

Kaycee Hathaway

From: Heather Hazlett <HHazlett@lwbsd.com>
Sent: Wednesday, February 18, 2015 3:08 PM
To: Kaycee Hathaway
Cc: Jeff Slothower
Subject: Comment Letter Re SE-14-00011, Grow Bros
Attachments: Ltr Kaycee Hathaway, Comments Re SE-14-00011, 2-18-15 FINAL WITH EXHIBITS.pdf

Please open the attached PDF file, which contains a comment letter from Jeff Slothower of today's date. The tabbed original hard copy will be hand delivered to your office this afternoon.

Heather L. Hazlett

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Lathrop, Winbauer, Harrel, Slothower & Denison L.L.P.

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February 18, 2015

VIA EMAIL AND HAND DELIVERY
Kaycee.Hathaway@Co.Kittitas.Wa.US

Kaycee Hathaway
Kittitas County Community Development Services
411 North Ruby Street, Suite 2
Ellensburg, WA 98926

Re: Comment Letter Re SE-14-00011, Grow Bros

Dear Ms. Hathaway:

I represent Joyce Bloxham¹, who is opposed to the County approving building permits for the construction of buildings on Kittitas County Tax Parcel No. 784334², which have required Kittitas County to go through a SEPA analysis. I request that this letter and all of the attached documents become part of the record in the above-referenced SEPA application and the underlying land use application.

Enclosed as Exhibit A is a County GIS map with the Applicant's and Ms. Bloxham's parcels labeled. Enclosed as Exhibit B are Kittitas County tax parcel summaries of Ms. Bloxham's parcels. Enclosed as Exhibit C is a County GIS map with a 1000-foot buffer around the Applicant's property highlighted in red and the parcels located within the 1000-foot buffer area highlighted in blue.

What follows is a discussion of why the County should reject the application and accompanying SEPA Checklist or in the alternative require an Environmental Impact Statement to properly assess the environmental impacts of the proposed activity.

¹ Ms. Bloxham owns Kittitas County Tax Parcel Nos. 774334 and 794334.

² Kittitas County Tax Parcel No. 17954 (10.92) was combined with Tax Parcel No. 784334 (10.2 acres) pursuant to Parcel Combination Application No. CB-14-00011. The combination of the two parcels resulted in the current Tax Parcel No. 784334 (21.12 acres).

1. The proposed use is not an allowed use under Kittitas County Code.

The proposed use, the production and processing of marijuana in the Agriculture 20 zone on a conforming parcel at least twenty (20) acres in size, is no longer an allowed use in the Agriculture 20 zone. Therefore, the County is prohibited from issuing this building permit.

On December 2, 2014, the Kittitas County Board of County Commissioners adopted Ordinance 2014-015, which eliminated the production and processing of marijuana as a permitted or conditional use in this zone. Under Washington's vested rights doctrine, a property owner who files a completed building permit or subdivision application that complies with zoning laws and regulations in force at the time the application is filed has a vested right to develop land under those laws and regulations. *Hull v. Hunt*, 53 Wn.2d 125, 130, 331 P.2d 856 (1958). *Kelly v. Chelan County*, 157 Wash.App. 417, 424, 237 P.3d 346 (2010); see also, *Jones v. Town of Woodway*, 70 Wn.2d 977, 984, 425 P.2d 904 (1967). The Applicants applied for building permits to construct buildings on the two lots, which were each under 20 acres in size.³ On December 4, 2014 CDS approved the combination of the two lots but the combination of the two lots was not completed by the Assessor. KCC 16.10.050. As a result, when the Applicants applied for building permits they were required to obtain a conditional use permit because the two lots were both under 20 acres in size. The Applicants failed to apply for a conditional use permit prior to December 2, 2014, therefore they are barred from applying for one now.⁴ Therefore, because this use is no longer allowed as a permitted use in the Agriculture 20 zone, this application cannot be approved and the analysis by the County should cease. Thus, this application must now be processed under the code adopted by the County on December 2, 2014, which no longer allows the proposed use as either a permitted or conditional use.

Without waiving arguments that the proposed use is no longer an allowed use in the zone, the inaccuracies in the SEPA Checklist and the failure to demonstrate the conditional use criteria in KCC 17.60A will be discussed below.

2. The SEPA Checklist contains inaccurate, misleading and incomplete information.

The record generated in the SEPA process must demonstrate that environmental factors were considered in a manner sufficient to amount to *prima facie* compliance with the procedural requirements of SEPA. See *Ellensburg Cement Prod., Inc. v. Kittitas County*, 171 Wn. App. 691, 712, 287 P.3d 718 (2012); see also, *Pease Hill Cemetery Group v. Spokane County*, 62 Wn.App. 800, 810, 816 P.2d 37 (1991). In order to accomplish this, the SEPA determination must be based upon information reasonably sufficient to determine the environmental impact of a proposal. *Id.* The County has an obligation to determine that the project is properly defined before it undertakes environmental review. WAC 197-11-060(3)(a).

³ It is not possible for the record to determine what time of day the application was filed and therefore determine if it was filed prior to the code change.

⁴ In *Potala Village Kirkland LLC v. City of Kirkland*, 183 Wn.App. 191, 334 P.3d 1143 (2014), the court concluded that vesting in Washington is only based on two statutory provisions, RCW 19.27.095(1), building permits, and RCW 58.17.033(1), preliminary plat applications, therefore a conditional use permit application would not have vested the Applicants to prior code.

The SEPA Checklist submitted by the Applicants is incomplete, inaccurate, misleading and often vague. The purpose of a SEPA Checklist is to provide information to the lead agency about the proposal and its probable environmental impacts. *DOE SEPA Handbook*, § 2.5. As the lead agency, Kittitas County is responsible for the review of the environmental checklist, permit applications and the additional information on the proposal to determine environmental impacts and mitigation measures necessary to make the environmental impacts insignificant. *Id.* The SEPA Checklist submitted by the Applicants makes it impossible to identify, evaluate and comment on impacts and potential mitigation. The Applicants have a vested interest in their responses minimizing the potential impacts and thus minimizing subsequent mitigation requirements, therefore, the County must probe and investigate whether the Applicants are truthful, accurate and complete in their responses. County officials should examine very closely any responses which are responded to with an absolute such as “no” or “none.”

Additionally, the Applicants and the County have not clarified whether SEPA was triggered on the first phase only or on both the first and second phases. If this SEPA Checklist is intended to cover both phases, it is grossly inaccurate because it fails to reference the ultimate 90 structures in both phases, the water use in both phases and the traffic generated by both phases. The County should require a SEPA analysis on both phases of the project so that the cumulative impacts can be analyzed.

Specific sections of the SEPA Checklist that are inaccurate, misleading and incomplete are discussed below with a heading for each section corresponding to the SEPA Checklist.

2.1 SEPA Checklist Section A.8. In response to the question, the Applicants responded “studied enough to determine no adverse environmental impacts.” That is not an answer to the question. The Checklist asked for environmental information that is prepared or will be prepared directly related to the proposal. Their answer infers that they have in fact studied additional environmental information that is not referenced. The information should be identified with specificity and produced to the County so the County can rely on it in making its SEPA decision.

2.2 SEPA Checklist Section A.9 and A.10. A.9 asks if there are other pending governmental approvals. A.10 requests a list of any governmental approvals that will be needed, if known. In response to A.9 they indicated “no.” In response to A.10 the Applicants identified the building permit. The responses to the two questions are mutually inconsistent and the Applicants should be required to identify all permits, including any permit that has been issued or is pending issuance by the Washington State Liquor Control Board (WSLCB), or the Washington State Department of Ecology authorizing the use of groundwater (see Section 2.1.6.1 below).

2.3 SEPA Checklist Section B.1.C. The Applicants indicate a soils analysis is forthcoming. Kittitas County should not render a SEPA decision prior to receiving the soils analysis referenced by the Applicants.

2.4 SEPA Checklist Section B.1.H. In the immediately preceding question the Applicants indicate there will be 22,872 square feet of impervious surfaces constructed and that there will be no measures needed to reduce or control erosion or other impacts to the earth. The Applicants fail to identify that impervious surfaces will affect storm water runoff and storm water control on the property. The Applicants should be required to identify that as an impact to the earth and then provide measure to reduce or control erosion.

2.5 Checklist Section B.2. The Applicants indicate there will be emissions to the air from the project resulting from construction and farming operations. The Applicants fail to identify the fact that dust emanating from the production and processing of marijuana will contain marijuana seeds and marijuana dust. Property in the area is used to raise and harvest Timothy Hay for export. A similar issue arose in another marijuana operation's conditional use permit application and the comments in that application are just as appropriate here.⁵ As indicated by the statements from Messrs. Haberman of No. 9 Hay, an international exporter of hay, the Timothy Hay Growers & Suppliers organization of Kittitas County and Rollie Bernth, President of Ward Rugh, Inc. (see Exhibit D), the buyers of hay come to this county and inspect the hay before they buy. The buyers have refused to buy in the past when they are aware of the possibility of contaminants in the hay. Timothy Hay farmers in the vicinity of the Applicants' property will have to disclose the possibility of marijuana particulate matter in their hay. As a result, these producers will no longer be able to sell their hay for export.⁶

Attached as Exhibit E is a letter from Paula Thompson, DVM, showing that marijuana is toxic to livestock. Many of the surrounding parcels have livestock, horses and domestic pets on them. The Applicants fail to identify this issue. The fact that dust and seeds from a product that is illegal under federal law could be deposited on adjoining properties and cause harm to those properties and interfere with the activities on those properties is not fully disclosed by the Applicants and because it is not disclosed no mitigation is proposed. In order to determine the nature and extent of the harm and interference, the proposed use should be subject to a full blown Environmental Impact Statement (EIS), with one of the alternatives being to not engage in the activity.

2.6 SEPA Checklist Section B.2.C. Despite the significant adverse environmental impacts to activities conducted on adjoining parcels of property and to the environment, the Applicants indicate that no proposed measures to reduce or control emissions or other impacts are necessary. The Applicants should be required to conduct this activity completely within property ventilated indoor facilities and ensure that no emissions leave the property.

2.7 Checklist Section B.3 (Water). The information provided in this Section of the SEPA Checklist is vague and inaccurate.

⁵ Many of the exhibits discussed below were submitted in CU-14-00005, Old McDonald's Farm. Copies of those comments are reproduced here.

⁶ See also, Exhibit Q, testimony of Rollie Bernth, owner of Ward Rugh, Inc. and a member of the Kittitas County Hay Producers, in support of Ordinance 2014-015, which modified the County's marijuana production rules.

2.7.1 Checklist Section B.3.a.4 (Surface Water). The Checklist asks, “Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.” The Applicants responded, “Water for Agricultural purposes from “KRD Irrigation District.”

KRD is part of a federally controlled irrigation project managed by the United States Bureau of Reclamation (USBR). Any water developed, delivered or routed through a federal project using federal facilities or federal contracts cannot be used to raise marijuana. USBR has developed a policy, attached as Exhibit F, which prohibits water withdrawn from the Yakima River from being used to irrigate and cultivate marijuana. Thus, KRD water is not a legal source of surface water for the irrigation of the Applicants’ marijuana.

The Applicants indicate they have entered into a groundwater mitigation agreement to provide water for 21,000 square feet of plant canopy and indoor domestic use for up to 20 employees. The mitigation agreement is not a right to use that water and in order to use the water referenced in the mitigation agreement, the applicants will need a permit or a Determination of Water Budget Neutrality issued by the Department of Ecology. The County should not allow the buildings to be permitted and constructed until the water right approval process is complete. Kittitas County cannot conduct a meaningful SEPA analysis of the environmental impacts of this proposal unless it knows what the legal source of water is. Without identifying which source the water is coming from, Kittitas County has no way of knowing whether the Applicants’ source of water is legal and thus no way of confirming there is no impact on the environment as a result of the Applicants using water from that source. Additionally, a WSLCB publication (see Exhibit G) identifies four (4) options for outdoor growers to obtain irrigation water; i) rainfall; or ii) a water right permit; or iii) groundwater exemption⁷; or iv) obtaining water from a water purveyor such as an irrigation district.⁸

The use of groundwater will be a new use of water, which must comply with KCC 13.35.020. Under that statute, the Applicants’ new use of water must comply with KCC 13.35.025 because under KCC 13.35.020(2), an application for a building permit that requires water triggers compliance with KCC 13.35.025. The Applicants completely ignore the requirement of KCC 13.35.025 in their application and fail to demonstrate how their proposed new use of groundwater fits within the nine criteria in KCC 13.35.025, which must be met with respect to this project. As a result, Kittitas County cannot conduct a meaningful SEPA review. The Applicants should be required to identify how the requirements of KCC 13.35.025 will be met prior to the Applicants conducting any activity associated with the use. In other words, if the County is going to approve this conditional use application, the Applicants must have mitigation water in place before they can conduct the activity requiring new uses of water.

The Applicants also fail to identify a pond on the property that contains seasonal runoff, irrigation return flows and irrigation water from the KRD. The Applicants completely ignore the effect of the proposed activity on the pond, the water in the pond and the runoff into the pond.

⁷ A groundwater well exempt from permitting (RCW 90.44.050) is not an option in this County because of KCC Chapter 13.35.

⁸ See also, KCC 17.15.050.1 FN 29 criteria, which requires essentially the same thing.

2.8 SEPA Checklist Section B.3.c.1. Applicants indicate “[s]torm-water run-off to percolate into soil,” yet the Applicants propose 22,872 square feet of impervious surfaces. Impervious surfaces will prohibit and prevent storm water percolation into the soil.

2.9 SEPA Checklist Section B.3.c.3. Applicants indicate “[n]o off-site drainage patterns affected,” but the Applicants fail to identify several irrigation ditches located adjacent to the property or which run through the property. Those irrigation ditches should be identified with specificity and an analysis conducted of how those irrigation ditches and the water in them may be impacted by the proposed activity.

2.10 SEPA Checklist Section B.4.d. This question asks for proposed landscaping to enhance vegetation on the site. The Applicants indicate “hops planted at fence perimeter, 62 inches on center, for sight obscuring.” First, hops are a seasonal crop and will only provide a visual screen during that limited portion of the year when the hop plants are actually growing. The remainder of the year the hops provide no visual screening. One only needs to drive through portions of the Yakima Valley used to raise hops to determine that no visual screening will occur for the vast majority of the year as a result of the hops being planted.

Secondly, hops have never been raised commercially in Kittitas Valley and are one of a number of crops that require specialized growing conditions and in the State of Washington are primarily grown in the lower Yakima Valley and nowhere else. Hops will not provide a viable preservation or enhancement of vegetation on the site, nor will hops visually obscure the proposed marijuana growing operation. The Applicants indicate an alternative crop is grapes. Grapes will provide no visual screening as the vines are low (3-4 feet) and seasonal, with no leaves on the vines for much of the year. The Applicants should be required to identify an alternative crop and/or type of vegetation to achieve visual screening.

2.11 SEPA Checklist Section B.4.e. In answer to this question regarding the presence of noxious weeds known to be on or near the site, Applicants indicate “none known,” yet the Applicants propose to raise marijuana on the property. Attached as Exhibit H is information from the National Resources Conservation Service documenting that in at least several states, marijuana is a noxious weed. Kittitas County and landowners in the County spend significant resources controlling noxious weeds to ensure that noxious weeds are eradicated and/or controlled. The Kittitas County Noxious Weed Control Board’s mission is to “protect and preserve the agricultural lands and natural resources of the County from the degrading effects of exotic and invasive noxious weeds.”⁹ The Applicants seek a permit to raise a noxious weed that will invade neighboring properties, yet propose no mitigation to protect the neighboring properties.

2.12 SEPA Checklist Section B.7.a. In response to questions about environmental health hazards, the Applicants respond “[c]hemicals to be used are not combustible.” That is not an adequate answer. The question is not limited to chemicals or hazardous materials that are combustible. The Applicants should be required to identify with specificity all environmental

⁹ www.co.kittitas.wa.us/noxious-weeds/about.aspx.

health hazards that may be present as a result of the propped activity and not just those that are combustible.

This section requires the Applicants to identify environmental health hazards, including exposure to toxic chemicals that would occur as a result of the proposal. In response, the Applicants answered “chemicals to be used are not combustible,” Marijuana is toxic to livestock, particularly horses (see Exhibits E and I). Marijuana is also harmful to humans (see Exhibit J). This activity actually produces recognized and known environmental health hazards. Yet the Applicants propose no mitigation measures to deal with the environmental health hazards. The County should require an Environmental Impact Statement to identify these hazards and develop appropriate options for minimizing the impact on the environment, including not conducting the activity.

