maintained onsite.

Applicants are required under CUPA guidelines to list/describe all equipment maintenance performed onsite (including changing oil, antifreeze, etc.). Upon request, applicant will furnish information regarding ongoing maintenance of small machinery and equipment that is necessary to support cultivation activities.

Chemical Spill Procedure/Handling

In the event of emergency spills, the incident would be reported to the Cal OES State Warning Center at 800-852-7550 or 916-845-8911. The California Highway Patrol must be notified via 9-1-1 of spills occurring on highways in the State. The *Chemical Spill Procedure* would be followed, and emergency services also contacted via 9-1-1. The procedure would follow the California Office of Emergency Services (Cal OES) *California Hazardous Materials Spill/Release Notification Guidance* (February 2014) and the (EPA) (Pacific Southwest, Region 9) *Chemical Spills Prevention and Preparedness* webpage.

In the State of California, many statutes require emergency notification of a hazardous chemical release, including:

- California Labor Code § 6409.1 (b).
- Government Code § 51018, 8670.25.5 (a).
- Health and Safety Code § 25270.8, § 25510.
- Public Utilities Code § 7673 (General Orders #22-B, 161).
- Title 42, U.S. Code § 9603, 11004.
- Vehicle Code § 23112.5.
- Water Code § 13271, § 13272.

In addition to statutes, several agencies have notification or reporting regulations:

- Title 8, CCR, § 342.
- Title 13, CCR, § 1166.

- Title 14, CCR, § 1722 (h).
- Title 17, CCR, § 30295.
- Title 19, CCR, § 2703, 2705.
- Title 22, CCR, § 66265.56 (j), § 66265.196 (e).
- Title 23, CCR, § 2230, 2250, 2251, 2260.
- Title 40, CFR, § 263 esp. § 263.30.
- Title 49, CFR, § 171.16.

Project Equipment Inventory

- New Holland Tractor
- Weed Eater
- Hedge Trimmer

Maintenance

Onsite.

Project Product Inventory

Household Chemicals (Processing/Area/Mix Load Area)

- 2 Gallons Bleach
- 2 Gallons Isopropyl

Fuels/Oils (Equipment Storage Garage)

- Two Stroke Oil
- 250-Gallon Propane (Domestic)
- Gasoline (20 Gallons)
- Diesel (20 Gallons)

Fertilizers/Pesticides/Fungicides/Rodenticides (Ag Building)

- Bat Guano (Unknown Volume)
- Feather Meal (Unknown Volume)
- Bone Meal (Unknown Volume)
- Micronutrients (Unknown Volume)
- Neem Oil

Processing Plan

The Processing Plan covers many aspects of the end stage cultivation workflow employed by the business to harvest, dry, trim, cure, package, and assure the quality of medical Cannabis products. Quality assurance efforts include sanitation, dust control, and environmental standards necessary for optimal processing.

Background

Summary

As promulgated under various regulatory agencies, including but not limited to the Labor Commissioner (LC) and Wage and Hour Division (WHD), Employment Development Department (EDD), the Agricultural Labor Relations Board (ALRB), United States Department of Agriculture (USDA), the Food and Drug Administration (FDA), California Department of Food and Agriculture (CDFA), and are responsible for varying aspects of government labor laws, quality control, minimum wage and hours laws, administrative responsibilities, and health and safety regulations that govern processing and day labor activities related to Agricultural industries.

Project Details

The Project is supported by the proposal to establish two freezer units for fresh freeze sales to manufacturers and will involve minimal packaging support. There is also proposal for an onsite processing unit.

Cultivation activities undergo a common process flow that involves cultivation, to harvest, drying, to testing, grading/sorting, curing, to testing, packaging, to testing again (distributor level), and end sales. This is in efforts to ensure robust quality control; the business would employ stringent grading and sorting of medical Cannabis product during harvest to eliminate any contaminated product from end supply.

Project Processing Environment

Processing facilities will be designed and permitted to commercial code compliance.

It is expected that operation would require a maximum of twenty (20) persons during peak processing activities and each structure could support up to three (3) persons per working structure. Applicant may propose additional structural development to accommodate enhanced operational needs.

Water Access & Facilities

The Project site would provide employees with access to the following facilities/resources within reasonable proximity to work areas:

- Handwashing facilities (Field/Processing)
- Onsite potable water (Field/Processing)
- Restroom facilities (Field/Processing)

Operational Schedule

Seasonal Schedule: January to October

Hours of Operation: 5AM- 10PM

Regular Road Impact: 6 Vehicles Daily from January thru October, from 5AM to 10PM

Peak Road Impact: Up to 10 Vehicles Daily from June thru October, 5AM to 10PM

Delivery Schedule

Expected Delivery Dates: Around April 15th

Delivery Vehicle Type:

- Initial Soil Delivery would require 25 deliveries of 40 cubic yard of soil
- Annual Delivery would require 2 deliveries of soil for replacement
- Up to two times per year Freezer Truck for product pick up
- Amendments delivered by owner only

Employee Demands

Regular Staffing Requirements: 6-10 Persons

Peak Staffing Requirements: Up to 20 Persons

Road Impact Mitigation

In efforts to mitigate subsequent impacts to road use as a result of the project, the business would incentivize carpool plans for employees, providing the appropriate insurance coverage can be obtained. The operational schedule would attempt to align with daytime travel only for arriving and departing employees/subcontractors and deliveries. When the business anticipates a peak level of traffic, the business would make attempts to coordinate with neighboring property owners to organize traffic schedules or controlled traffic plans.

Regular road maintenance is to occur on the main and subsequent access routes to the property. Improvements may be required over an extended period with the contribution of funds to be allocated towards improvements from surrounding landowners. Additionally, improvements may be required to facilitate access for agencies such as ambulatory and CalFire, and local Fire support services vehicles.

Housing

The Plot Plan includes a personal residence that is not extended to employees.

Any housing provided to employees for this Project will be subject to CCR regulations found in the *Source Guide for Federal & State Requirement for Employees and Migrant Housing* and the *Department of Community Housing & Development*.

Parking Plan

Intent

The intent of the Parking Plan referenced in Section 314-109.1 of the Humboldt County Zoning Code was to reduce the impacts to on street parking by eliminating the need to develop off street parking for

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residential and commercial uses by limiting the amount of on street parking that could otherwise be facilitated. The intent of this section within the zoning code did not necessarily take into consideration off street parking for rural properties as typically off-street parking on rural properties does not pose an impact to on street parking.

That said, there are parts of the Parking Plan within the Zoning Code that apply to these types of operations; however, it was not the intent of this Section of the code to address this issue and it is more appropriate that parking be an issue handled through the building permit and occupancy process.

*“Section 109.1.1.2 of Humboldt County Zoning Code: Intent. The intent of these off-street parking requirements is to provide for the on-site, off-street parking of motor vehicles associated with any use or uses on the premises. **More off-street parking will allow on-street parking to be limited or prohibited to permit greater utilization of streets for moving traffic...**”*

Energy Plan

It is determined that the project complies with the following provisions of the Commercial Cannabis Land Use Ordinance No. 2599 and is not subject to the following requirements.

55.4.6.5.6 In TPZ zones and U zones (with a Land Use Designation of Timberland) the use of generators and Mixed-Light cultivation is prohibited.

Where grid power is not available,
Pre-Existing cultivation sites located within other eligible zoning districts may utilize onsite generators to supply energy for mixed light and propagation activities.

The permit application shall include an energy budget detailing all monthly cultivation-related energy use as well as on-site renewable energy generation and storage capacity. All generator use must comply with the Performance Standards for Generator Noise.

Project site is supported by PG&E within a U, RA zone and should not be impacted by this requirement.

This project complies with the following standards:

- a) Use of on-site generators to supply up to 20 percent of cannabis cultivation related energy demand may occur as a principally permitted use.
- b) Use of on-site generators to supply greater than 20 percent of cannabis cultivation related energy demand shall be subject to a Special Permit. The application must demonstrate why it is not technically or financially feasible to secure grid power or comply with the renewable energy standard. Approval may be subject to any and all of the following additional measures:
 - 1. Purchasing or acquiring nursery stock from an off-site approved facility.
 - 2. Limiting supplemental lighting demands.

3. Renewable energy systems or alternative fueling technology (Propane, Ethanol, Methane, Solar, Wind, Hydroelectricity)

Health & Safety

The first response emergency contact phone number is 9-1-1. Hospitals are Redwood Memorial Hospital at 707-269-4203 (Fortuna) and St. Joseph Hospital at 707-445-8121 (Eureka). The American Association of Poison Control Centers (AAPCC) can be reached at 800-222-1222.

Notification of Occupancy & Terms

As per the DIR and the US-DOL, all notices and labor postings would be provided and visible to all onsite employees. Any notification of occupancy status and terms of employee occupancy would be posted in compliance with all local, State, and Federal laws governing agricultural employers under the following regulatory bodies and regulations:

- California Agricultural Labor Relations Act (CALRA).
- California Occupational Safety & Health Administration (Cal/OSHA).
- Department of Industrial Relations (DIR).
- State and National Agricultural Labor Relations Board (CLRB & NLRB).
- U.S. Department of Labor (US-DOL).

Job Hazard Analysis

Labor duties would vary throughout the harvesting, drying, processing, and packaging stages of the operation. With each task, an analysis would be conducted to identify potential hazards associated with a task, including weather conditions, the physical aptitude of employees, tools utilized, and potential exposure to chemicals and other substances. Identification of these hazards is intended to mitigate potential job hazards and help ensure employee adherence to safety practices.

Emergency Procedures

Emergency procedures include the availability of eye washing stations and detailed procedures for dealing with chemical spills. In the event of an emergency, certain protocols would be developed and followed regarding fire evacuation plans, earthquake safety, and other emergency scenarios.

Hazard Communication Policies

Hazard communication is important to ensure the safety of all onsite employees, contractors, and subcontractors. Potential and known hazards would be made clear prior to conducting tasks and activities. Implementing this procedure is important to ensure that employees, contractors, and subcontractors are informed about the relevant risks associated with certain onsite tasks and the reduction of liabilities against the employer for improper use of equipment, machinery, and tools.

Employee Accident Policies

An investigation would be conducted to determine next steps.

The Company adheres to protocols for employee accident reporting. The manager is responsible for documenting any onsite incidents using *Form 5020*, including:

- Address of accident/event site.
- Description of accident/event and if the accident scene/instrumentation has been altered.
- Employer's name, address, and telephone number.
- Law enforcement agencies present at the accident/event site.
- Location of medical treatment.
- Name and address of injured employee(s).
- Name and job title of reporting party.
- Name of contact person at accident/event site.
- Nature of injuries.
- Time and date of accident/event.

Accidents need to be reported immediately to Cal/OSHA in Redding at 530-224-4743.