2.13 Checklist Section B.8.a. In response to the question about current use of the site and adjacent properties, the Applicants indicate the adjacent properties will not be impacted. This is a misleading answer. Most of the adjoining property is used for the production of Timothy Hay. Other properties in the area are used for a variety of equine activities and other livestock uses. The impact on adjoining properties use for Timothy Hay production is significant, as discussed above in Section 3.2.4. In addition, this activity will decrease the value of property in the surrounding area (see Exhibit K, letter from realtor, and Exhibit L, statement from a potential property purchaser). Additionally, marijuana on the property is toxic to horses and other livestock and domestic pets (see above). Again, because the Applicants seek to produce and process a known hazardous product, a full EIS that analyzes each of these risks should be required.

2.14 Checklist Section B.8.b. The Applicants indicate the “[n]ew use will be agricultural” and then indicate in B.8.b.1 that “[s]urrounding land use should not affect or be affected by this proposal.” That is not accurate. In fact, the Applicants are switching to the farming of a crop that is illegal under federal law and causes significant and irreversible impacts to activities on neighboring properties, decreases the value of neighboring properties and is so harmful to human health that 48 states, the U.S. government and the vast majority of the world deem the activity a crime. The Applicants infer here they have some right to farm this property. This could be a veiled attempt to duck under the protection of the right to farm. There is no “right to farm” marijuana. The “Right to Farm Act”, RCW 7.48.300, is entitled the “Agricultural Activities-Protection from Nuisance Lawsuits” and is only designed to provide immunity and protect farms from being sued for nuisance damages from persons who move to an area. The “Right to Farm Act” is a codification of a long standing defense to nuisance claims. This immunity applies to an agricultural activity when three conditions are met: (1) the activity does not have a substantial adverse effect on public health and safety; (2) the activity is consistent with good agricultural practices, laws, and rules; and (3) the activity was established prior to surrounding nonagricultural activities. Even assuming that growing marijuana is an agricultural activity, and does not have a substantial adverse effect on public health and safety, it certainly cannot be “established prior” or pre-exist conditions in this area of Kittitas County because it has not legally been done here until the last few months. There is no “Right to Farm Act” protection

from nuisance lawsuits for marijuana factories wanting to move into this area and this law does not establish any “Right to Farm” marijuana.

2.15 Checklist Section B.10. The Applicants infer there will be no impact on the aesthetics of the area. That is not accurate. The area is predominately used for agricultural activities. The 10-foot high fence is aesthetically inconsistent with the agrarian rural style of the area.

2.16 SEPA Checklist Section B.13.c. The Applicants propose to create 22,872 square feet of impervious surfaces. The Applicants should be required to have a cultural resource survey done to verify there are no historical or cultural sites within the area on which the impervious surfaces will be located.

2.17 SEPA Checklist Section B.14. The Applicants indicate the “County road (Rader Rd) provides access to property” and that there will be “19 [parking] stalls provided,” yet Phase 2 proposes an additional 19 parking spaces for a total of 38. If the Applicants propose 38 parking spaces, their traffic count estimates are off and it is all the more reason to require an EIS to study the traffic impacts or the Applicants should be required to provide a traffic study to verify that the proposed increase in traffic associated with the activity will not be detrimental to Rader Road and local traffic.

2.18 Checklist Section 15. The Applicants indicate the project will not result in an increased need for public services. That is not accurate. The Applicants are proposing to grow and process a drug that for at least 100 years has been illegal under State law and remains illegal under federal law. Just because the voters in 3 or 4 counties in the State of Washington were able to make marijuana legal in the State of Washington does not affect the fact that the growing, processing and use of marijuana (like any drug), results in an increase in crime and criminal activity that has historically overtaxed law enforcement not only in this County, but also throughout this state and this country. For the Applicants to cavalierly say there will be no need for increased public services associated with this marijuana growing and processing activity is simply inaccurate and ignores the effect of this drug on our society.¹⁰ According to an NBC news article published in February 2014, the rate of crime has increased since the legalization of recreational marijuana in Colorado.

“In 2009, the Denver Police Department estimated that about 17 percent of marijuana retail shops had been robbed or burglarized in the last year. That was good news: a bit less than liquor stores (20 percent) and banks (34 percent), and on par with pharmacies.

Today, however, a darker picture has emerged. There are 325 marijuana companies in Denver, based on an analysis of licensing data done for NBC News by Marijuana Business Daily, a leading trade publication. (Most companies hold numerous licenses) At the same time, there have been about 317 burglaries and seven robberies reported by these companies in the last two years,

¹⁰ See also, Section 4.2.1 below.

according to police data. That's an annual robbery and burglary rate of about 50 percent, more than double what it was in 2009)"

(See Exhibit M, pp. 3 and 4.)

The marijuana industry in Washington State and Kittitas County also increases the incidence of crime. Exhibit N contains copies of 2014 Ellensburg Daily Record and Yakima Herald Republic articles regarding an armed robbery in Ellensburg in July of this year and various other marijuana-related crimes in Washington State. In Benton County on October 3, 2014 a man fired several shots at a suspected marijuana thief, and a marijuana grower in Selah was confronted by armed men according to an October 1, 2014 article from the Yakima Herald. In rural Tulare County, California, a security fence was pushed over and thieves attempted to rob a grove of 50 marijuana plants. A 25 year old suspect was shot dead, and a 16 year old boy was wounded. The property was far from law enforcement, and the security fence, similar to that required in Washington, provided no barrier for this criminal attempt. (See Exhibit O.) In testimony before the County this fall, Stephanie McKendrick, who resides on Sorenson Road, testified to the increased incidence of law enforcement response to another marijuana production facility in the Badger Pocket area of Kittitas County (see Exhibit P). Neighbors, innocent bystanders, people working in these facilities and the citizens of Kittitas County; all need to be protected from the violence inherent in this industry. Legal producers of marijuana should be located near law enforcement, not in a rural agricultural setting miles from law enforcement.

3. Conclusion.

This use is no longer allowed in the zone. The SEPA checklist provides inaccurate, missing and conflicting data and thus the SEPA process is ineffective. Further, without the Applicants having their WSLCB permit, the SEPA analysis is meaningless because the County does not know what activity the permit, if it is obtained, will allow. Kittitas County should, based on the SEPA application, require an Environmental Impact Statement so that the impacts of this proposed activity can be thoroughly evaluated.

Please do not hesitate to contact me if you have any questions or concerns.

Very truly yours,



Jeff Slothower

JS:hh

Enclosures

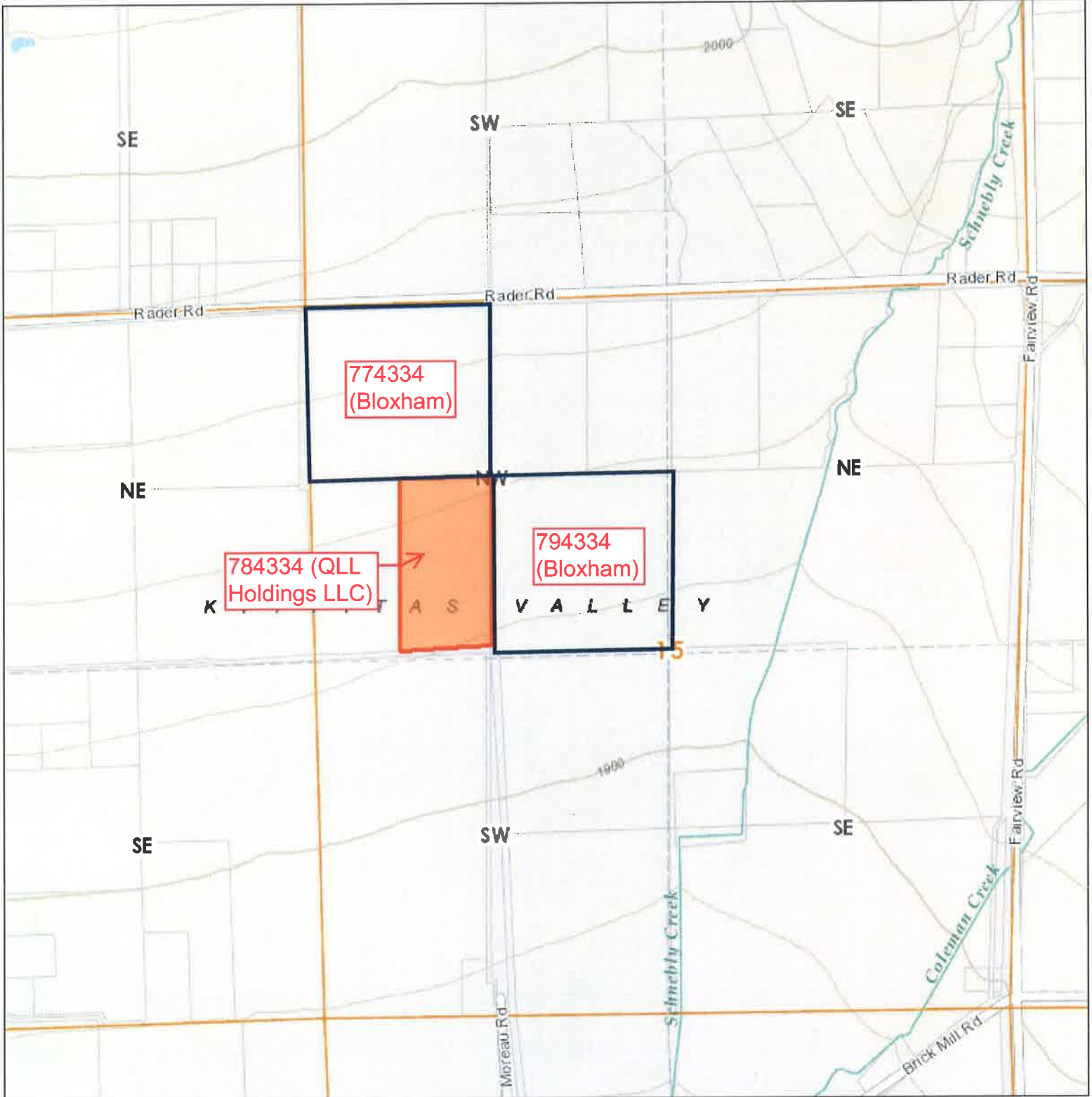
cc: Client (w/encls.)

Index of Exhibits

Exhibit A	Kittitas County GIS Map with Applicant's Property highlighted in orange and Joyce Bloxom's Parcels outlined in blue and labeled
Exhibit B	Kittitas County Tax Parcel Summary Printouts of Joyce Bloxom's Parcels
Exhibit C	Kittitas County GIS Map with 1000-foot buffer zone highlighted in red and the parcels located within the buffer zone highlighted in blue
Exhibit D	Statements from No. 9 Hay, the Timothy Hay Growers & Suppliers and Rollie Bernth, President of Ward Rugh
Exhibit E	Letter from Paula Thompson, DVM
Exhibit F	United States Bureau of Reclamation, Reclamation Manual Policy No. PEC TRMR-63
Exhibit G	WSLCB Publication Re Regulatory/Permitting Guidance for Outdoor Marijuana Producers
Exhibit H	Excerpt from USDA List of Invasive and Noxious Weeds by State
Exhibit I	ASPCA Toxic Plant Summary of Marijuana
Exhibit J	Web MD Article – "How Does Marijuana Affect You?"
Exhibit K	Letter from Rory Savage
Exhibit L	December 22, 2014 letter from Cheryl A. Johnson
Exhibit M	NBC news article published in February 2014
Exhibit N	Copies of 2014 Ellensburg Daily Record and Yakima Herald Republic articles regarding various marijuana-related crimes in Washington State
Exhibit O	San Francisco Chronicle Article published September 18, 2014
Exhibit P	Department Ecology FAQ Re Water Resource Rules and regulations for marijuana growing in Washington State, publication number 14-11-003
Exhibit Q	Testimony of Rollie Bernth, owner of Ward Rugh, Inc., in support of Ordinance 2014-015 and testimony of Stephanie McKendrick

Kittitas County COMPAS Map

Exhibit A



Date: 2/17/2015

1 inch = 1,505 feet
Relative Scale 1:18,056

Disclaimer:
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.

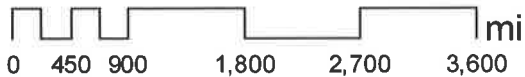


Exhibit B

Kittitas County Property Map Information

Parcel Information	
Address:	3080 RADER RD ELLENSBURG
Tax Parcel ID	774334
Map Number	18-19-15000-0003
Acres Recorded	43
Owner Name:	BLOXHAM, JOYCE
Name Cont:	N/A
Mailing Address:	3080 RADER RD
City/State:	ELLENSBURG, WA
Zipcode:	98926

District Information	
Commisioner District:	1
Voter Precinct:	Fairview
Hospital District:	HOSPITAL DISTRICT 1
School District:	Ellensburg School District
Irrigation District:	KRD
Weed District	WEED DISTRICT # 3
Fire District:	Fire District 2 (Rural Ellensburg)
Cemetery District:	N/A
Court District:	Lower District Court

Critical Areas Information	
Zone Name:	Agriculture 20
Land Use:	Rural Working
Contains > 30% Slope:	No
PHS Site Name:	N/A
Roof Hazard:	LOW_HAZARD RATING
Roof Class:	CLASS C
Seismic Category:	C
Shore Line:	N/A
Weland Code:	PEMC
DNR Water Type:	N/A
FIRM Zone:	ZONE C
FEMA Flood Map:	5300950442B
Coalmine Shaft:	N/A
Airport Zone:	N/A
Max Elevation:	1969
ISO:	0.023
PG:	45

Kittitas County Property Map Information

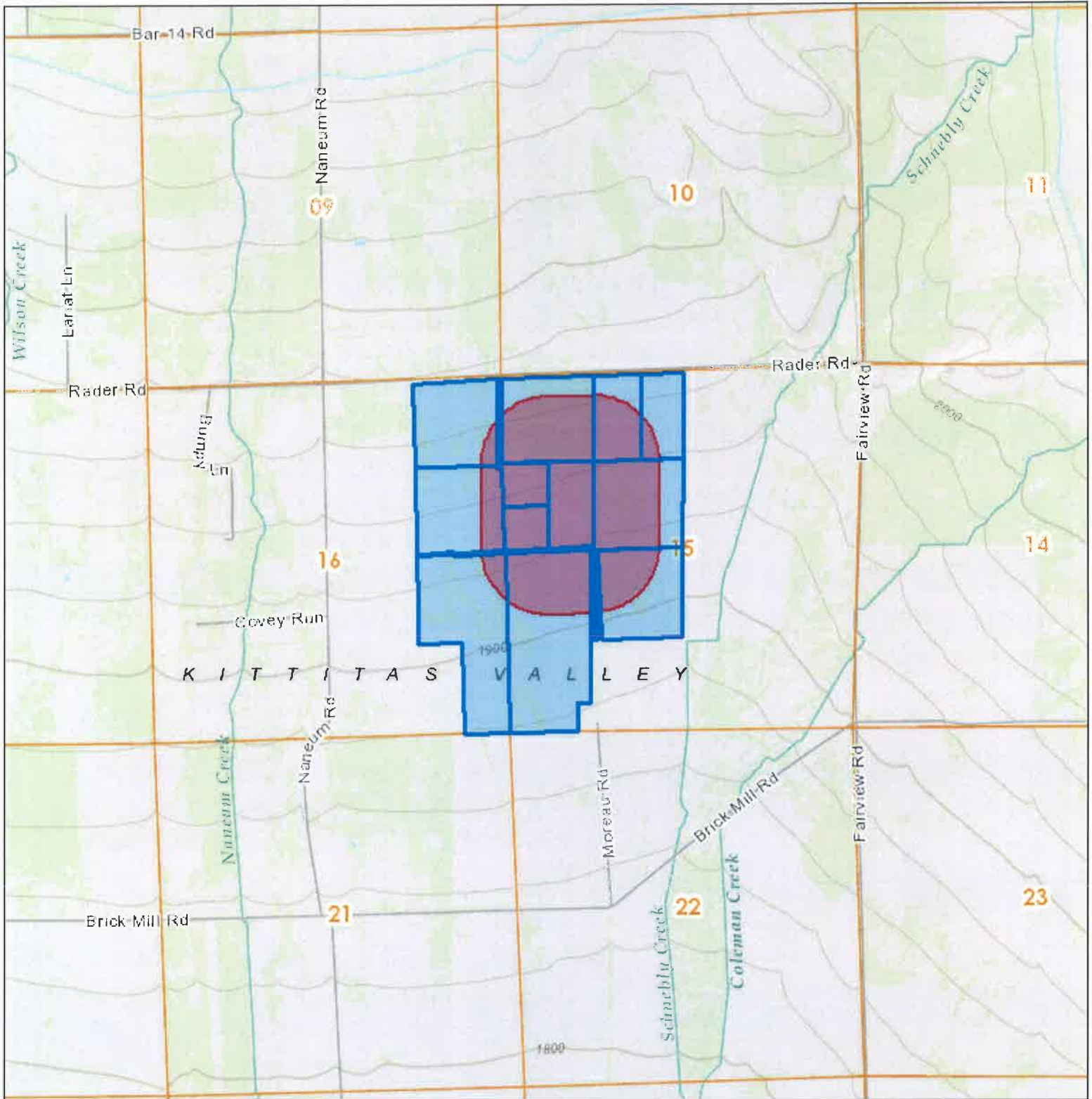
Parcel Information	
Address:	RADER RD ELLENSBURG
Tax Parcel ID	794334
Map Number	18-19-15000-0005
Acres Recorded	39.4
Owner Name:	BLOXHAM, JOYCE
Name Cont:	N/A
Mailing Address:	3080 RADER RD
City/State:	ELLENSBURG, WA
Zipcode:	98926

District Information	
Commissioner District:	1
Voter Precinct:	Fairview
Hospital District:	HOSPITAL DISTRICT 1
School District:	Ellensburg School District
Irrigation District:	KRD
Weed District	WEED DISTRICT # 3
Fire District:	Fire District 2 (Rural Ellensburg)
Cemetery District:	N/A
Court District:	Lower District Court

Critical Areas Information	
Zone Name:	Agriculture 20
Land Use:	Rural Working
Contains > 30% Slope:	No
PHS Site Name:	N/A
Roof Hazard:	LOW_HAZARD RATING
Roof Class:	CLASS C
Seismic Category:	C
Shore Line:	N/A
Weland Code:	PEMC
DNR Water Type:	N/A
FIRM Zone:	ZONE C
FEMA Flood Map:	5300950442B
Coalmine Shaft:	N/A
Airport Zone:	N/A
Max Elevation:	1937
ISO:	0.023
PG:	45

Kittitas County COMPAS Map

Exhibit C



Date: 2/17/2015

1 inch = 3,009 feet
Relative Scale 1:36,112

Disclaimer:
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.