Contact the business' medical provider, the employee's designated medical provider, or 9-1-1, depending on the severity of the incident. Follow up with contact to the California Division of Workers' Compensation (CDWC).

Personal Protective Equipment Policies

Application of pesticides and fungicides requires personal protective equipment, including respirators, Tyvek suits, and gloves. It is the applicator's responsibility to ensure safety in the field. The farm manager is responsible for furnishing, applying, and informing of the appropriate uses associated with such products.

Applicators are required to acquire an Operator ID through the Agriculture Commissioner via the Pesticide Handling Training Program (PHTP). This would involve training applicators about labels, cautions, and recommended Personal Protective Equipment (PPE). Pesticide PPE would be stored onsite and separately from fertilizers, pesticides, and fungicides. Restricted Entry Intervals (REI) would be imposed and posted after application of chemicals to prevent exposures.

Additional PPE provided onsite for any processing labor would include access to gloves and dust masks by employees during drying, processing, and packaging.

It is the responsibility of managers/supervisors to ensure that PPE policies are followed during appropriate working conditions. In the event of product application by an employee, the applicator must be designated an operator ID and is required to employ the proper PPE during application, as well as abide by label warnings in the event of exposure, poisoning, or a spill.

Processors may be required by State law to employ PPE equipment for the duration of their shifts to ensure no exposure to and/or contamination from a product.

All laborers must be made aware of REI and tangible notification of the recommended REI after the application of pesticides, fungicides, and other chemical applications.

Eye Washing Station

Often, chemicals used onsite provide MSDS sheets that indicate the need for applicators to utilize an eye washing station after exposure. The eye washing station must be positioned within 200' of the cultivation

area and any areas where chemicals, fertilizers, or pesticides would be used or administered for various applications.

Injury Illness Prevention Plan

It is required by the DIR that every employer shall establish, implement, and maintain an effective Injury and Illness Prevention Plan (IIPP).

Components of an IIPP include:

- Employee compliance with safe and healthy work practices.
- Investigation of injuries and/or illnesses.
- Procedures for correction of unsafe/unhealthy conditions, work practices, and/or procedures.
- Procedures to identify and evaluate workplace hazards.
- Responsible person(s) and contact information.
- Safety training.
- System for communication with employees.
- Thorough safety program recordkeeping and document retention practices.

Chemical Handling

Any input products used onsite would be accompanied by MSDS and Chemical Inventory Lists that would be available to inspectors and employees and maintained onsite.

In the event of emergency spills, Call 9-1-1 and then report to the Office of Environmental Safety (OES) and California State Warning Center (CSWC) at 800-852-7550 or 916-845-8911 and identify proper steps to isolate the incident and cleanup.

Dust Control Measures

In the event of high dust levels, all processing environments would maintain clean working areas to prevent potential dust exposure to employees.

To ensure product quality and to prevent potential contamination of processing environments, certain dust control measures would be implemented. These measures would include maintenance of sanitary working environments and possible implementation of air filtration systems.

Heat Illness Prevention Plan

Written protocols regarding heat illness prevention would be available to employers, managers, supervisors, and employees regarding how to prevent and handle heat illness incidents.

To prevent heat illness to employees in the field, several factors must be considered:

- Ambient temperature (measured via thermometer or weather report).
- Crew size.
- Excessive clothing.
- Other relevant exposures.
- Presence of personal protective equipment or additional sources of heat.
- Work shift duration.

The following heat illness factors would be considered:

- Accessibility of drinking water.
- Accessibility of shade (via protective structures).
- Periodic rest breaks.
- Reminders to employees to remain hydrated.

Maintenance of Sanitary Facility

To help ensure the quality of finished product, a clean working environment would be maintained during the drying, curing, processing, and packaging stages of cultivation. Among other benefits, this would prevent potential contamination between crop batches. All product would be batch tested prior to processing. In the event of a recall, it would be assured that each batch or variety has not become contaminated during these stages within the processing facility.

Occupancy & Structural Guidelines

The general environments in which laborers would work include the field and within the proposed processing building. The environments in which any agricultural activity would occur would follow all guidelines (per agricultural and labor oversight agencies). The facility would need to meet commercial building standards in accordance with California Building Codes and would be made compliant with the American with Disabilities Act (ADA) and Architectural Barriers Act (ABA).

Any housings, buildings, and structures would be subject to California Building Code (CBC), including possible permitting requirements, inspections, and certificate(s) of occupancy. Additionally, specific exemptions exist that pertain to agricultural standards under the Occupational Safety and Health Administration (OSHA) and in conformance with the Occupational Safety and Health Guidelines (OSHG) (unless the Project meets certain exemptions, such as being a family-owned and operated business, does not offer temporary labor housing, or employs fewer than 10 employees at any given time). In other such cases, the site would need to comply with OSHA Guidelines pertaining to agricultural employment.

Administrative

Administrative elements of the Project include payroll, recording and reporting, chain of custody, safety procedures and protocols, product safety materials, labor and subcontractor issues, and quality assurance/control of product.

Labor Management

The primary organization currently responsible for the recordkeeping of employees (both seasonal and permanent) would be DIB Management. All records maintained by DIB Management would be made available upon request.

The organization has considered payroll options for peak times of the season during which employment periods would be up to several months in duration (particularly during the harvesting, processing, and packaging stages of cultivation). An outside entity may be responsible for soliciting, recruiting, and hiring employees.