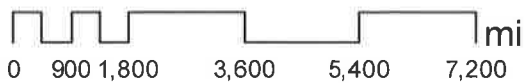




Exhibit D, 1 of 3

farmers helping farmers

**No. 9 Hay Trading Co., LLC
2550 Hungry Junction Rd.
Ellensburg, WA 98926
PH 509-962-8133 / Fax 509-962-4443**

December 18, 2014

Kittitas County Community Development Services
Ellensburg, WA 98926

Dear Sirs:

This letter is to voice our concern about a potential outdoor marijuana growing area in the Emerson road vicinity of Kittitas County.

No. 9 Hay Trading Co., is a forage marketing company located in Kittitas County. We purchase forage products such as alfalfa, timothy, oat hay and Sudan grass throughout the Pacific Northwest.

Kittitas County is a primary area where we purchase a large amount of high quality timothy hay that is exported overseas to Japan by our company. This area is world renowned for the quality of timothy grown here. We have customers from all over the world visit our facility and farmers' fields while the timothy is being grown and harvested. These customers are very particular with how the timothy is grown, what herbicides are used, the amount of fertilizer applied to the fields. They are especially concerned if the field is contaminated with other grasses or plants besides timothy. We have taken these customers to numerous farms and fields in Kittitas County so many times that they have become very familiar with our area and know the farmers names and fields. Also to make it very clear we have purchased timothy from this area of Kittitas County.

This leads us to our opposition of having an outdoor marijuana growing operation in the Emerson road area and Kittitas County in general. The customers will know about it, some already do and they are concerned about it getting into the timothy hay that they receive. Perception is a major factor in marketing products. If the consumer thinks there is a chance that a product could be contaminated with an undesirable element they will buy another product from another place. We have already experienced this first hand in agriculture. Last year in the summer of 2013 an Oregon farmer was spraying weeds in his summer fallow field with roundup herbicide. There was some volunteer winter wheat growing in this field that he couldn't kill with roundup. After some test being done they determined it was Roundup Ready wheat. There had been test plots grown in the area by Monsanto. This made the local news and the national news and eventually the international news. The result was that Japan stop importing US white wheat because of the perception that there could be Roundup Ready wheat from the US going to Japan. I use this as an example of how sensitive our foreign markets are and how perception is a huge factor in the market place.

Kittitas County farmers and our county's economy cannot afford to have the perception put out there that there is a chance that there could be timothy hay contaminated with marijuana going to Japan or any other overseas county. This could ruin a reputation for quality that has taken decades to build.

We strongly oppose this request and urge you to deny it.

Sincerely,

Bob Haberman

Brad Haberman

Co-Owners, No. 9 Hay Trading Co., LLC

Exhibit D, 2 of 3
World Famous Timothy Hay

timothygrowers@gmail.com

www.kittitastimothy.org



MEMORANDUM FOR RECORD

November 4, 2014

TO: Kittitas County Board of Commissioners
- District #1: Paul Jewell, District #2: Gary Berndt, District #3: Obie O'Brien

FROM: Organization of Kittitas County Timothy Hay Growers & Suppliers

SUBJECT: Marijuana Production & Processing in Kittitas County

The Organization of Kittitas County Timothy Hay Growers & Suppliers submitted letters on January 27, 2014 & May 20, 2014 to the County Commissioners concerning production & processing of marijuana in the County. Our organization was established in the mid 1970's to be a unified voice of the timothy hay industry in Kittitas County, Washington. The organization supports activities and projects with the purpose of resolving production-related problems while preserving and enhancing, product quality. We represent over 150 growers, exporters, and suppliers throughout the county and take our industry very seriously.

In November of 2012, Washington voters approved I-502 which allows residents of the state to produce, process, & sell marijuana through proper licensing channels. While the rules for I-502 are still being developed, members of the Kittitas County Hay Growers feel that some issues regarding I-502 are not being properly addressed. At this time, marijuana will not yield any additional tax funding for the county, & it could also severely damage the largest industry in the county, affecting millions of dollars that are brought into the county on a yearly basis. Weeds can negatively impact the sale of hay to foreign buyers, but more critically, if buyers found marijuana growing in a single timothy field in this valley – all buyers could abandon buying hay from the Kittitas Valley for years to come. Another issue of concern is water usage. Water is our most valuable resource for farming in this County and it's becoming more and more scarce. A large production facility is going to need massive amounts of water, and we're afraid that in some way this water will be taken from the farming community. At this time, our organization requests that production & processing of marijuana in Kittitas County be denied by the County Commissioners.

Our hay industry in this county is a very sensitive market. 80-90% of the hay grown in this valley is exported to foreign countries to buyers looking for superior hay products. Purchasers of our hay products are very knowledgeable of how the hay is grown, stored, and shipped. They perform numerous tests of their own on our hay products before making any decisions on purchasing. Some of the hay purchased is for the race horse industry in Japan. In the late '90's, a Coca-Cola can was found in a bale of hay. This led to an immediate shut down of the race track for a complete day until the issue could be resolved – the fear was that a horse had consumed a stimulant drug. Between December 2013 & November 2014, we have spoken with over 1000 State wide suppliers, producers, and distributors about this issue and not a single person or company objected to our stance on this issue. Please seriously take into consideration the negative impacts that the production of marijuana could cause for the timothy market and the Kittitas Valley.

Sincerely,

Brian Cortese

Board of Directors

Brian Cortese, President Craig George, Vice President Mel Dyk Bill Lowe Brent Dekoning
Carl Jensvold Kendra Allen Mark Anderson Rollie Bernth Richard Wachsmith, Registered Agent

Exhibit D, 3 of 3

Kaycee Hathaway

From: Rollie Bernth <rollie@wardrugh.com>
Sent: Thursday, December 18, 2014 11:01 AM
To: Kaycee Hathaway
Subject: MARIJUANA FARMS IN KITTITAS COUNTY

As I have stated before, I can't believe that we are even discussing this issue in Kittitas County. Why have we, again, let a small minority decide what's best for us.

Last week we had a USDA research scientist visit us on another matter but we got into a discussion on marijuana production in our area. When I told her that a couple of individuals from the Seattle area stated that there is no risk of marijuana plants propagating in other areas from the marijuana farms, she couldn't believe it. She said "marijuana is a weed. It has seeds like most plants. Aside from all of the other negative results of having pot growing in our county, the distinct possibility of the plant spreading into our timothy fields is something we should all be very concerned about. We have seen GMO wheat pop up in areas that aren't even close the GMO wheat fields. We are seeing supposedly non-GMO alfalfa fields testing positive for traces of GMO alfalfa. Again, these fields are not even close to a GMO alfalfa field.

I do know this for certain, if Japan discovers marijuana in our timothy hay, this valley could very easily be out of the timothy growing business!! Timothy hay is the lifeblood of this valley. There is no other crop that even comes close in producing the revenue to farmers, tax revenue to the county, or economic benefits to general population.

If the County Commissioners are worried about being sued, they better worry about the consequences if timothy hay production were curtailed due to their careless decision making.

I am steadfastly opposed to any more growing operations being allowed in the farming areas! Specifically the T. J. McDonald application!

Rollie Bernth
President of Ward Rugh, In.

Exhibit E

12/24/14

McDonald Conditional Use
CU-14-00005

I am commenting on this conditional use application as both a veterinarian and concerned county resident. The allowed and conditional use "marijuana production and processing" in the land use zones Commercial Agricultural 20 and Agricultural 20 has been proven to be ill-advised as evidenced by the BOCC's recent retraction and removal of these uses from these two agricultural zones. This allowed use has been appropriately placed in the Industrial zone, which reflects the stringent requirements necessary for the production and processing of a pharmaceutical drug, and demonstrates marijuana production and processing are incompatible with local agriculture and with the rural character of the county.

This application is not vested because it is a conditional use and should be denied based on the reasoning used by the BOCC to change the zoning code to remove marijuana production and processing from Comm AG 20 and AG20 as an allowed and conditional use. Current county code should prevail. The BOCC determined by their decision that marijuana production and processing is incompatible on any parcel size in these two agricultural zones. Denial would be consistent with the finding of facts for that decision.

The immediate area surrounding the proposal is characterized by rural residential homes on varying acreage where the raising of livestock and ownership of pets are predominant and is consistent with rural character.

Marijuana is known to be toxic to domestic animals. There are many reported cases of dogs being poisoned by marijuana, mostly due to ingestion of edible products. Cats to a lesser extent have been poisoned also. While most cases recover, veterinary intervention is necessary in severe cases resulting in veterinary costs and in a few cases, death of the pet. In fact I treated a dog for accidental ingestion of a large marijuana brownie this last summer and my colleagues have had other similar cases.

Cattle and horses are also susceptible to marijuana poisoning. Because of the past illegal status of marijuana, potential exposure has been limited to illegal grows on public and private rangelands (but also heavily guarded), and on croplands where the illegal grows are hidden. The dynamics have now changed due to the legalization in the state and potential contacts with escaped plants or concentration of plants by accidental access will increase and are real concerns. Production of livestock and performance and pleasure horses are significant benefits to the economy of Kittitas County along with the value of export agricultural crops such as timothy hay. Marijuana production in rural and agricultural lands threatens the real agricultural economy of Kittitas County.

As a former resource land manager for the USFS I have witnessed high cattle death loss and decreased production of surviving cattle from ingestion of poisonous plants and it is devastating to a herd and creates economic hardship on the cattle producer. By approving this proposal potential exposure to a known poisonous plant has been increased.

The following information on marijuana concerning cattle and horse is excerpted from *Poisonous Vascular Plants* published by North Carolina State University, College of Agriculture and Life Sciences (http://www.cals.ncsu.edu/plantbiology/ncsc/Poisonplants/Vascular_plants.htm)

...*Cannabaceae* - *Hemp Family*

Cannabis sativa L. - *Marijuana, Hemp, Indian Hemp*

Description: (Fig. 6) A coarse, rough-stemmed annual to 12 ft. tall; palmately divided leaves with 3-7 leaflets which are narrow and coarsely toothed; leaves opposite below and alternate in the upper portion of the plant; flowers small and green, the sexes separate.

Habitat: Escaped cultivation in waste places or old fields.

Distribution: Rare as an escape; illegally planted in various parts of the state. Native of Asia.

Group number: 3. (Dangerous but uncommon)

Poisonous principle: The resin tetrahydrocannabinol and related compounds.

Parts of plant: Leaves but highest concentration in flower stalks.

Periodicity: Most dangerous in summer during hot weather.

Animals poisoned: Cattle and horses.

Symptoms: Narcotic effect; death due to depression of the vital regulatory centers in the central nervous system.

Treatment: Remove from source. Respiratory and cardiac stimulants with supportive therapy.

Necropsy: Congestion and ecchymotic hemorrhages of various organs...

In summary, the BOCC has the legal standing to deny this application because it is inconsistent with county zoning code and rural character.

Paula J Thompson DVM
551 Goodwin Road
Thorp, WA 98946

Exhibit F

PEC TRMR-63

Reclamation Manual

Policy

TEMPORARY RELEASE
(Expires 05/16/2015)

Subject: Use of Reclamation Water or Facilities for Activities Prohibited by the Controlled Substances Act of 1970

Purpose: The purpose of this Policy is to provide a clear statement of the Bureau of Reclamation's intent to operate consistently with the CSA with respect to the potential use of Reclamation water or facilities for the production of marijuana.

Authority: Reclamation Act of 1902 (ch. 1093, 32 Stat. 388); Controlled Substances Act of 1970 (Pub. L. 91-513, 84 Stat. 1236; codified as amended in various sections of 21 U.S.C.)

Approving Official: Commissioner

Contact: Director, Policy and Administration

1. **Introduction.** The Controlled Substances Act of 1970 (CSA) and its implementing regulations prohibit the cultivation of marijuana, as defined at subsection 102(16) of the CSA (codified at 21 U.S.C. 802(16))¹. Reclamation's obligation as a Federal agency to uphold Federal law prohibits it from approving the use of Reclamation water or facilities to facilitate activities prohibited by the CSA. Although the CSA's relevant prohibitions have not changed, the legalization of marijuana's cultivation and distribution under some state laws necessitates a clear statement of Reclamation's obligations under the CSA.
2. **Applicability.** This Policy applies to Reclamation staff involved in the administration of Reclamation water-related contracts.
3. **Definitions.** The definitions cited in PEC P05 apply to this Policy (see especially the terms "Contract Water" and "Water-Related Contract" at Paragraphs 3.D. and 3.R.).
4. **Responsibilities.**
 - A. **Commissioner.** The Commissioner will ensure that appropriate Policy on compliance with the CSA and other laws is issued and kept current.
 - B. **Director, Policy and Administration (Director).** The Director will issue D&S as necessary to provide additional support for implementation of the Commissioner's policies.

¹Spelled "marihuana" in the statute.

Reclamation Manual

Policy

TEMPORARY RELEASE (Expires 05/16/2015)

- C. **Regional Directors.** Regional directors are responsible for the implementation of this Policy within their regions in accordance with authority delegated to them by the Commissioner. Along with complying with relevant laws and delegated authority, regional directors are responsible for ensuring that contracts are administered in a manner that protects the interests of the United States and ensures Reclamation's compliance with applicable law. Regional directors are responsible for the reporting required in Paragraph 5.A. of this Policy, and for designating the Reclamation employee responsible for compiling and maintaining the record described in Paragraph 5.C.
5. **Policy.** Reclamation will operate its facilities, make available contract water, execute and administer its water-related contracts, and otherwise perform its contractual and legal duties in a manner that is consistent with the CSA. Specifically:
- A. Reclamation will not approve use of Reclamation facilities or water in the cultivation of marijuana.
 - B. Should Reclamation employees become aware that Reclamation facilities or the water they supply are being used to facilitate cultivation of marijuana, they will, through their line management, bring this to the attention of their regional director, who will report such use to the Department of Justice and document the reporting action(s).
 - C. Throughout this process, a designated Reclamation employee will compile and maintain a record documenting all activities and communications regarding known or potential uses of Reclamation water or facilities to cultivate marijuana. These records will include all relevant memos, emails, letters, records of telephone conversations, etc. about known or potential uses of Reclamation water or facilities to cultivate marijuana, including responses by Reclamation employees.
 - D. Reclamation does not have a responsibility or designated role in actively seeking enforcement of the CSA.
6. **Commingled Water.** This Policy does not apply to non-contract water commingled with contract water in non-Federal facilities.

Reclamation Manual Transmittal Sheet

Effective Date: 05/16/2014

Release No. 495

Please ensure that all employees who need this information are forwarded a copy of this release.

Reclamation Manual Release Number and Subject

PEC TRMR-63 Use of Reclamation Water or Facilities for Activities Prohibited by the Controlled Substances Act of 1970

Summary of Changes

NEW TEMPORARY RECLAMATION MANUAL RELEASE

NOTE: This Reclamation Manual release applies to all Reclamation employees. When an exclusive bargaining unit exists, changes to this Reclamation Manual release may be subject to the provision of your collective bargaining agreements.

Filing Instructions

Remove Sheets

Insert Sheets

pp 1-2

All Reclamation Manual releases are available at <http://www.usbr.gov/recman/>.

Filed by: _____

Date: _____

Exhibit G



Washington State Liquor Control Board

Regulatory/Permitting Guidance for Indoor Marijuana Producers

In addition to the requirements of the Washington State Liquor Control Board (WSLCB), marijuana producers applying for licenses under Initiative 502 (I-502) may be subject to additional local, state and regional regulations.

These additional regulatory requirements may have separate timelines and costs from the WSLCB process. They can include environmental permitting¹, land-use regulations (zoning), business licensing and building/fire codes.

Note: This fact sheet is for informational purposes only. It is intended to help marijuana producers be aware of local, state and/or regional requirements they may need to meet. For more technical information, contact the local, state and regional regulatory authorities listed below. WSLCB staff cannot answer permitting questions.

Local Government Permits and Regulations

Local governments are responsible for determining how land is used and where businesses can locate in their jurisdictions (except for the 1,000 foot buffer zone mandated by I-502). Typical land-use designations include residential, commercial, industrial, manufacturing and agricultural although local authorities may develop marijuana-specific zoning. Make sure local zoning allows your proposed use before committing to a location.

Local governments may also have their own business licensing requirements. They also administer building, fire, electrical, mechanical, energy and plumbing codes. If you plan to make any changes to the structure or use of your building, you may need a permit.

Tip: Many local governments offer a "pre-application" meeting where you can learn what local permits you will need and the time/cost it will take to obtain them. Call your local permitting agency, often the planning and development department and ask for their help. It could save you time and money.

State Environmental Policy Act (SEPA) – SEPA is not a permit; it is an environmental review process which helps governments make decisions about permits and other actions. The WSLCB completed a SEPA review for the rules governing marijuana licensing. Individual producer operations may also have to undertake SEPA reviews. Local permitting agencies will determine if it is necessary.

If SEPA is required, project applicants must complete a checklist describing the possible environmental impacts of their project. Processes such as wastewater and solid waste disposal, CO₂ use in the growing cycle, odors, etc. may be included. Additional guidance about SEPA can be found at:

- www.ecy.wa.gov/programs/sea/sepa/agenciesApplicantsGuidance.html

State and Regional Environmental Permits and Regulations

There are a number of environmental permits and regulations that may apply to indoor growing operations. These permits are generally administered by state or regional agencies unless a local jurisdiction has been delegated by the state to issue the permit.

Water Quality Permits – water quality permits address wastewater or stormwater discharged from a facility or leaving facility grounds. Indoor marijuana producers may need water quality permits if they discharge wastewater from their growing operations, such as water containing excess fertilizers or if they construct a new facility.

Wastewater discharge permits can be issued by either the state Department of Ecology (Ecology) or a local jurisdiction, such as King County, if it has delegated authority. For more information see:

- <http://apps.ecy.wa.gov/permithandbook/permitdetail.asp?id=20>
- www.kingcounty.gov/environment/wastewater/IndustrialWaste/DischargeApprovalOverview.aspx

Tip: Come to your pre-application meeting prepared to describe the amount of water you will need to operate your business, how much wastewater you will discharge and the wastewater composition. This will

¹ The term 'permit' is a synonym for process, permit, authorization, license, regulation, certificate and approval.

help regulators decide if you need a waste water discharge permit, an authorization or your discharge is exempt.

Construction stormwater permits are issued by Ecology and might be needed for construction of a new facility. They are required for land-disturbing activities that disturb one or more acres of land and that discharge stormwater into surface waters of the state. Smaller sites may also need a permit if they are part of a larger development that will disturb one acre or more. For more information see:

- <https://fortress.wa.gov/ecy/publications/publications/1010077.pdf>

Chemigation and Fertigation Regulations – Chemigation or fertigation refers to the application of fertilizers and/or pesticides through an irrigation water system. (The definition of fertilizers includes water reclaimed from food processing or wastewater treatment facilities.)

Chemigation and fertigation systems must be installed according to state regulations, WAC 16-202-1001 and WAC 16-202-2002. The Department of Agriculture has a technical assistance program to assist individuals who chemigate and fertigate in protecting human health and the environment from the potential hazard of improper fertilizer and pesticide use. For more information see:

- <http://agr.wa.gov/PestFert/ChemFert/>
- <http://apps.leg.wa.gov/WAC/default.aspx?cite=16-202>

Air Quality Permits – Air quality permits regulate releases from industry that could contribute to an increase in air pollution and are issued by Ecology or a local clean air agency, depending on location. If a facility uses a boiler in its operations, such as for heating or CO₂ generation, that boiler could need a permit. See: <http://apps.oria.wa.gov/permithandbook/permitdetail.asp?id=108>

In addition, clean air agencies have the authority to regulate odors that “may unreasonably interfere with another property owner’s use or enjoyment of his property”, (WAC 173-400-040(5)). Facilities that receive odor complaints can be subject to fines or be required to add air filtration equipment.

To determine who regulates air quality in your region, see:

- www.ecy.wa.gov/programs/air/local.html

Tip: Contact the local clean air authority or Ecology before beginning operations to determine if any permit is needed for your operation. Before odor complaints occur, consider adding odor control technology to your building's heating, ventilation and air conditioning system.

Solid Waste Handling – The marijuana licensing rules require that marijuana wastes from indoor growing operations be rendered unusable by mixing with 50% other materials and ground before disposal or composting. These ground and mixed materials are considered “solid waste” by the state regulations and must be handled according to the state Solid Waste Handling Standards (WAC 173-350) and the requirements of the marijuana licensing rules.

Solid waste regulatory oversight is the responsibility of county health districts (sometimes called “environmental health”). Producers should work with their health district to determine proper disposal of solid wastes.

Tip: Determine how you want to handle your solid waste before beginning operations. Be prepared to discuss the following with your local health district (be as specific as possible):

- *How much waste will you have?*
- *What you will be mixing the marijuana waste with to render it unusable?*
- *How, where and for how long will marijuana waste be stored?*
- *Where will the unusable marijuana waste be sent and who will be transporting it?*
- *Are you planning to compost marijuana waste on-site?*

To find local health districts see:

www.doh.wa.gov/AboutUs/PublicHealthSystem/LocalHealthJurisdictions.aspx

Hazardous Waste Management – Waste pesticides and used mercury-containing bulbs, including high-intensity discharge bulbs (HID), may require special disposal.

- Mercury-containing bulbs: As of January 1, 2013, all mercury-containing lights must be recycled (RCW 70.275.080). For information see: www.ecy.wa.gov/mercury/mercury_light_bulbs.html
- Waste pesticides: The WA State Department of Agriculture operates a waste pesticide collection program; <http://agr.wa.gov/PestFert/Pesticides/WastePesticide.aspx>

Tip: Waste pesticides may be accepted at your local hazardous waste collection facility and a list of commercial lamp recyclers can be found at: <http://apps.ecy.wa.gov/hwsd/> by searching under "Fluorescent Light and Ballast Management."

Do You Need Environmental Permits?

Applicants are advised to consult with local and state authorities since permit requirements vary based on site- and process-specific conditions. This document is for reference purposes only. Your local permitting agency should be able to determine if you will need any environmental permits.

You can also contact the Department of Ecology in your region for more information and assistance. See www.ecy.wa.gov/org.html



Exhibit H



Introduced, Invasive, and Noxious Plants

Federal and State Noxious Weeds

679 records returned

Noxious weeds that are synonyms retain their noxious status, and are indented beneath the current PLANTS accepted name.

United States	<p>USDA, Animal and Plant Health Inspection Service (APHIS), Plant Protection and Quarantine (PPQ). <i>State Plant Regulatory Officials letters</i> (http://nationalplantboard.org/laws/spro.html,). National Plant Board.</p> <p>USDA, Animal and Plant Health Inspection Service (APHIS), Plant Protection and Quarantine (PPQ). 2012. <i>Federal noxious weed list</i> (http://www.aphis.usda.gov/plant_health/plant_pest_info/weeds/downloads/weedlist.pdf, 1 February 2012). USDA, APHIS, PPQ.</p>
Alabama	<p>Division of Plant Industry. 2003. <i>Summary of plant protection regulations</i> (http://www.alabamaadministrativecode.state.al.us/docs/agr/10AGR14.htm#T1, 20 October 2003). Alabama Department of Agriculture and Industries.</p>
Alaska	<p>Division of Agriculture. 1996. <i>State of Alaska prohibited and restricted noxious weeds</i> (http://www.dnr.state.ak.us/ag/ag_pmc.htm, 20 October 2003). Alaska Department of Natural Resources.</p>
Arizona	<p>Plant Services Division. 2005. <i>Prohibited, regulated and restricted noxious weeds</i> (http://www.azda.gov/PSD/quarantine5.htm, 1 May 2006). Arizona Department of Agriculture.</p>
Arkansas	<p>Arkansas State Plant Board. 1997. <i>Regulations on plant diseases and pests</i> (http://www.plantboard.org/plant_pdfs/plantdiseasereg.pdf, 20 October 2003). Arkansas State Plant Board.</p>
California	<p>California Department of Food and Agriculture. 2003. <i>Pest ratings of noxious weed species and noxious weed seed</i> (http://www.cdffa.ca.gov/phpps/ipc/weedinfo/wininfo_list-pestrating.htm, 20 October 2003). California Department of Food and Agriculture.</p> <p>California Department of Food and Agriculture. 2003. <i>Plant quarantine manual, California plant quarantine policy - weeds</i> (http://pi.cdffa.ca.gov/pqm/manual/pdf/107.pdf, 20 October 2003). California Department of Food and Agriculture.</p> <p>Food and Agriculture Code. 2003. <i>Camelthorn, Section 7301-7305</i> (http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fac&group=07001-08000&file=7301-7305, 20 October 2003). State of California.</p> <p>Food and Agriculture Code. 2003. <i>Hydrilla, Section 6048-6049</i> (http://www.leginfo.ca.gov/cgi-bin/displaycode?section=fac&group=06001-07000&file=6048-6049, 20 October 2003). State of California.</p>
Colorado	<p>Plant Industry Division. 2003. <i>Rules pertaining to the administration and enforcement of the Colorado Noxious Weed Act</i> (http://www.ag.state.co.us/CSD/Weeds/statutes/weedrules.pdf, 23 January 2006). Colorado Department of Agriculture.</p>
Connecticut	<p>Connecticut Invasive Plants Council. 2004. <i>Connecticut invasive plant list</i> (ftp://ftp-fc.sc.egov.usda.gov/CT/invasives/WordInvasivesListCommonNameW-Authors4PDF.pdf, 20 April 2005). Connecticut Invasive Plants Council.</p>
Delaware	<p>Delaware Department of Agriculture. 1986. <i>Rules and regulations for noxious weed control</i> (http://www.state.de.us/deptagri/plantind/noxious.shtml, 23 January 2006). Delaware Department of Agriculture.</p>
Florida	<p>Bureau of Aquatic Plant Management. 2002. <i>Aquatic plant importation, transportation, non-nursery cultivation, possession and collection</i> (http://www.dep.state.fl.us/lands/invaspec/2ndlevpgs/perrules.htm, 20 October 2003). Florida Department of Environmental Protection.</p> <p>Division of Plant Industry. 2000. <i>Introduction or release of plant pests, noxious weeds, arthropods, and biological control agents</i> (http://tame.ifas.ufl.edu/media/docs/rule5B-57.pdf, 20 October 2003). Florida Department of Agriculture & Consumer Services.</p>
Hawaii	<p>Division of Plant Industry. 2003. <i>List of plant species designated as noxious weeds</i> (http://www.hawaiiag.org/hdoa/adminrules/AR-68.pdf, 20 October 2003). Hawaii Department of Agriculture.</p>

Idaho	Idaho Department of Agriculture. 2006. <i>Noxious weed rules</i> (http://www.agri.state.id.us/Categories/PlantsInsects/NoxiousWeeds/watchlistsci.php , 24 May 2006). Idaho Department of Agriculture.
Illinois	Illinois Administrative Code. 2002. <i>Illinois noxious weed law</i> (http://www.agr.state.il.us/Laws/Regs/8iac220.pdf , 20 October 2003). State of Illinois.
Indiana	Division of Entomology and Plant Pathology. 2003. <i>Summary of plant protection regulations</i> (http://www.in.gov/dnr/entomolo/pestinfo/invasive.htm , 20 October 2003). Indiana Department of Natural Resources.
Iowa	Iowa Department of Agriculture and Land Stewardship. 2002. <i>The Iowa weed law</i> (http://www.weeds.iastate.edu/reference/weedlaw.htm , 20 October 2003). Iowa Department of Agriculture & Land Stewardship.
Kansas	Division of Plant Health. 2003. <i>Kansas noxious weed law</i> (http://www.accesskansas.org/kda/Plantpest/PestManagement/plant-pestmanagement-weeds.htm , 20 October 2003). Kansas Department of Agriculture.
Kentucky	Kentucky Revised Statutes. 1990. <i>Department to eradicate noxious weeds on right-of-ways -- advertisement of program</i> (http://www.lrc.state.ky.us/KRS/176-00/051.PDF , 1 May 2006). State of Kentucky.
Louisiana	Louisiana State Code. 1995. <i>Agriculture and forestry</i> . State of Louisiana.
Maine	Public Laws of Maine. 1999. <i>An act to prevent the spread of invasive aquatic plants</i> (http://janus.state.me.us/legis/ros/lom/LOM119th/5Pub701-750/5Pub701-750-21.htm , 20 October 2003). State of Maine.
Maryland	Annotated Code of Maryland. 1994. <i>Weed control</i> (http://mlis.state.md.us/cgi-win/web_statutes.exe?gag&9-401 , 20 October 2003). State of Maryland.
Massachusetts	Bureau of Farm Products and Plant Industries. 2006. <i>Massachusetts prohibited plant list</i> (http://www.mass.gov/agr/farmproducts/proposed_prohibited_plant_list_v12-12-05.htm , 23 January 2006). Massachusetts Department of Agricultural Resources.
Michigan	Pesticide and Plant Pest Management Division. 2002. <i>Noxious and restricted weeds and prohibited plants - Michigan</i> (http://www.michigan.gov/mda/0,1607,7-125-1569_16993-11250--,00.html , 20 October 2003). Michigan Department of Agriculture.
Minnesota	Agronomy Services Division. 2003. <i>Minnesota noxious weed rules</i> (http://www.mda.state.mn.us/appd/weeds/noxiousplantsminnesota.pdf , 20 October 2003). Minnesota Department of Agriculture.
Mississippi	Bureau of Plant Industry. 2004. <i>Regulation of noxious weeds</i> (http://www.mdac.state.ms.us/n_library/agency_info/reg_laws/pdf/reg_plantpest_rule41.pdf , 24 May 2006). State of Mississippi.
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North Dakota	North Dakota Century Code. 2003. <i>Noxious weed control</i> (http://www.agdepartment.com/Programs/Plant/NoxiousWeeds.html , 20 October 2003). State of North Dakota.
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Symbol	Scientific Name	Common Name	Federal Noxious Status†	State Noxious Status‡	Native Status*
ABTH	<i>Abutilon theophrasti</i> Medik.	velvetleaf		CO (CW), IA (SNW), OR (BDW, Q), WA (CAW, NWSPQ)	L48 (I), CAN (I)
ACME80	<i>Acacia mearnsii</i> De Wild.	black wattle		HI (NW)	L48 (I), HI (I)
ACPA8	<i>Acacia paradoxa</i> DC.	paradox acacia		CA (BW)	L48 (I)
ACNO7	<i>Acaena novae-zelandiae</i> Kirk	biddy-biddy			L48 (I)
ACNO4	<i>Acaena novae-zelandica</i> Kirk, orth. var.			CA (AW), HI (NW), OR (BDW, Q)	