The designated entity is responsible for ensuring property, business, and workplace compliance under the guidelines of the following departments:

- Bureau of Medical Marijuana Regulation (BMCR).
- California Department of Food & Agriculture (CDFA).
- County Agriculture Commissioner (CAC).
- County Planning Department (CPD)/Community Planning (CP)/Development Department (DD).
- Department of Industrial Relations (DIR).
- Department of Labor, Wage, and Hour Division (DL-WHD).
- Department of Pesticide Regulation (DPR).
- National & California Agricultural Labor Relations Board (NALRB/CALRB).
- Occupational Safety and Health Administration (OSHA).
- U.S. Department of Labor (US-DOL).

Recording & Reporting

All employee records for hours worked and reported would be kept onsite or via a payroll recordkeeping center and submitted to the managing payroll department to ensure timely reporting. Requests for review of payroll records would be the sole responsibility of the managing human resources agent (upon request and under certain lawful circumstances).

Quality Assurance & Control of Product

Quality assurance efforts encompass sanitation, climate control, dust control, and a variety of environmental standards. Quality control measures include monitoring, testing, harvesting, drying, curing, grading, sorting, packaging, secure storage, and distribution procedures.

In 2011, the Food and Drug Administration tasked the U.S. Department of Agriculture (USDA) to co-create with the U.S. Department of Health and Human Services (USDHHS) and the Center for Food Safety and Applied Nutrition (CFSAN) a program to implement Good Agricultural Practices (GAPs) and Good Handling Practices (GHPs). The goal was to mitigate food safety hazards and set standards and management

regulations for processing facilities to ensure quality and consumer safety of agricultural products when handled in processing environments.

Found in the April 2011 *Guide to Minimize Microbial Food and Safety Hazards for Fresh Fruit and Vegetables* (authored by the USDA, USDHHS, and CFSAN) is discussion about the fundamental procedures that should be developed and implemented. This document features a list of principles applied to the workplace in efforts to meet these standards and is as follows:

- Accountability for product quality.
- Controls for workplace sanitation.
- Employee hygiene.
- Minimization of microbial exposures.
- Operating procedures.
- Packaging procedures and protocols.

Chain of Custody

Agricultural businesses must adhere to a rigorous chain of custody system for product management and the identification of contamination in all raw and finished products.

Monitoring

Pre/post-harvest workflow would be monitored on a predetermined schedule and involve documentation of the condition of the product during its active stage of monitoring.

Harvesting

During harvest, a labor crew would be required to assist with light physical labor, including walking, crouching, lifting, and some climbing.

Drying/Curing

Product would be harvested at maturity and dried and cured in a climate-controlled environment. The primary equipment used would include dehumidifiers, fans, and heaters.

Grading/Sorting

Products would be graded based on testing results, maturity, and specific intended use (flower, manufacturing of extracts, concentrates, topical products, etc.)

Processing

Product would be harvested, trimmed, dried, and cured in a manner best suited to the specific environmental factors of the crop. This would include both visual inspections by master cultivators and data collection and analysis (via automated sensors).

Packaging

Packaging would adhere to the guidelines for package type, quantity/weights, warning labels, and stamping procedures.

Testing Procedure

All product testing would be conducted by an approved (certified) third-party laboratory. This would encompass testing for potency and purity, including the presence of pesticides, fungicides, and harmful micro biologics.

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Security Plan

The Project's *Security Plan* includes product security, inventory management, and diversion prevention. Pertinent regulatory language includes the following:

Assembly Bill 604 (AB-604), Article 3, Mandatory Commercial Registration, § 26040 (5): "Security requirements, including, but not limited to, procedures for limiting access to facilities and for the screening of employees. The department shall require all registrants to maintain an accurate roster of any employee's name, date of birth, and relevant identifying information, which shall be available for inspection by the department or State or local law enforcement upon demand."

AB-604, Article 3, Mandatory Commercial Registration, § 26046 (a)(3): "Operating and inventory control procedures to ensure security and prevent diversion."

AB-604, Article 3, Mandatory Commercial Registration, § 26046 (a)(4): "Detailed operating procedures for the proposed facility, which shall include, but not be limited to, provisions for facility and operational security, prevention of diversion, employee screening, storage of medical Cannabis, personnel policies, and recordkeeping procedures."

Summary

The Security Plan details efforts to prevent loss and diversion of medical Cannabis product at all stages of its cultivation and processing, including drying, trimming, curing, processing, and packaging. Robust recordkeeping would be implemented and maintained for quality assurance, inventory management, and prevention of diversion.

Measures of Security

Several security measures would be involved in the comprehensive protection of Cannabis product(s) during the cultivation and processing lifecycles. These measures could include exterior lighting, alarms, cameras and video capture, and the hardening of doors, windows, and fencing.

Security measures for this Project would encompass, at a minimum:

- Locked containment for product processing and storage (to be developed).
- Camera access at locked gate(s) into entry of property (*see site plan*).
- Surveillance and monitoring systems (to be developed as per the State's requirements).
- Fenced Property Perimeter

Points of Security

Entry Access

Property Wide Surveillance

Inventory Management

A rigorous system of recordkeeping and reporting would be facilitated to adhere to the State's Track and Trace METRC requirements of all Cannabis products. This would include (but not be limited to) flower, trim, and stem to ensure zero diversion of product throughout the processing life cycles.

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To prevent loss and diversion, all Cannabis products would be stored under locked containment during the drying, curing, and packaging phases of processing. Products would also be subject to conformance with a checks and balances system to ensure the prevention of unintentional diversion.