ACPA14	<i>Acaena pallida</i> (Kirk) Allen	pale biddy-biddy		CA (AW)	L48 (I)
ACGI	<i>Acer ginnala</i> Maxim.	Amur maple		CT (PINB)	L48 (I), CAN (I)
ACPL	<i>Acer platanoides</i> L.	Norway maple		CT (INB), MA (P)	L48 (I), CAN (I)
ACPS	<i>Acer pseudoplatanus</i> L.	sycamore maple		CT (PIB), MA (P)	L48 (I), CAN (I)
ACBR5	<i>Achnatherum brachychaetum</i> (Godr.) Barkworth	shortbristled needlegrass		CA (AW)	L48 (I)
STBR3	<i>Stipa brachychaeta</i> Godr.			AZ (PNW)	
ACRE3	<i>Acroptilon repens</i> (L.) DC.	hardheads		AZ (PNW, RNW), CA (BW), CO (BW), HI (NW), NM (CBW), ND (NW), OR (BDW, Q), WA (CBW)	L48 (I), CAN (I)
CERE6	<i>Centaurea repens</i> L.			AK (NW), ID (NW), IA (PRNW), KS (NW), MT (CAT1), NV (NW), SC (PP), SD (NW, RNPS), UT (NW), WY (NW)	
AECY	<i>Aegilops cylindrica</i> Host	jointed goatgrass		AZ (PNW, RNW), CA (BW), CO (CW), ID (NW), NM (CCW), OR (BDW, Q), WA (CCW)	L48 (I)
AEGE	<i>Aegilops geniculata</i> Roth	ovate goatgrass			L48 (I)
AEOV2	<i>Aegilops ovata</i> L. p.p.			CA (BW), OR (ADW, Q)	
AETR	<i>Aegilops triuncialis</i> L.	barbed goatgrass		CA (BW), OR (ADW, Q)	L48 (I)
AEGIN	<i>Aeginetia</i> L.	aeginetia	NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	
AEPO	<i>Aegopodium podagraria</i> L.	bishop's goutweed		CT (IB), MA (P), VT (CBW)	L48 (I), CAN (I), SPM (I)
AEIN	<i>Aeschynomene indica</i> L.	Indian jointvetch		HI (NW)	L48 (N), PR (N)
AERU	<i>Aeschynomene rudis</i> Benth.	zigzag jointvetch		CA (BW)	L48 (N), PR (N)
AEVI3	<i>Aeschynomene virginica</i> (L.) Britton, Sterns & Poggenb.	Virginia jointvetch		AR (NW)	L48 (N)
AGAD2	<i>Ageratina adenophora</i> (Spreng.) R.M. King & H. Rob.	sticky snakeroot	NW	AL (CAW), CA (Q), FL (NW), HI (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	L48 (I), HI (I)
AGRI2	<i>Ageratina riparia</i> (Regel) R.M. King & H. Rob.	spreading snakeroot		HI (NW)	HI (I)
AGGI	<i>Agrostemma githago</i> L.	common corncockle		AR (NW), SC (PP)	L48 (I), AK (I), CAN (I)
AIAL	<i>Ailanthus altissima</i> (Mill.) Swingle	tree of heaven		CT (IB), MA (P), NH (PIS), VT (CBW)	L48 (I), HI (I), CAN (I)
ALECT2	<i>Alectra</i> Thunb.	alectra	NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	
ALMA12	<i>Alhagi maurorum</i> Medik.	camelthorn		CA (AW, PN), WA (CBW)	L48 (I)
ALCA	<i>Alhagi camelorum</i> Fisch.			NV (NW), TX (NP)	
ALPS3	<i>Alhagi pseudalhagi</i> (M. Bieb.) Desv. ex B. Keller & Schaparenko			AZ (PNW, RNW), CO (AW), NM (CAW), OR (ADW, Q)	

ALPE4	<i>Alliaria petiolata</i> (M. Bieb.) Cavara & Grande	garlic mustard		AL (CAW), CT (IB), MA (P), MN (PNW), NH (PIS), OR (BDW, Q), VT (CBW), WA (CAW, NWSPQ)	L48 (I), AK (I), CAN (I)
ALLIU	<i>Allium</i> L.	onion		AR (NW)	
ALNE3	<i>Allium neapolitanum</i> Cirillo	white garlic			L48 (I)
NOIN3	<i>Nothoscordum inodorum</i> (Alton) G. Nicholson			CA (BW)	
ALPA20	<i>Allium paniculatum</i> L.	Mediterranean onion		CA (BW)	L48 (I)
ALVI	<i>Allium vineale</i> L.	wild garlic		CA (BW), HI (NW)	L48 (I), AK (I), CAN (I)
ALVIC3	<i>Allium vineale</i> L. ssp. <i>compactum</i> (Thuill.) Coss. & Germ.	compact onion		HI (NW)	L48 (I)
ALMY	<i>Alopecurus myosuroides</i> Huds.	slender meadow foxtail		WA (CBW)	L48 (I), CAN (N)
ALTER2	<i>Alternanthera</i> Forssk.	joyweed		AR (NW)	
ALPH	<i>Alternanthera philoxeroides</i> (Mart.) Griseb.	alligatorweed		AL (CCW), AZ (PNW), CA (AW), FL (PAP1), SC (ILAP, PP), TX (NP)	L48 (I), PR (I)
ALSE4	<i>Alternanthera sessilis</i> (L.) R. Br. ex DC.	sessile joyweed	NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	L48 (I), HI (I), PR (N), VI (N)
ALCO16	<i>Alyssum corsicum</i> Duby	yellowtuft		OR (NW)	L48 (I)
ALMU	<i>Alyssum murale</i> Waldst. & Kit.	yellowtuft		OR (NW)	L48 (I), CAN (I)
AMAR2	<i>Ambrosia artemisiifolia</i> L. ¹	annual ragweed		IL (NW), OR (BDW, Q)	L48 (NI), HI (I), CAN (N)
AMARE	<i>Ambrosia artemisiifolia</i> L. var. <i>elatior</i> (L.) Descurtils	annual ragweed			L48 (I), HI (I), CAN (N)
AMEL2	<i>Ambrosia elatior</i> L.			MI (NW)	
AMGR5	<i>Ambrosia grayi</i> (A. Nelson) Shinnars	woollyleaf bur ragweed		KS (NW)	L48 (N)
AMTO3	<i>Ambrosia tomentosa</i> Nutt.	skeletonleaf bur ragweed		ID (NW), OR (ADW, Q)	L48 (N)
FRDI3	<i>Franseria discolor</i> Nutt.			WY (NW)	
AMTR	<i>Ambrosia trifida</i> L. ¹	great ragweed		CA (BW), DE (NW), IL (NW)	L48 (N), CAN (N)
AMFR	<i>Amorpha fruticosa</i> L.	false indigo bush		CT (PIB), WA (CBW, NWSPQ)	L48 (N), CAN (N)
AMBR7	<i>Ampelopsis brevipedunculata</i> (Maxim.) Trautv.	Amur peppervine		CT (PINB), MA (P)	L48 (I)
ANAR16	<i>Anchusa arvensis</i> (L.) M. Bieb.	small bugloss		WA (CBW)	L48 (I), CAN (I)
ANOF	<i>Anchusa officinalis</i> L.	common bugloss		OR (BDW, Q), WA (CBW, NWSPQ)	L48 (I), CAN (I)
ANBI	<i>Andropogon bicornis</i> L.	barbas de indio		HI (NW)	L48 (I), PR (N), VI (N)
ANVI2	<i>Andropogon virginicus</i> L.	broomsedge bluestem		HI (NW)	(I), L48 (N), HI (I), PR (N), CAN (N)
ANCR2	<i>Anoda cristata</i> (L.) Schltld.	crested anoda		CO (BW)	L48 (N), PR (N)

ANCO6	<i>Anredera cordifolia</i> (Ten.) Steenis	heartleaf madeiravine		HI (NW)	L48 (I), HI (I), PR (I)
ANAR6	<i>Anthemis arvensis</i> L.	corn chamomile		CO (BW)	L48 (I), HI (I), CAN (I)
ANCO2	<i>Anthemis cotula</i> L.	stinking chamomile		CO (BW), NV (NW)	L48 (I), AK (I), HI (I), CAN (I)
ANSY	<i>Anthriscus sylvestris</i> (L.) Hoffm.	wild chervil		MA (P), WA (CBW, NWSPQ)	L48 (I), CAN (I), GL (I)
ARSE8	<i>Araujia sericifera</i> Brot.	white bladderflower		CA (BW)	L48 (I)
ARMI2	<i>Arctium minus</i> Bernh.	lesser burdock		CO (CW), WY (NW)	L48 (I), CAN (I), SPM (I)
ARCA45	<i>Arctotheca calendula</i> (L.) Levyns	Capeweed		CA (AW)	L48 (I)
AREL4	<i>Ardisia elliptica</i> Thunb.	shoebuttan		HI (NW)	L48 (I), HI (I)
ARAB3	<i>Artemisia absinthium</i> L.	absinthium		CO (BW), ND (NW), WA (CCW)	L48 (I), CAN (I)
ARHI3	<i>Arthraxon hispidus</i> (Thunb.) Makino	small carpgrass		CT (PIB), MA (P)	L48 (I), HI (I)
ARDO4	<i>Arundo donax</i> L.	giant reed		TX (NP)	L48 (I), HI (I), PR (I), VI (I)
ASFI2	<i>Asphodelus fistulosus</i> L.	onionweed	NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NM (CAW), NC (CAW), OR (Q), SC (PP), VT (CAW)	L48 (I)
AVST	<i>Avena sterilis</i> L.	animated oat	NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	L48 (I), CAN (W)
AZPI	<i>Azolla pinnata</i> R. Br.	feathered mosquitofern	NW	AL (CAW), CA (Q), MA (P), NC (CAW), OR (Q), SC (ILAP, PP), VT (CAW)	L48 (I)
BASC5	<i>Bassia scoparia</i> (L.) A.J. Scott	burningbush			L48 (I), CAN (I)
KOSC	<i>Kochia scoparia</i> (L.) Schrad.			CT (PIB), OR (BDW, Q), WA (CBW, NWSPQ)	CAN (I)
BERBE	<i>Berberis</i> L. ²	barberry		MI (P)	
BETH	<i>Berberis thunbergii</i> DC.	Japanese barberry		CT (INB), MA (P)	L48 (I), CAN (I)
BEVU	<i>Berberis vulgaris</i> L.	common barberry		CT (IB), MA (P), NH (PIS)	L48 (I), CAN (I)
BEIN2	<i>Berteroa incana</i> (L.) DC.	hoary alyssum		MI (NW)	L48 (I), AK (I), CAN (I)
BOFR2	<i>Bocconia frutescens</i> L.	parrotweed		HI (NW)	HI (I), PR (N)
BRSY	<i>Brachypodium sylvaticum</i> (Huds.) P. Beauv.	slender false brome		OR (BDW, Q)	L48 (I)
BRASS2	<i>Brassica</i> L.	mustard		MI (NW)	
BRRA2	<i>Bromus racemosus</i> L.	bald brome			L48 (I), AK (I), CAN (I)
BRCO4	<i>Bromus commutatus</i> Schrad.			AR (NW)	CAN (I)
BRSE	<i>Bromus secalinus</i> L.	rye brome		AR (NW)	L48 (I), AK (I), HI (I), CAN (I)

BRTE	<i>Bromus tectorum</i> L.	cheatgrass	CO (CW), CT (PIB)	L48 (I), AK (I), HI (I), CAN (I), GL (I)
BRAL4	<i>Bryonia alba</i> L.	white bryony	WA (CBW)	L48 (I)
BUDA2	<i>Buddleja davidii</i> Franch. ³	orange eye butterflybush	OR (BDW, Q), WA (CCW)	L48 (I), HI (I), PR (I), CAN (I)
BUUM	<i>Butomus umbellatus</i> L.	flowering rush	CT (PIB), VT (CBW), WA (WAWQ)	L48 (I), CAN (I)
CACA	<i>Cabomba caroliniana</i> A. Gray	Carolina fanwort	CA (QW), CT (IB), ME (IAP), MA (P), VT (CAW), WA (CBW, WAWQ)	L48 (N), CAN (N)
CAST	<i>Callitriche stagnalis</i> Scop.	pond water-starwort	CT (PIB)	L48 (I), CAN (I), SPM (I)
CASE13	<i>Calystegia sepium</i> (L.) R. Br.	hedge false bindweed	TX (NP)	L48 (NI), AK (I), CAN (N), SPM (I)
CASE5	<i>Calystegia sepium</i> (L.) R. Br. ssp. <i>sepium</i>	hedge false bindweed		L48 (I), AK (I)
COSE14	<i>Convolvulus sepium</i> L.		AR (NW)	
CASA3	<i>Cannabis sativa</i> L.	marijuana	IL (NW), MN (PNW), MO (NW), PA (NW), WV (NW)	L48 (I), HI (I), PR (I), CAN (I)
CAIM	<i>Cardamine impatiens</i> L.	narrowleaf bittercress	CT (IB), MA (P)	L48 (I), CAN (I)
CACH42	<i>Cardaria chalepensis</i> (L.) Hand.-Maz.	lenspod whitetop		L48 (I), CAN (I)
CACH10	<i>Cardaria chalapensis</i> (L.) Hand.-Maz., orth. var.		AZ (PNW), CA (BW), OR (BDW, Q)	CAN (I)
CADR	<i>Cardaria draba</i> (L.) Desv.	whitetop	AK (NW), AZ (PNW, RNW), CA (BW), CO (BW), ID (NW), KS (NW), MT (CAT1), NV (NW), NM (CAW), OR (BDW, Q), SD (NW, RNPS), UT (NW), WA (CCW), WY (NW)	L48 (I), CAN (I)
LEDR	<i>Lepidium draba</i> L.		IA (PRNW)	
CAPU6	<i>Cardaria pubescens</i> (C.A. Mey.) Jarmolenko	hairy whitetop	AK (NW), AZ (PNW), CA (BW), HI (NW), OR (BDW, Q), WA (CCW), WY (NW)	L48 (I), CAN (I)
CAHA13	<i>Cardiospermum halicacabum</i> L.	balloon vine	AL (CCW), AR (NW), SC (PP), TX (NP)	L48 (I), HI (I), PR (N), VI (N)
CARDU	<i>Carduus</i> L.	plumeless thistle	AR (NW), IA (PRNW)	
CAAC	<i>Carduus acanthoides</i> L.	spiny plumeless thistle	AZ (PNW), CA (AW), CO (BW), MD (NW), MN (PNW), NE (NW), NC (CBW), OR (ADW, Q), SD (RNPS), WA (CBW, NWSPQ), WV (NW), WY (NW)	L48 (I), CAN (I)
CACR2	<i>Carduus crispus</i> L.	curly plumeless thistle	WV (NW)	L48 (I), CAN (I)
CANU4	<i>Carduus nutans</i> L.	nodding plumeless thistle	CA (AW), CO (BW), ID (NW), IL (NW), KS (NW), KY (NW), MD (NW), MN (PNW), MO (NW), NE (NW), NV (NW), NM (CBW), NC (CBW), ND (NW), OH (PNW), OK (NW), OR (BDW, Q), PA (NW), SD (RNPS), UT (NW), WA (CBW, NWSPQ), WV (NW), WY (NW)	L48 (I), CAN (I)
CAPY2	<i>Carduus pycnocephalus</i> L.	Italian plumeless thistle	CA (CW), OR (BDW, Q), WA (CAW, NWSPQ)	L48 (I), HI (I)