Prevention of Diversion

The most vulnerable stage of product security is transit to retail outlets. The best way to ensure product safety and prevention of diversion and loss is to maintain adequate chain of custody records via the Agricultural Commissioner.

This would occur under the oversight of the CDFA, in congruence with the State of California's METRC Track and Trace Program. Transporters would be provided with a shipping manifest for the transport of Cannabis products. Additionally, retail and distribution outlets would be informed of expected delivery quantities. This would include packing slips, tamper-evident seals, credential verification, liability coverage, and manifests.

Industry Analysis

Industry regulations have been enacted at the State, County, local and—in some instances—municipal levels. The proposed Project will adhere to all applicable regulations.

Summary

A complex framework of regulatory laws influences Cannabis cultivation regulations pertaining to the proposed Project, including Proposition 215, the Compassionate Use Act, Senate Bill 420, and the Medical Cannabis Regulation and Safety Act (MCRSA), and Proposition 65 (Prop 64) or the Adult Use Marijuana Act (AUMA), and most recently SB94, known as the Medical Adult Use Cannabis Regulation Safety Act (MAUCRSA).

In November 2016, the AUMA legalized “recreational” Cannabis possession, consumption, and personal indoor cultivation, but had no effect on medical marijuana permitting or licensing.

On June 27th, 2017, Senate Bill 94, otherwise known as, the Medical Adult Use Cannabis Regulation and Safety Act (MAUCRSA) by Governor Jerry Brown in efforts to consolidate the two legislative pieces put in effect to govern commercial medical and recreational Cannabis activities, otherwise known as the consolidation of the MCRSA and AUMA. The merge of these two legislative pieces features changes to the licensing scheme that we were working within prior to its effect.

As per State regulation, local permitting must be obtained before seeking licensure at the State level (which became effective January 2018). Some local jurisdictions in California, to date, have established and implemented regulations to per miss, permit, and/or license Cannabis business operations.

State Regulatory Framework

With the passage of the Compassionate Use Act (Proposition 215) in 1996 and the Medical Marijuana Program Act (MMPA) in 2003 (Senate Bill 420), California created a system of possession and cultivation limits, a voluntary identification program, and assurance of a non-diversionary system of medical Cannabis cultivation and dispensation. The intent of these legislative efforts was to clarify the scope of application, prevent arrest and prosecution, promote uniform application, increase accessibility of product, and address issues within the act to promote fair and orderly implementation.

In September 2015, the California State legislature enacted three bills under the MCRSA, consisting of AB-243, AB-266, and SB-643. Each bill addresses various issues pertaining to licensing and regulatory requirements involving medical Cannabis cultivation, manufacturing, transportation, distribution, sales, and testing. These bills became effectual January 1, 2016, with State licensing to open on January 1, 2018.

The MCRSA establishes a multiagency framework to regulate commercial Cannabis. The foundation of MCRSA is: “No person shall engage in commercial Cannabis activity without possessing both a State license and a local permit, license, or other authorization.” This legislation provides for the licensure of commercial Cannabis activity in California, strengthens environmental protections, and creates licensing opportunities for small and specialty cultivators.

Assembly Bill 243 (AB-243) requires the CDFA, CDFW, and State Water Resources Control Board (SWRCB) to promulgate regulations and standards pertaining to medical Cannabis cultivation efforts, mitigate impacts on environments, and coordinate enforcement efforts with State agencies.

Assembly Bill 266 (AB-266) addresses the licensure and regulation of medical marijuana for which the framework is primarily the responsibility of the Bureau of Cannabis Control (BCC) to enforce under the Department of Consumer Affairs' (DCA) and the Bureau of Medical Cannabis Regulation. Collaboratively, the Board of Equalization (BOE) and the CDFA are responsible for tracking and reporting the movement of Cannabis goods throughout the State.

Senate Bill 643 (SB-643) addresses the setting of standards on behalf of physicians and surgeons prescribing medical Cannabis and requires the Medical Board of California (MBC) to implement investigations of physicians who repeatedly or excessively prescribe medical Cannabis to patients without good faith exemption. This bill requires the BMCR to gather fingerprints to conduct criminal history background checks.

This Act also grants the DCA sole authority to implement and govern the system for creation, issuance, renewal, discipline, suspension, or revocation of such licensure under the Bureau of Cannabis Control program. Additionally, the CDFA is responsible for administering provisions of the act related to or associated with cultivation and transportation of medical Cannabis. This bill also authorizes counties and municipalities to propose and implement taxation on medical Cannabis activity.

In addition to the initial framework developed to support local regulations and State licensing, there has been a broad legislative effort to institute clean-up bills to further clarify the scope and definitions under the MCRSA.

The Adult Use of Marijuana Act (AUMA), which passed in November 2016, has legalized adult use ("recreational") Cannabis possession, consumption, and limited personal indoor cultivation. Because the AUMA legislation addresses only recreational Cannabis issues, it currently has no effect on medical marijuana permitting or licensing.

On June 27th, Senate Bill 94, also known as, the Medical Adult Use Cannabis Regulation and Safety Act (MAUCRSA) signed by, Governor Jerry Brown, in efforts to develop a single regulatory structure that governs commercial medical and recreational Cannabis activities, collectively known as MCRSA and AUMA. The merge of these two legislative pieces features changes to the licensing scheme that were in effect prior to the implementation of MAUCRSA.