CATE2	<i>Carduus tenuiflorus</i> W. Curtis	winged plumeless thistle		CA (CW), OR (BDW, Q), WA (CAW, NWSPQ)	L48 (I)
CAK02	<i>Carex kobomugi</i> Ohwi	Japanese sedge		CT (PIB), MA (P)	L48 (I)
CALA20	<i>Carthamus lanatus</i> L.	woolly distaff thistle		CA (BW), OR (ADW, Q)	L48 (I), CAN (I)
CALAC3	<i>Carthamus lanatus</i> L. ssp. <i>creticus</i> (L.) Holmboe	woolly distaff thistle			L48 (I), CAN (I)
CABA5	<i>Carthamus baeticus</i> (Boiss. & Reut.) Nyman			CA (BW), OR (ADW, Q)	
CALE52	<i>Carthamus leucocaulos</i> Sm.	whitestem distaff thistle		CA (AW)	L48 (I)
CAOX6	<i>Carthamus oxyacanthus</i> M. Bieb.	jeweled distaff thistle			L48 (I)
CAOX2	<i>Carthamus oxyacantha</i> M. Bieb., orth. var.		NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	
CACA19	<i>Carum carvi</i> L.	caraway		CO (BW)	L48 (I), CAN (I), GL (I), SPM (I)
CASUA	<i>Casuarina</i> Rumph. ex L.	sheoak		FL (PAP1)	
CATA5	<i>Caulerpa taxifolia</i> (Vahl) C. Agardh ⁴	killer alga	NW	AL (CAW), MA (P), NC (CAW), OR (Q), SC (ILAP, PP), VT (CAW)	L48 (I)
CEOR7	<i>Celastrus orbiculatus</i> Thunb.	Oriental bittersweet		CT (IB), MA (P), NH (PIS), NC (CCW), VT (CBW)	L48 (I), CAN (I)
CEEC	<i>Cenchrus echinatus</i> L.	southern sandbur		AZ (PNW, RGNW), CA (CW)	(N), L48 (N), HI (I), PR (N), VI (N)
CELO3	<i>Cenchrus longispinus</i> (Hack.) Fernald	mat sandbur		CA (CW), WA (CBW)	L48 (N), CAN (N)
CESP4	<i>Cenchrus spinifex</i> Cav.	coastal sandbur			L48 (N), PR (N), VI (N)
CEIN4	<i>Cenchrus incertus</i> M.A. Curtis			AZ (PNW, RGNW), CA (CW)	
CECA2	<i>Centaurea calcitrapa</i> L.	red star-thistle		AZ (PNW), CA (BW), NV (NW), NM (CAW), OR (ADW, Q), WA (CAW, NWSPQ)	L48 (I), CAN (I)
CEDI3	<i>Centaurea diffusa</i> Lam.	diffuse knapweed		AZ (PNW, RNW), CA (AW), CO (BW), ID (NW), MT (CAT1), NE (NW), NV (NW), NM (CAW), ND (NW), OR (BDW, Q), SD (RNPS), UT (NW), WA (CBW, NWSPQ), WY (NW)	L48 (I), CAN (I)
CEIB	<i>Centaurea iberica</i> Trevir. ex Spreng.	Iberian knapweed		AZ (PNW), CA (AW), NV (NW), OR (ADW, Q)	L48 (I)
CEJA	<i>Centaurea jacea</i> L.	brownray knapweed		WA (CBW, NWSPQ)	L48 (I), CAN (I), GL (I)
CEMA9	<i>Centaurea macrocephala</i> Puschk. ex Willd.	bighead knapweed		WA (CAW, NWSPQ)	L48 (I), CAN (I)
CEME2	<i>Centaurea melitensis</i> L.	Maltese star-thistle		NV (NW), NM (CBW)	L48 (I), HI (I), CAN (I)
CENI2	<i>Centaurea nigra</i> L.	lesser knapweed		WA (CBW, NWSPQ)	L48 (I), CAN (I), SPM (I)
CENI3	<i>Centaurea nigrescens</i> Willd.	Tyrol knapweed		OR (BDW, Q), WA (CAW, NWSPQ)	L48 (I), CAN (I)
CEPR2	<i>Centaurea pratensis</i> Thuill., nom. illeg., non Salisb.			CO (AW), ID (NW), OR (BDW, Q)	

CES03	<i>Centaurea solstitialis</i> L.	yellow star-thistle		AZ (PNW, RNW), CA (CW), CO (AW), ID (NW), MT (CAT3), NV (NW), NM (CAW), ND (NW), OR (BDW, Q), SD (RNPS), UT (NW), WA (CBW)	L48 (I), CAN (I)
CESTM	<i>Centaurea stoebe</i> L. ssp. <i>micranthos</i> (Gugler) Hayek	spotted knapweed			L48 (I), HI (I), CAN (I)
CEB12	<i>Centaurea biebersteinii</i> DC.			CT (IB), MA (P), WA (CBW, NWSPQ)	
CEMA4	<i>Centaurea maculosa</i> auct. non Lam.			AZ (PNW, RNW), CA (AW), CO (BW), ID (NW), MT (CAT1), NE (NW), NV (NW), NM (CAW), ND (NW), OR (BDW, Q), SD (RNPS), UT (NW), WY (NW)	
CESU	<i>Centaurea sulphurea</i> Willd.	sulphur knapweed		AZ (PNW), CA (BW)	L48 (I)
CEVI	<i>Centaurea virgata</i> Lam.	squarrose knapweed		CO (AW), OR (ADW, Q)	L48 (I)
CEVIS2	<i>Centaurea virgata</i> Lam. ssp. <i>squarrosa</i> (Willd.) Gugler	squarrose knapweed			L48 (I)
CESQ	<i>Centaurea squarrosa</i> Willd.			AZ (PNW), CA (AW), UT (NW)	
CEVIS	<i>Centaurea virgata</i> Lam. var. <i>squarrosa</i> (Willd.) Boiss.			NV (NW)	
CEPUP6	<i>Centromadia pungens</i> (Hook. & Arn.) Greene ssp. <i>pungens</i>	common tarweed			L48 (N)
HEPU5	<i>Hemizonia pungens</i> (Hook. & Arn.) Torr. & A. Gray			OR (BDW, Q), WA (CCW)	
CEHI3	<i>Cereus hildmannianus</i> K. Schum.	hedge cactus			HI (I), PR (I)
CEUR	<i>Cereus uruguayanus</i> auct. non Kiesling			HI (NW)	
CHMI	<i>Chaenorhinum minus</i> (L.) Lange	dwarf snapdragon		WA (NWSPQ)	L48 (I), CAN (I)
CHJU	<i>Chondrilla juncea</i> L.	rush skeletonweed		AZ (PNW), CA (AW), CO (AW), ID (NW), MT (CAT3), NV (NW), OR (BDW, Q), SD (RNPS), WA (CBW)	L48 (I), CAN (I)
CHTE2	<i>Chorispora tenella</i> (Pall.) DC.	crossflower		CA (BW)	L48 (I), CAN (W)
CHOD	<i>Chromolaena odorata</i> (L.) R.M. King & H. Rob.	Jack in the bush		HI (NW)	L48 (N), PR (N), VI (I)
CHAC	<i>Chrysopogon aciculatus</i> (Retz.) Trin.	golden false beardgrass	NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	HI (I)
CIIN	<i>Cichorium intybus</i> L.	chicory		CO (CW)	L48 (I), CAN (I), SPM (I)
CIMA2	<i>Cicuta maculata</i> L.	spotted water hemlock		NV (NW)	L48 (N), AK (N), CAN (N)
CIRSI	<i>Cirsium</i> Mill.	thistle		AR (NW), IA (PRNW)	
CIAR4	<i>Cirsium arvense</i> (L.) Scop.	Canada thistle		AK (NW), AZ (PNW), CA (BW), CO (BW), CT (PIB), DE (NW), HI (NW), ID (NW), IL (NW), IN (NW), IA (PRNW), KS (NW), KY (NW), MD (NW), MI (NW), MN (PNW), MO (NW), MT (CAT1), NE (NW), NV (NW), NM (CAW), NC (CBW), ND (NW), OH (PNW), OK (NW), OR	L48 (I), AK (I), CAN (I), GL (I), SPM (I)

				(BDW, Q), PA (NW), SD (NW, RNPS), UT (NW), WA (CCW), WI (NW), WY (NW)	
CIJA2	<i>Cirsium japonicum</i> Fisch. ex DC.	Japanese thistle		CA (QW)	
CIOC2	<i>Cirsium ochrocentrum</i> A. Gray	yellowspine thistle		CA (AW)	L48 (N)
CIUN	<i>Cirsium undulatum</i> (Nutt.) Spreng.	wavyleaf thistle		CA (AW)	L48 (N), CAN (N)
CIVU	<i>Cirsium vulgare</i> (Savi) Ten.	bull thistle		CO (BW), MD (NW), MN (PNW), NM (CBW), OR (BDW, Q), PA (NW), WA (CCW)	L48 (I), AK (I), HI (I), CAN (I), SPM (I)
CILA8	<i>Cirsium lanceolatum</i> (L.) Scop., non Hill			IA (PRNW)	
CIREU	<i>Citrus reticulata</i> Blanco ssp. <i>unshiu</i> (Marcow.) D.Rivera Núñez et al.	Unshu orange		SC (PP)	
CLOR	<i>Clematis orientalis</i> L.	Oriental virginsbower		CO (BW)	L48 (I), CAN (I)
CLVI6	<i>Clematis vitalba</i> L.	evergreen clematis		OR (BDW, Q), WA (CCW)	L48 (I), CAN (I)
CLHIH2	<i>Clidemia hirta</i> (L.) D. Don var. <i>hirta</i>	soapbush		HI (NW)	L48 (N)
CNBE	<i>Cnicus benedictus</i> L.	blessed thistle		SC (PP)	L48 (I), CAN (I)
COGR9	<i>Coccinia grandis</i> (L.) Voigt	ivy gourd		HI (NW)	(I), L48 (I), HI (I), VI (I)
COBE2	<i>Commelina benghalensis</i> L.	jio	NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	L48 (I), HI (I), PR (I)
COMA2	<i>Conium maculatum</i> L.	poison hemlock		CO (CW), ID (NW), IA (SNW), NV (NW), NM (CBW), OH (PNW), OR (BDW, Q), WA (CCW)	L48 (I), CAN (I)
COAR4	<i>Convolvulus arvensis</i> L.	field bindweed		AK (NW), AZ (PNW, RGNW), AR (NW), CA (CW), CO (CW), HI (NW), ID (NW), IA (PRNW), KS (NW), MI (NW), MN (PNW), MO (NW), MT (CAT1), NM (CCW), ND (NW), OR (BDW, Q), SD (RNPS), TX (NP), UT (NW), WA (CCW), WI (NW), WY (NW)	L48 (I), HI (I), CAN (I)
COSQ	<i>Coronopus squamatus</i> (Forssk.) Asch.	greater swinecress		AZ (PNW), CA (BW)	L48 (I), CAN (I)
COJU2	<i>Cortaderia jubata</i> (Lem.) Stapf	purple pampas grass		HI (NW)	L48 (I), HI (I)
CRHE5	<i>Crassula helmsii</i> A. Berger	swamp stonecrop		FL (PAP1), NC (CAW), WA (WAWQ)	
CROTA	<i>Crotalaria</i> L.	rattlebox		AR (NW)	
CRVU2	<i>Crupina vulgaris</i> Cass.	common crupina	NW	AL (CAW), CA (AW, Q), CO (AW), FL (NW), ID (NW), MA (P), MN (PNW), MT (CAT3), NV (NW), NC (CAW), OR (BDW, Q), SC (PP), SD (RNPS), VT (CAW), WA (CAW, NWSPQ)	L48 (I)
CUME	<i>Cucumis melo</i> L.	cantaloupe			(I), L48 (I), PR (I), CAN (W)
CUMED	<i>Cucumis melo</i> L. var. <i>dudaim</i> (L.) Naud.			AZ (PNW), CA (AW)	

CUMY	<i>Cucumis myriocarpus</i> E. Mey. ex Naud.	gooseberry gourd		CA (BW)	L48 (I)
CUAN4	<i>Cupaniopsis anacardioides</i> (A. Rich.) Radlk.	carrotwood		FL (NW)	L48 (I)
CUSCU	<i>Cuscuta</i> L. ^{5, 6}	dodder	NW	AL (CAW), AZ (PNW, RNW), AR (NW), CA (CW, Q), FL (NW), MA (P), MI (NW), MN (PNW), NC (CAW), OR (BDW, Q), SC (PP), SD (RNPS), VT (CAW)	
CUAP2	<i>Cuscuta approximata</i> Bab.	alfalfa dodder		WA (CCW)	L48 (I), CAN (I)
CUJA	<i>Cuscuta japonica</i> Choisy	Japanese dodder		TX (NP)	L48 (I)
CURE	<i>Cuscuta reflexa</i> Roxb.	giant dodder		CA (AW)	L48 (I)
CYRE	<i>Cymbopogon refractus</i> (R. Br.) A. Camus	barbwire grass		HI (NW)	HI (I)
CYLO11	<i>Cynanchum louiseae</i> Kartesz & Gandhi	Louise's swallow-wort		CT (IB), MA (P)	L48 (I), CAN (I)
CYNI	<i>Cynanchum nigrum</i> (L.) Pers., non Cav.			NH (PIS)	
VINI3	<i>Vincetoxicum nigrum</i> (L.) Moench			VT (CBW)	
CYRO8	<i>Cynanchum rossicum</i> (Kleopow) Borhidi	European swallow-wort		CT (IB), MA (P), NH (PIS)	L48 (I), CAN (I)
CYVI3	<i>Cynanchum vincetoxicum</i> (L.) Pers.	white swallow-wort			L48 (I), CAN (I)
VIHI3	<i>Vincetoxicum hirundinaria</i> Medik.			VT (CAW)	
CYCA	<i>Cynara cardunculus</i> L.	cardo		CA (BW)	L48 (I)
CYNOD	<i>Cynodon</i> Rich.	Bermudagrass		CA (CW)	
CYDA	<i>Cynodon dactylon</i> (L.) Pers. ⁷	Bermudagrass		AR (NW), UT (NW)	(I), L48 (I), HI (I), PR (I), VI (I), CAN (W), SPM (W)
CYOF	<i>Cynoglossum officinale</i> L.	gypsyflower		CO (BW), MT (CAT1), NV (NW), OR (BDW, Q), WA (CBW), WY (NW)	L48 (I), CAN (I)
CYES	<i>Cyperus esculentus</i> L.	yellow nutsedge		CA (BW), CO (BW), HI (NW), OR (BDW, Q), WA (CBW, Q)	L48 (NI), HI (I), PR (I), VI (I), CAN (I)
CYRO	<i>Cyperus rotundus</i> L.	nutgrass		AR (NW), CA (BW), OR (ADW, Q), WA (Q)	(I), L48 (I), HI (I), PR (I), VI (I)
CYSC4	<i>Cytisus scoparius</i> (L.) Link	Scotch broom		CA (CW), HI (NW), ID (NW), OR (BDW, Q), WA (CBW, NWSPQ)	L48 (I), AK (I), HI (I), CAN (I)
CYSCA	<i>Cytisus scoparius</i> (L.) Link var. <i>andreaeus</i> (Puiss.) Dippel	Scotch broom		HI (NW)	L48 (I)
CYSCS2	<i>Cytisus scoparius</i> (L.) Link var. <i>scoparius</i>	Scotch broom		HI (NW)	L48 (I), HI (I), CAN (I)
CYST7	<i>Cytisus striatus</i> (Hill) Rothm.	striated broom		OR (BDW, Q)	L48 (I)
DAST	<i>Datura stramonium</i> L.	jimsonweed		CT (PIB), PA (NW)	L48 (I), HI (I), PR (I), VI (I), CAN (I)

DACA6	<i>Daucus carota</i> L.	Queen Anne's lace		IA (SNW), MI (NW), OH (PNW), WA (CBW, NWSPQ)	L48 (I), PR (I), CAN (I), SPM (I)
DICI2	<i>Dichrostachys cinerea</i> (L.) Wight & Arn.	aroma		HI (NW)	L48 (I)
DINU6	<i>Dichrostachys nutans</i> Benth.			HI (NW)	
DIAB	<i>Digitaria abyssinica</i> (Hochst. ex A. Rich.) Stapf	African couchgrass		MA (P)	HI (I)
DISC5	<i>Digitaria scalarum</i> (Schweinf.) Chiov.		NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	
DIVE2	<i>Digitaria velutina</i> (Forssk.) P. Beauv.	velvet crabgrass	NW	AL (CAW), CA (Q), FL (NW), MA (P), MN (PNW), NC (CAW), OR (Q), SC (PP), VT (CAW)	L48 (I)
DIAL2	<i>Dioscorea alata</i> L.	water yam		FL (NW)	L48 (I), PR (I), VI (I)
DIBU	<i>Dioscorea bulbifera</i> L.	air yam		AL (CAW), FL (NW)	L48 (I), HI (I), PR (I)
DIFU2	<i>Dipsacus fullonum</i> L.	Fuller's teasel		CO (BW), IA (SNW), MO (NW), NM (CBW)	L48 (I), CAN (I)
DILA4	<i>Dipsacus laciniatus</i> L.	cutleaf teasel		CO (BW), IA (SNW), MO (NW), OR (BDW, Q)	L48 (I), CAN (I)
DISA9	<i>Dipsacus sativus</i> (L.) Honck.	Indian teasel		IA (SNW)	L48 (I)
DRAR7	<i>Drymaria arenarioides</i> Humb. & Bonpl. ex Schult. [excluded]	sandwort drymary	NW	AL (CAW), AZ (PNW), CA (Q), FL (NW), MA (P), MN (PNW), NM (CAW), NC (CAW), OR (Q), SC (PP), VT (CAW)	
ECCR	<i>Echinochloa crus-galli</i> (L.) P. Beauv.	barnyardgrass		AR (NW)	(I), L48 (I), HI (I), PR (I), CAN (W), SPM (W)
ECPL	<i>Echium plantagineum</i> L.	salvation jane		OR (ADW, Q)	L48 (I), CAN (I)
ECVU	<i>Echium vulgare</i> L.	common viper's bugloss		WA (CBW, NWSPQ)	L48 (I), AK (I), CAN (W), SPM (I)
EGDE	<i>Egeria densa</i> Planch.	Brazilian waterweed		AL (CCW), CT (PIB), ME (IAP), MA (P), SC (ILAP, PP), VT (CAW), WA (CBW, WAWQ)	L48 (I), HI (I), PR (I), CAN (W)
ELDE3	<i>Elodea densa</i> (Planch.) Caspary			OR (BDW, Q)	
EICHH	<i>Eichhornia</i> Kunth	water hyacinth		FL (PAP1)	
EIAZ2	<i>Eichhornia azurea</i> (Sw.) Kunth	anchored water hyacinth	NW	AL (CAW), AZ (PNW), CA (Q), MA (P), NC (CAW), OR (Q), SC (ILAP, PP), TX (NP), VT (CAW)	L48 (I), PR (I)
EICR	<i>Eichhornia crassipes</i> (Mart.) Solms	common water hyacinth		AL (CCW), AZ (PNW, RGNW, RNW), CA (CW), CT (PINB), SC (ILAP, PP), TX (NP)	(I), L48 (I), HI (I), PR (I), VI (I), CAN (W)
ELAN	<i>Elaeagnus angustifolia</i> L.	Russian olive		CO (BW), CT (PIB), NM (CCW)	L48 (I), CAN (I)
ELUM	<i>Elaeagnus umbellata</i> Thunb.	autumn olive		CT (IB), MA (P), NH (PIS), WV (NW)	L48 (I), HI (I), CAN (I)
ELMO5	<i>Elephantopus mollis</i> Kunth	soft elephantsfoot		HI (NW)	HI (I), PR (N), VI (N)

VOCU	<i>Vossia cuspidata</i> Griff.	hippo grass	FL (PAP1)	
XANTH2	<i>Xanthium</i> L.	cocklebur	AR (NW)	
XASP2	<i>Xanthium spinosum</i> L.	spiny cocklebur	OR (BDW, Q), WA (CCW)	L48 (I), CAN (I)
XASTC	<i>Xanthium strumarium</i> L. var. <i>canadense</i> (Mill.) Torr. & A. Gray	Canada cocklebur		(I), L48 (N), HI (I), CAN (N)
XACO	<i>Xanthium commune</i> Britton		IA (SNW)	
ZYFA	<i>Zygophyllum fabago</i> L.	Syrian beancaper	CA (AW), ID (NW), OR (ADW, Q), WA (CAW, NWSPQ)	L48 (I)

†Code Noxious Status

ADW	"A" designated weed
AW	A list (noxious weeds)
BDW	"B" designated weed
BW	B list (noxious weeds)
CAT1	Category 1 noxious weed
CAT2	Category 2 noxious weed
CAT3	Category 3 noxious weed
CAW	Class A noxious weed
CBW	Class B noxious weed
CCW	Class C noxious weed
CW	C list (noxious weeds)
IAP	Invasive aquatic plant
IB	Invasive, banned
ILAP	Invasive aquatic plant
INB	Invasive, not banned
NAW	Noxious aquatic weed
NP	Noxious plant
NUW	Nuisance weed
NW	Noxious weed
NWSPQ	Noxious weed seed and plant quarantine
P	Prohibited
PAP1	Prohibited aquatic plant, Class 1
PAP2	Prohibited aquatic plant, Class 2
PIB	Potentially invasive, banned
PINB	Potentially invasive, not banned
PIS	Prohibited invasive Species
PN	Public nuisance
PNW	Prohibited noxious weed
PP	Plant pest
PR	Permit required
PRNW	Primary noxious weed
Q	Quarantine
QW	Q list (temporary "A" list noxious weed, pending final determination)
RGNW	Regulated noxious weeds
RNPS	Regulated non-native plant species
RNW	Restricted noxious weed
SNW	Secondary noxious weed

SP Sale prohibited
WAWQ Wetland and aquatic weed quarantine

***Code Native Status**

I Introduced
N Native
N? Probably Native
NI Native and Introduced
W Waif

***Code Native Status Jurisdiction**

None
L48 Lower 48 States
AK Alaska
HI Hawaii
PR Puerto Rico
VI Virgin Islands
CAN Canada
GL Greenland
SPM St. Pierre and Miquelon

- 1 IL; within the corporate limits of cities, villages, and incorporated towns
2 MI; bushes subject to attack by black stem rust are prohibited
3 OR; except named horticultural varieties
4 US, AL, NC, OR, SC, VT; Mediterranean clone
5 US, AL, CA, MN, NC, SC, VT; other than native or widely distributed species
6 FL; Only the native Florida species are excluded from this list. These include: *C. americana*, *C. compacta*, *C. exaltata*, *C. gronovii*, *C. indecora*, *C. obtusiflora*, *C. pentagona*, *C. umbellata*
7 UT; Bermudagrass shall not be a noxious weed in Washington County and shall not be subject to provisions of the Utah noxious Weed Act within the boundaries of the county
8 WA; only cultivars 'Baltica', 'Pittsburgh', 'Star'
9 WA; only cultivar 'Hibernica'
10 WA; non-native *Hieracium* species except those listed as Class A or Class B
11 OR; *Imperata cylindrica* 'Red Baron' is excluded from quarantine
12 AZ; all species except *Ipomoea carnea*, Mexican bush morning glory, *I. triloba*, three-lobed morning glory, and *I. arborescens*, morning glory tree
13 NC; any *Lythrum* spp. not native to North Carolina
14 WI; any nonnative member of the genus *Lythrum* or hybrids thereof
15 MI; any nonnative member of the genus *Lythrum* or hybrid of the genus is prohibited from sale
16 PA; including all cultivars
17 TN; and related cultivars
18 WA; any hybrid cross
19 IA; it is illegal to import, sell, offer for sale, or distribute the seeds or the plants of purple loosestrife in any form
20 US, AL, CA, MN, NC, OR, SC, VT; other than native or widely distributed species
21 FL; with the exception of *O. uniflora*
22 WA; non-native genotypes
23 IA; except *R. frangula*
24 MI; planting of currants and gooseberries in certain parts of the State of Michigan is prohibited
25 MO; except when cultivated for or used as understock for cultivated roses
26 IA; not considered a noxious weed when used as a rootstock for cultivated roses
27 NC; all except *S. minima*
28 FL; excluding *S. minima*
29 WA; in hay
30 IA; not a noxious weed when cultivated
31 OH; when growing in groups of 100 or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years

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Exhibit I



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[Home](#) > Marijuana

Marijuana

Additional Common Names:

Indian Hemp, Hashish

Scientific Name:

Cannabis sativa

Family:

Cannabaceae

Where Found:**Toxic Principles:**

Delta-9-THC (tetrahydrocannabinol)

Clinical Signs:

Prolonged depression, vomiting, incoordination, sleepiness or excitation, hypersalivation, dilated pupils, low blood pressure, low body temperature, seizure, coma, death (rare)

Teaser Blurb:

If you think that your animal is ill or may have ingested a poisonous substance, contact your local veterinarian or our 24-hour emergency poison hotline directly at 1-888-426-4435.

Site map:

[Toxic and Non-Toxic Plants](#)

Image:**Toxicity:**

Toxic to Horses

Toxic to Cats

Toxic to Dogs

Non-Toxicity:**Sitecore itemid:**

e39419e0-7750-4de8-ab71-6136cc51ba94

Sitecore key:

marijuana

Sitecore path:

/sitecore/content/Home/Pet-care/poison-control/Plants/marijuana

Source URL: <http://www.aspca.org/pet-care/animal-poison-control/toxic-and-non-toxic-plants/marijuana?splash=>

Exhibit J

Article Link: <http://www.webmd.com/mental-health/addiction/marijuana-use-and-its-effects>

Substance Abuse and Addiction Health Center

How Does Marijuana Affect You?

In this article

Physical Effects

Changes to Mind and Mood

Risks of Marijuana Use

Listen 

If you've ever smoked a joint or eaten a pot-laced brownie, you're hardly alone: More than 1 in 3 people in America have tried marijuana at one point in their lives.

Though occasional use isn't usually harmful, pot can affect your body and mind any time it gets into your system. Here's what you need to know.

Physical Effects

Marijuana comes from the hemp plant *Cannabis sativa*. It has an active ingredient called THC that makes you feel high. THC and other compounds in marijuana can also affect the way your body works.

Most people smoke the plant's dried leaves, flowers, stems, and seeds. But marijuana can also be mixed into food (like brownies, cookies, and lollipops), brewed as a tea, or inhaled with a vaporizer.

No matter how it gets into your system, it affects almost every organ in your body, and your nervous system and immune system, too. When you smoke pot, your body absorbs THC right away. (If you eat a baked good or another item, it may take much longer for your body to absorb THC, because it has to break down in your stomach before it enters your bloodstream). You may notice changes in your body right after you smoke. The effects usually stop after 3 or 4 hours.

Smoking pot can increase your heart rate by as much as two times for up to 3 hours. That's why some people have a heart attack right after they use marijuana. It can increase bleeding, lower blood pressure, and affect your blood sugar, too.

We don't yet know if marijuana is linked to higher odds of getting lung cancer. But the process does irritate your lungs -- which is why regular pot smokers are more likely to have an ongoing cough and to have lung-related health problems like chest colds and lung infections.

Other physical effects of marijuana include:

- Dizziness
- Shallow breathing
- Red eyes and dilated pupils
- Dry mouth
- Increased appetite
- Slowed reaction time (If you drive after using marijuana, your risk of being in a car accident more than doubles.)

If you're a long-time user, you can have physical withdrawal symptoms -- like cravings, irritability, sleeplessness, and less appetite -- when you stop.

Changes to Mind and Mood

Most people use marijuana because the high makes them feel happy, relaxed, or detached from reality.

Smoking pot can also have less-pleasant effects on your mind and mood, too. You might have:

- A distorted sense of time
- Random thinking
- Paranoia
- Anxiety
- Depression
- Short-term forgetfulness

These effects usually ease up a few hours after you've used the drug.

Risks of Marijuana Use

Though you may have heard otherwise, marijuana *can* be addictive: Nearly 10% of people who use it become dependent on it. It isn't clear whether marijuana is a gateway drug that makes people more likely to try harder drugs like cocaine and heroin.

The amount of THC in marijuana has gone up in recent years. Most leaves used to contain between 1% and 4% THC. Now most have closer to 7%. Experts worry this might make it easier to become dependent on or addicted to marijuana -- and it also strengthens many of the drug's mind-altering effects.

Even if you buy from a legal, state-regulated dispensary, it can be hard to know exactly how much THC or other compounds found in marijuana you're ingesting, so the effects can be unpredictable.

Marijuana can also cause more health problems if you have a condition like liver disease, low blood pressure, or diabetes.

If you're a man, heavy use could lower your testosterone levels, and your sperm count and quality. That, in turn, can zap your libido and fertility.

Research shows a link between marijuana use and mental health problems like depression, anxiety, suicidal thoughts, short-term psychosis, and schizophrenia. While it's not clear if marijuana causes these conditions, it can make them worse.

Commonly Abused Prescription and Over-the-Counter Drugs

WebMD Medical Reference

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Mary-Ann Fitzcharles, MD, associate professor of medicine in the department of rheumatology and McGill pain management unit at McGill University in Canada.

Stuart L. Silverman, MD, attending physician at Cedars-Sinai Medical Center in Beverly Hills, CA.

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Reviewed by Melinda Ratini, DO, MS on October 09, 2014

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My Notes:

Further Reading:

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[Alcohol Abuse and Depression: Which Leads the Other?](#)

My name is Rory Savage. I am the Owner and Designated Broker at Windermere Real Estate/Ellensburg. I have been a full time Realtor for the past 29 years in Ellensburg, Washington. I served as the Kittitas County Association of Realtors President in 1991 and in 2013. I am currently a member of the Kittitas County Association of Realtors Board of Directors. I am also currently serving as a member of the Kittitas County Public Lands Advisory Group and the Kittitas County Water Quantity Citizen's Advisory Committee.

My personal focus in the local real estate market has been primarily in rural home, ranch and land sales. Through my participation in local real estate sales over the past 29 years, I believe that I have a clear understanding of the market trends and issues that affect the values of real property in the Ellensburg area.

I have been asked to give my opinion of how a cannabis growing operation may affect the value and marketability of neighboring properties or lands suited for agricultural and rural residential development. It is my opinion that a cannabis growing facility will have a negative impact on values and marketability of properties and lands that are in the vicinity of the cannabis growing facility.

The reason for this is really very simple in my opinion. In every real estate market, there are a certain number of buyers who desire to purchase a specific type of real estate, home or building site. The people that are looking for the specific types of property you may own are what the real estate industry refers to as the "buyer pool". If you own land or a home that appeals to 100% of the buyer pool, you will be able to sell your home for top dollar, and in less time than it will take to sell a home or property with a smaller buyer pool. In the lower half of Kittitas County, the marijuana initiative was not passed by the voters of the county. Therefore, I believe it is safe to assume that at a minimum, 50% of the consumers in the market place would not desire to purchase land or a home next to, or near a cannabis growing or processing facility. The result would be a reduction in the buyer pool by 50%, resulting in less demand for the property and longer marketing time. With supply and demand being the most common factor in determining upward and downward value trends in a market place, it is safe to say that the demand for land or a residence or a residential building lot next to a cannabis facility will have much less demand in the local market than the same property that is not next to a cannabis facility in the local market. This will result in a lower sale price.

I can also say that in the months since the passing of the marijuana initiative, it is common for a prospective buyer of land or residential property to express their desire to not be near a marijuana/cannabis grow or processing facility while the realtors in our office are showing the prospective buyer property.

Sincerely,



Rory Savage

Owner/Designated Broker

Windermere Real Estate/Ellensburg

Exhibit L

Jeff Slothower

From: Becky McDowell <becky@oldmilleburg.com>
Sent: Monday, December 22, 2014 7:52 AM
To: Jeff Slothower
Subject: FW: Purchasing a home in Ellensburg

For McDonald CU-14-0005

-----Original Message-----

From: Cheryl A. Johnson [mailto:rebelridgeranch@aol.com]
Sent: Monday, December 22, 2014 1:03 AM
To: Becky McDowell
Subject: Purchasing a home in Ellensburg

To whom it may concern.

My husband and I had been planning for years to retire in the Ellensburg Valley. My father's family has been in the Valley for generations. I have always enjoyed the beauty of the valley. We have shopped and planned for our retirement for quite awhile and have been working with one of your local realtor. We purchased one small farm a year and a half ago, for our daughter. Now while shopping for a larger estate for ourselves, I'm quite shocked at how many marijuana facilities have been built and future marijuana grow/process facilities to be built in the area. We looked at a beautiful home in the Badger Pocket area, one of our favorite areas, unfortunately we wouldn't even consider buying this fairly new home. The view was ruined by the obnoxious green chain link fencing, that just shouts out grow operation. This would not be an investment we would be able to resell. Who would buy from us at a later date, I'm sure potential buyers would feel like we do.

I have no intention of buying in an area where I have to deal with the crime issues, water (well) issues due to the fact that they can't use federal water; a grow operation can use over 5,000 gallons of water a day. We would not want to buy a house and have to worry about the well going dry and no protection of a marijuana facility moving in close by. This doesn't even include the crime issues yet to develop. Our local law enforcement was concerned about product hijacking. Much easier to rob a delivery van/car of marijuana than a truck load of alcohol. Who wants that risk on their neighborhood roads.

I'm now very skeptical about investing, I had been looking at real estate in the market range of \$500,000 to \$600,000. I am not willing to make that kind of investment and risk having a marijuana grow and processing facility move in next door or in the area and affect my substantial investment.