The creation of MAUCRSA prompted 23 license type activities varying from Cultivation, Processing, Manufacturing, Packaging, Infusion, Testing, Retail, Distribution, and Microbusiness licenses. License types 5-5B will not be available until 2023. Across the license types they will be assigned either an "A" for Adult Use or "M" for Medical operations. The introduction of new license types Type 5-5B Cultivation, Processing, Manufacturer I and II, Packaging, Infusion, and Microbusinesses was an introduction of license types carried from the AUMA. The MAUCRSA also now excludes transportation as a license type. Furthermore, clarification of the fact, points concerning that event licenses are not prohibited under this framework were also clarified. The local authority could issue event permits for "onsite Cannabis sales to, and consumption by, persons 21 years of age or older at a County Fair or District Agricultural Association Event".

According to this legislation, an applicant may now pursue a State license without local approval, however, may not conduct activities until local approval is met, otherwise could prompt a violation that would make the State license applicant ineligible to hold the license.

Local Regulatory Framework

Under State legislation, MCRSA, municipalities possess the authority to set their own regulations pertaining to land use and commercial Cannabis business activities. Local permitting must be obtained before seeking licensure at the State level (which becomes effective January 2018).

Humboldt County

In October 2015, Humboldt County began its review process of the Commercial Medical Cannabis Land Use Ordinance (CMCLUO). This legislation governs commercial medical Cannabis activities within the authority of the County of Humboldt and establishes zoning regulations, performance standards, and environmental compliance—as well as requiring proof of documentation. The ordinance went into effect February 26, 2016. The deadline for applicants was December 31, 2016.

On September 13, 2016 Humboldt County issued a correcting and clarifying document to address the elements of the CMCLUO that were not clear under the initial Ordinance No. 2544 and the implementation of the program.

An Environmental Impact Report is underway to assess the overall impacts of this program which could significantly affect the Commercial Cannabis Land Use Ordinance, once the results of the study have been considered.

Additional Compliance Factors

Bureau of Cannabis Control (BCC)

In 2015, the Legislature passed and the Governor signed into law three bills (Assembly Bills 243 and 266, and Senate Bill 643) that create a licensing and regulatory framework for medical Cannabis through the Medical Cannabis Regulation and Safety Act. Later this was updated through the MAUCRSA, Senate Bill 94. This legislation created the Bureau Cannabis Control within the Department of Consumer Affairs. It also divided the responsibility for State licensing between three State entities – the CA Department of Food and Agriculture, the CA Department of Public Health, and the Bureau of Medical Cannabis Regulation, with the Bureau designated as the lead agency in regulating the Cannabis industry in California. This agency is responsible for licensing concerning testing, retail, distribution, and microbusinesses.

CalCannabis Cultivation Licensing

As directed by the Medical Cannabis Regulation and Safety Act and the Adult Use of Marijuana Act, the California Department of Food and Agriculture (CDFA) has written the proposed regulations to establish **Cannabis cultivation and processing licensing** and a **track-and-trace system**, collectively referred to as **CalCannabis Cultivation Licensing**.

Office of Manufactured Cannabis Safety

OMCS was established in the Center for Environmental Health of the California Department of Public Health (CDPH) after the Governor signed into law the Medical Cannabis Regulation and Safety Act in 2015. The Act established a licensing and regulatory framework for the manufacturing, packaging, and infusion of medical Cannabis in California.

The Medical Cannabis Regulation and Safety Act created the Bureau of Medical Cannabis Regulation in the Department of Consumer Affairs, and tasked the following Departments to establish regulations for the medical Cannabis industry:

CA Department of Consumer Affairs (Bureau of Cannabis Control): to license transporters, distributors, dispensaries, and testing laboratories.

CA Department of Food and Agriculture (Cal-Cannabis Cultivation Licensing): to license cultivators and will also be responsible for implementing the Track-and-Trace System for plants from cultivation to sale.

CA Department of Public Health (Office of Manufactured Cannabis Safety): to license manufacturers of Cannabis.

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Appendices

The following regulatory information sources contributed to the development of this narrative.

Source Guide for Federal & State Requirements for Employee & Migrant Housing

Housing Standards/Requirements for Employee/Migrant Housing Caretakers

Health & Safety

- First Aid.
- Communicable Diseases.
- Hand Washing, Bathing, and Laundry.
- Cooking, Kitchen, and Mess Halls.
- Garbage and Refuse.
- Insects and Rodents.

Occupancy & Structural Guidelines

- Housing Site.
- Housing Structure.
- Postings of Required Information.
- Permit to Operate Housing.
- Mobile Homes, Recreational Vehicles, and Commercial Modular.
- Tents.
- Construction and Repair.
- Fire Safety.
- Electrical.
- Lighting.
- Heating.
- Liquid Propane (LP) Gas.

Waste Management

- Toilets.
- Water Supply.
- Screens.
- Sewage.

Enforcement

- Enforcement and Penalties.
- Remediation and Mitigation.

Sources of Additional California Regulatory Information

SOURCES OF ADDITIONAL INFORMATION

More specific information can be obtained by:

1. Review of the following reference documents at law and public libraries:

California Health and Safety Code, Division 13, Part 1, beginning with Section 17000.

California Code of Regulations, Title 25, Chapter 1, beginning with Section 600.

California Code of Regulations, Title 24, California State Building Code.

Federal Migrant and Seasonal Agricultural Worker Protection Act

Code of Federal Regulations, Title 29, Parts 500 through 500.270.

Code of Federal Regulations, Title 29, Part 1910.142 (OSHA Reg.)

2. Obtaining or purchasing copies of documents as follows:

CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 13, PART 1

(Employee Housing Act) can be purchased from:

West Publishing Company, PO Box 64526, St. Paul, MN; telephone 800-328-4880.

CALIFORNIA CODE OF REGULATIONS, TITLE 25, CHAPTER 1,

and the CALIFORNIA CODE OF REGULATIONS, TITLE 24.

Can be purchased from:

Barclays Law Publishers, Attention: CCR/Agency Services Representative

400 Oyster Point Blvd., PO Box 3006, South San Francisco, CA. 94083

800-888-3600 or on the internet at <http://www.leginfo.ca.gov/calaw.html>

MIGRANT AND SEASONAL AGRICULTURAL WORKERS PROTECTION ACT

and OSHA REGULATION 1910.142.

Can be obtained by contacting the Wage and Hour Division of the U.S. Department

of Labor offices as shown on this page or on the internet at,

<http://www.dol.gov/esa/whd/mSPA/index.htm>

3. Contacting the appropriate government offices listed below:

If the housing is located in one of the following counties contact the county office listed below:

Fresno

Environmental Health Systems

1221 Fulton Mall, 3rd Floor

Fresno, CA 93775-1867

(559) 445-3391

Kern

Environmental Health

2700 M. Street, Suite 300

Bakersfield, CA 93301

(661) 862-8700

Merced

Environmental Health

777 W. 22nd St.

Merced, CA 95340

(209) 381-1100

Monterey

Environmental Health

1270 Natividad Road

Salinas, CA 93906

(831) 755-4500

Napa

Environmental Health

1195 Third Street, 101

Napa, CA 94559

(707) 253-4471

Orange

Environmental Health Div.

2009 E. Edinger Avenue

Santa Ana, CA 92705

(714) 667-3600

Sacramento

Environmental Health

8475 Jackson Road, 240

Sacramento, CA. 95826

(916) 875-8484

San Benito

Building and Safety

3224 Southside Road

Hollister, CA 95023

(831) 637-5313

San Joaquin

Public Health Services

304 E. Weber Ave.

Stockton, CA 95202

(209) 468-3426

Santa Cruz

Health Services Agency

701 Ocean Street, Rm 312

Santa Cruz, CA 95060

(831) 454-2022

Tulare

Resource Management Agency

5961 S. Mooney Blvd

Visalia, CA 93277-939

1-800-228-6133

STATE OF CALIFORNIA

DEPARTMENT OF HOUSING AND COMMUNITY

DEVELOPMENT

DIVISION OF CODES AND STANDARDS

NORTHERN CALIFORNIA:

(North of Fresno County)

9342 Tech Center Dr #550

Sacramento, Ca. 95826

(916) 255-2501

SOUTHERN CALIFORNIA:

(South of Madera County)

3737 Main Street, Ste 400

Riverside, CA 92501

(951) 782-4420

U.S. DEPARTMENT OF LABOR

WAGE & HOUR DIVISION

LOS ANGELES

300 South Glendale Ave., 400

Glendale, CA. 91205-1752

(818) 240-5274/75

WEST COVINA

100 North Barranca St., 850

West Covina, CA. 91791

(626) 966-0478

SAN DIEGO

5675 Ruffin Rd, 320

San Diego, CA. 92123-1362

(619) 557-5606

SAN FRANCISCO

455 Market St., 800

San Francisco, CA. 94105

(415) 744-5590

SACRAMENTO

2800 Cottage Way, Rm. W-1836

Sacramento, CA. 95825-1886

(916) 978-6123

Federal Governing Bodies & Regulatory Framework

- U.S. Department of Agriculture.
- U.S. Environmental Protection Agency.
- Farm Labor Standards Act.
- Farm Bill 2014.
- Clean Water Act (CWA)/Safe Drinking Water Act (SDWA).
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).
- Resource Conservation & Recovery Act (RCRA).
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA/Superfund).
- Clean Air Act (CAA).
- Emergency Planning & Community Right to Know Act (EPCRA).

Summary of Employment Requirements for California Agricultural Employers

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U.S Department of Labor

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- Pesticide Postings.
- Posting of Pesticide Storage Areas.
- Emergency Medical Care.
- Emergency Medical Services.
- Field Postings.
- Irrigation.
- Fumigants.
- Application-Specific Information for Field Workers.
- Pesticide Safety Information Series A-8.
- Pesticide Safety Information Series A-9.
- Workers' Compensation.
- Notice of Compensation Carrier.
- Medical Provider Network Information.
- Off-Duty Recreation.
- Written Notice to New Employees.
- Employee Polygraph Protection Act.
- Whistleblower Hotline.
- Uniformed Services Employment and Reemployment Rights Act (USERRA).
- Mass Layoff/Plant Closure (WARN).
- Human Trafficking/Slavery Notice.
- Recordkeeping and Reports.
- Cal/OSHA.
- Field Sanitation Report.
- Recordkeeping.
- GISO § 3203.
- Department of Pesticide Regulation.
- Employment Development Department.

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- Wages and Payroll.
- Statement of Wages.
- Recording Hours Worked.
- Payroll and Related Records.
- Workday and Workweek.
- Personnel Records.
- Job Applications; Personnel Records.
- Records That Must be Kept.
- Immigration.
- CIS Form I-9.
- Farm Labor Contractor (FLC).
- FLC License.
- FLC Payroll Records.
- Leave of Absence.
- Family and Medical Leave Act.
- California Family Rights Act.
- Discrimination.

Summary of Employment Requirements for California Agricultural Employers

- Applicant Identification Records.
- EEOC EEO-1 Report.
- Recordkeeping and Inspection Requirements.
- Inspection and Copying of Personnel Files.
- Inspection and Copying of Payroll Records.
- Workers' Compensation.
- Employee Claim Form.
- Form to Indicate Physician or Chiropractor.
- Child Labor.
- Permit to Employ and Work Permit.
- Date of Birth.
- Checklist of Forms and Reports.

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Glossary of Abbreviations & Definitions

AAPCC: American Association of Poison Control Centers
AB: Assembly Bill
ABA: Architectural Barriers Act
ADA: Americans with Disabilities Act
ALRA: Agricultural Labor Relations Act
ALRB: Agricultural Labor Relations Board
APN: Assessor's Parcel Number
AUMA: Adult Use Marijuana Act (Prop 64)
BMCR: Bureau of Medical Cannabis Regulation
BMP: Best Management Practices
BOE: Board of Equalization
CAC: County Agricultural Commissioner
Cal OES: California Office of Emergency Services (*See also OES*)
CALRA: California Agricultural Labor Relations Act
CALRB: California Agricultural Labor Relations Board
CBC: California Building Code
CBO: Cannabis Board Order
CCR: California Code of Regulations (also Cal. Code Regs.)
CDFA: California Department of Food and Agriculture
CDFFP: California Department of Forestry and Fire Protection (CAL FIRE)
CDF: California Department of Fire
CDFW: California Department of Fish and Wildlife
CDIR: *Also see DIR:* California Department of Industrial Relations
CD: Community Development
CDPH: California Department of Public Health
CDWC: California Division of Worker's Compensation
CEH: Center for Environmental Health
CEQ: Council on Environmental Quality

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CEQA: California Environmental Quality Act
CFR: Code of Federal Regulations
CFSAN: Center for Food Safety and Applied Nutrition
CLRB: California Labor Relations Board
CSLB: California State Licensing Board
CMCLUO: Commercial Medical Cannabis Land Use Ordinance
CP: Community Planning
CPD: County Planning Department
CPRC: California Public Resources Code
CSWC: California State Warning Center
CUPA: California Unified Program Act
DCA: Department of Consumer Affairs
DD: Development Department
DEH: Division of Environmental Health
DFEH: Department of Fair Employment and Housing
DHHS: Department of Health and Human Services
DIR: Department of Industrial Relations
DLSE: Department of Labor Standards Enforcement
DL-WHD: Department of Labor, Wage and Hour Division
DOL: Department of Labor
DPH: Department of Public Health
DPR: Department of Pesticide Regulation
DWC: Division of Workers' Compensation
DWR: Division of Water Rights
EED: Earlier Environmental Document
EEOC: Equal Employment Opportunity Commission
EIR: Environmental Impact Report
EPA: Environmental Protection Agency
FLC: Farm Labor Contractor
FLSA: Fair Labor Standards Act
GAP: Good Agricultural Practices

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GHP: Good Handling Practices
GP: General Plan
HIPP: Heat Injury Prevention Plan
HSC: Health and Safety Code
HUC: Hydrologic Unit Code
IIPP: Injury and Illness Prevention Program
IPM: Integrated Pest Management
IS: Initial Study
ISWDU: Initial Statement of Diversion and Use
LLC: Limited Liability Company
LRDP: Long Range Development Plan
LSA: Lake and Streambed Alteration
LSAA-1600/1602: Lake and Streambed Alteration Agreement
LC: Labor Commissioner
MBC: Medical Board of California
MCRSA: Medical Cannabis Regulation and Safety Act
MND: Mitigated Negative Declaration
MOU: Memorandum of Understanding
MRP: Monitoring and Reporting Program
MSPA: Migrant Seasonal Protection Act
NCRWQCB: North Coast Regional Water Quality Control Board
ND: Negative Declaration
NEPA: National Environmental Policy Act
NLRB: National Labor Relations Board
NMBC: Non-Profit Mutual Benefit Corporation
NOE: Notice of Enrollment
NOI: Notice of Intent
NOP: National Organic Program
NRCS: Natural Resources Conservation Service
NWIC: Northwest Information Center
OES: Office of Emergency Services

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OMCS: Office of Manufactured Cannabis Safety
OMRI: Organic Materials Review Institute
OPR: Office of Planning and Research
OSHA: Occupational Safety and Health Administration
OSHG: Occupational Health and Safety Guidelines
OSHT: Occupational Safety and Health Technician
PG&E: Pacific Gas and Electric
PHTP: Pesticide Handling Training Program
PPE: Personal Protective Equipment
REI: Restricted Entry Interval
SB: Senate Bill
SDS: Safety Data Sheets (*See also MSDS*)
SDU: Small Domestic Use
SIUR: Small Irrigation Use Registration
SOP: Standard Operating Procedures
SWPP: Stormwater Protection Permit
SWRCB: State Water Resources Control Board
THPO: Tribal Historical Preservation Office
USC: United States Code
USCB: United State Census Bureau
USDA: United States Department of Agriculture
US-DOL: United States Department of Labor
USDHHS: United States Department of Health and Human Services
WBO: Water Board Order
WDID: Waste Discharge Identification
WHD: Wage and Hour Division
WRPP: Water Resource Protection Plan
WQPP: Water Quality Protection Permit
WWD: Waste Waiver Discharge Program

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