I currently live in Snohomish county in an upper end five acre tract development. I have full view of the Cascade mountains. It's a very desirable area for my county. Homes do not come up for sell very often. Our neighbor has listed their beautiful home, only to have multiple sales fail due to that fact that a marijuana grow and process facility was trying to open at the end of this development. Fortunately for us our county has placed a moratorium on this issue. To allow more time for the unforeseen issues they did not expect.

These facilities do affect property values and sales. Just as our neighbor could not sell, I won't risk making a large real estate purchasing until I have some guarantees that my investment won't be jeopardized by this very issue. I have witnessed the impact and there is definitely a real estate impact.

I would love to retire in Ellensburg, support local commerce and community. I would like to think my tax dollars and support of local merchant's should have some say in this community planning. Kittitas County will not be collecting the taxes from the facility profits, the state liquor board will.

So at this time our farm investment is on hold. Waiting to see your planning out come.

Sincerely

Cheryl Johnson

Exhibit M



Ed Kashi / VII for NBC News Feb 04

Legal Pot
16 of 40

High Crimes: Robber Gangs Terrorize Colorado Pot Shops

Exhibit D-3

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-
- **High Crimes: Robber Gangs Terrorize Colorado Pot Shops**
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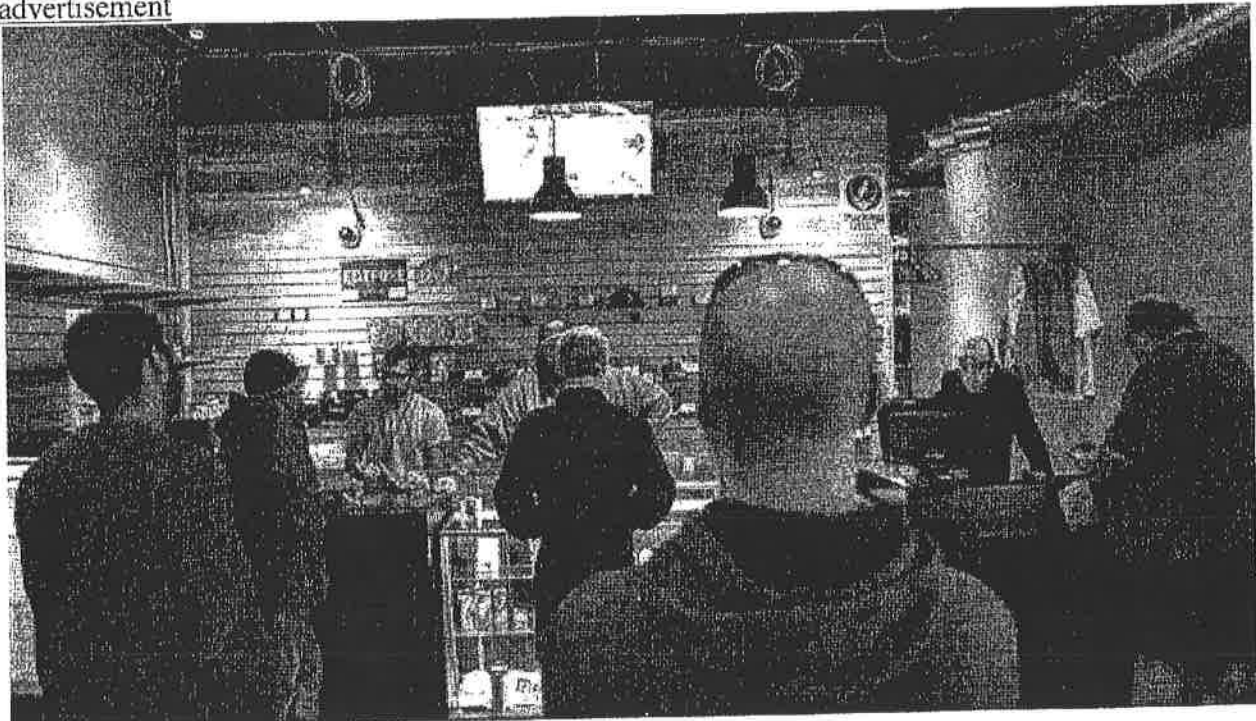
collapse story

By Tony Dokoupil and Bill Briggs

One thief, posing as a delivery man, pulled a can of bear mace on employees and ransacked their marijuana shop, fleeing in a defensive cloud of "ultra-pepper" spray. Another opened the wall of a dispensary with an ax and attacked the store's safe with a circular saw. Still another stuck to the basics. He kicked in the front door and pointed his gun at the counterman. An accomplice kicked in the back door and filled a duffel bag with more than \$10,000 worth of high-quality cannabis.

For weeks now, the Mile High state has allowed the sale of recreational pot to adults, and so far the Rockies still stand. But crimes like the ones above, all of which occurred in Colorado in the last six months, have produced an acid-drip of anxiety in the industry, highlighting the dangers faced by those hoping to drag America's most popular illegal drug into the light. Because marijuana remains banned by Congress, banks and security firms deny services to most dispensaries. That leaves them cash-based and vulnerable, a magnet for criminals who like the idea of unguarded counting rooms and shelves lined with lucrative horticulture.

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Ed Kashi / VII for NBC News

Customers wait in line at the Dank Colorado Dispensary to purchase recreational marijuana in Denver.

"Everyone in the industry is having nightmares," says Michael Elliott, executive director of the Marijuana Industry Group, a powerful young lobby in Colorado. "You hit a 7-Eleven, you'll get 20 bucks. You hit a dispensary, you'll get \$300,000 on a good day," adds Mitch Morrissey, District Attorney for Denver. "It's only a matter of time before someone gets shot."

Since 2010, the new pot barons have been required to install alarms and surveillance cameras, and most secure all cash and retail pot in a floor-bolted safe overnight. That helps limit losses, but the thieves keep coming. They throw bricks through windows, and tunnel under floors. One team tore away the locks on a grow house with a set of chains and a Subaru Outback. Another crashed an Audi through a warehouse door.

At first, most of the heists were softened by a kind of likable idiocy. Owners joked about the hapless fellow who zip-lined through an opening in a greenhouse roof, then lacked the oomph to climb his way out. Or the thief who kicked into an apartment above a pot shop, only to be chased off by the apartment's surprised owner, a member of the Denver Nuggets. Or the team that crowbarred into a dispensary in 2012, leaving with a broken scale and \$8 from a "karma jar" on the counter.

More recently, however, the crimes have sent a forked bolt of fear through the industry. Last summer, for example, a trio of gunmen "demanded Weed" from the workers at a dispensary called 420 Wellness, according to documents provided by the district attorney's office. As two of the gunmen filled "several trash bags" with award-winning marijuana, the third leapt over the counter and took a female employee by the elbow, leading her around the shop as a human insurance policy. Police caught up with that squad soon after they fled the scene, charging the ringleader with aggravated robbery and kidnapping.

But over the next six weeks, a different team of burglars hit at least eight dispensaries, and a third team is still on the loose after a stick-up at New Age Wellness in nearby Boulder County. Moments after closing time, two men dressed in baby-blue ski-masks burst in, pointed guns, and cleaned out the little mountain depot. "It's an epidemic," says one of the employees, who declined to give his name for safety reasons. "Everything is a lot tighter now. It isn't so homey anymore."

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"It's like they think: 'If we can precipitate some sort of public safety issue, maybe we can stop it.'"

To judge by the data, it's not so homey anywhere in the region's marijuana market, where attempted theft has gone from a concern to a near-certainty. In 2009, the Denver Police Department estimated that about 17 percent of marijuana retail shops had been robbed or burglarized in the last year. That was good news: a bit less than liquor stores (20 percent) and banks (34 percent), and on par with pharmacies.

Today, however, a darker picture has emerged. There are about 325 marijuana companies in Denver, based on an analysis of licensing data done for NBC News by Marijuana Business

Daily, a leading trade publication. (Most companies hold numerous licenses.) At the same time, there have been about 317 burglaries and seven robberies reported by these companies in the last two years, according to police data. That's an annual robbery and burglary rate of about 50 percent, more than double what it was in 2009.



Ed Kashi / VII for NBC News

Workers tend the grow houses at the Medicine Man marijuana dispensary and grow house. It is one of the largest in Denver.

While a Denver Police spokesperson disputed these figures, the department doesn't have its own. What is available suggests a troubling parallel development: as the industry has grown, its access to banking and security has declined, and crime has soared. What spurred the sudden loss of services remains a mystery, although many dispensary owners blame it on pressure from the Drug Enforcement Administration, which has called Colorado's experiment "reckless and irresponsible."

"It's like they're trying to precipitate some sort of disaster," says Norton Arbelaez, the founder of River Rock, one the Denver's larger dispensaries. "It's like they think: 'If we can precipitate some sort of public safety issue, maybe we can stop it.'"

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The Obama administration says that it's working on new regulations that will allow banks to hold accounts for legal marijuana businesses. But Jack Finlaw, the chief legal counsel to Colorado's governor doesn't think that will be enough. As long as marijuana remains illegal under the Controlled Substances Act, he says, banks, security firms and indeed most traditional businesses will be wary of aiding what amounts to a state-sanctioned federal crime. "Congress really needs to act," he says. "I don't see a quick fix."

Meanwhile, the collateral damage continues to mount. Some dispensaries may be hit five times and others none at all, but on average every marijuana-related business in Denver can now expect a taste of the crowbar or the gun at least once every two years.

"I think everyone has been robbed at least once," says Jonathan Salfeld, the owner of Local Product of Colorado, which has been broken into twice, despite being located a block from Denver Police headquarters. "It leaves you feeling less than safe," adds Elan Nelson, the director of business development at Medicine Man, one of the largest dispensaries in Denver. She says her last dispensary was broken into four or five times, and employees began to watch the door, wondering when the thieves would decide to try work hours.



Ed Kashi / VII for NBC News

Broken windows and doors are evidence of a recent burglary at the Timberline Herbal Clinic, owned by Yvette Williams.

Yevette Williams of Timberline Herbal Clinic is facing that same feeling, after suffering three break-ins in four years. The most recent heist was last month, amid a rash of seven burglaries in Denver in the first 11 days of legalization. The thieves came at night, taking \$1,000 in edible pot and leaving \$6,000 in damages. "We just don't know what to do," she says. "We're at a loss."

"To understand the importance of fixing banking, please read this story: 'Marijuana clinic owner penis cut off.'"

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For the moment, Coloradans can still cling to a pebble of solace: no one has ever been killed in a state-licensed marijuana dispensary. Expect that to change, says Denver District Attorney Mitch Morrissey. Last summer he told the city council that there have been a dozen homicides "directly" related to mom-and-pop residential marijuana grows, which have been legal in the state since 2000.

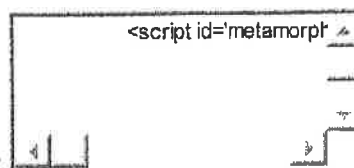
The editorial page director of the Denver Post accused him of "blowing smoke," but Morrissey is now going further, predicting a spike in "strong-arm, bank-style, mask-and-gun robberies," as the old violence of the residential market spills into the new world of legalized marijuana from seed to sale. "You know, they say this is going to bring in tax revenue for our schools. Well, I don't deal with that. I deal with dead bodies."

Legal pot opens door to more crime

NBCNews.com

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The worst violence has been in California, where in 2010 a gunman forced workers down on the ground, robbed their medical marijuana dispensary, and returned moments later to shoot both in the back of the head. But the fate that's really spreading terror in Colorado fell just shy of murder.

It began when three men broke into the home of a dispensary owner in Newport Beach, Calif., according to police reports that surfaced last fall. They zip-tied the man, dragged him into a van, burned him with a blow-torch, doused him in bleach, severed his penis, and then drove away

with it—all in a bid to learn where he was hiding his cash. Now Elliott, the industry lobbyist, appends press releases with an unusual note: “To understand the importance of fixing banking, please read this story: ‘Marijuana clinic owner penis cut off.’”

The industry is certainly taking the crime threat seriously. Dispensaries are sinking cash into bulletproof glass, Mission Impossible-style fingerprint scanners, and guards—lots of guards. A marijuana militia of sorts is building across the state, a force big enough to safeguard six-figure cash transports, seven-figure inventories and assets, and thousands of justifiably paranoid employees.

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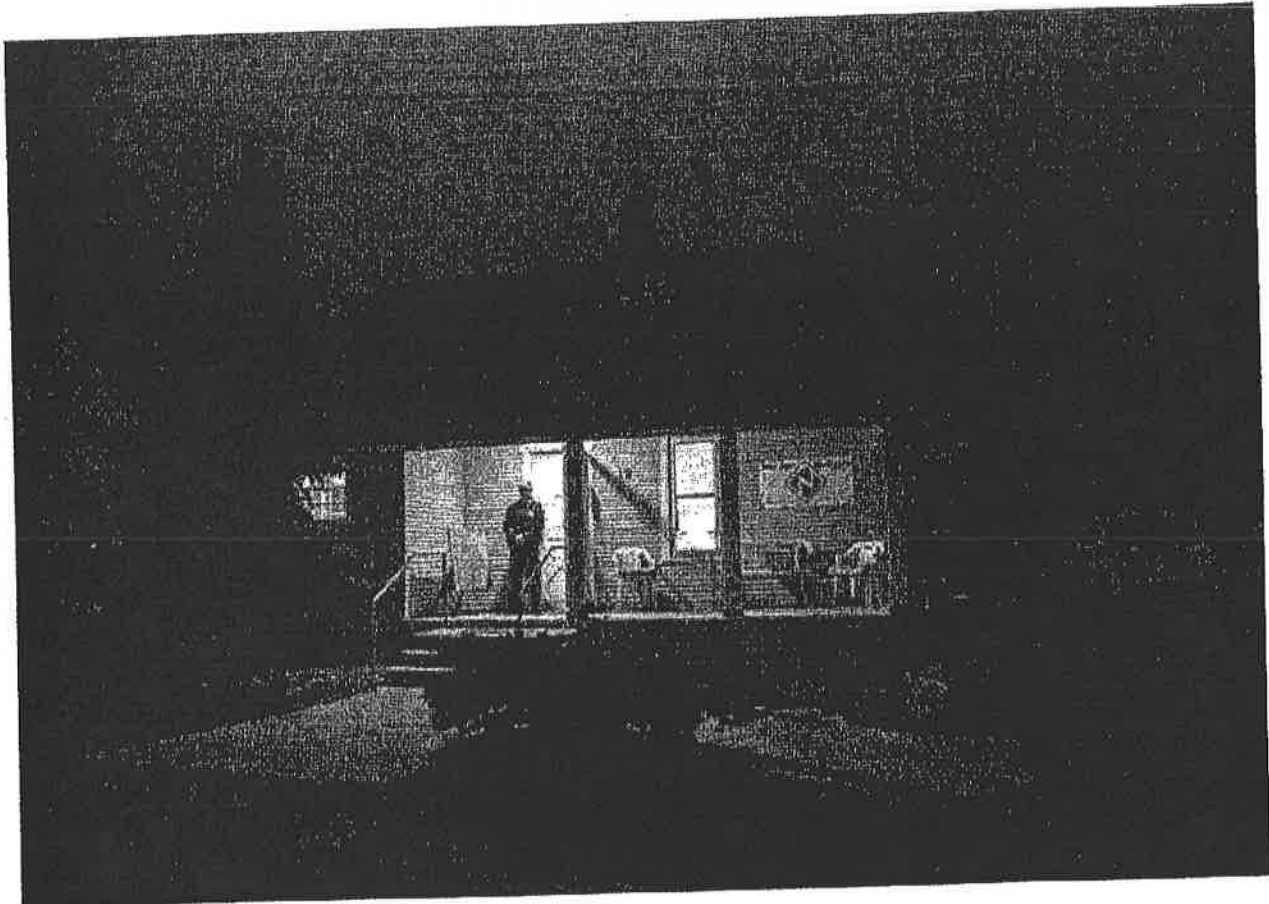
As with the criminals, some of the guards are less than intimidating. The owner’s elderly (and doze-prone) uncle is the designated watchman inside one Denver dispensary. At another dispensary a guard considers his biceps “the only guns I need.” But at least two major security firms—one purely marijuana-focused, the other an all-purpose global heavyweight—have ridden in to rescue Denver in the last year.

The first was Blue Line Protection Group, launched in August by Ted Daniels, a retired police officer and U.S. Army veteran who served in Afghanistan. He cuts a rather secure figure himself, with muscle that jumps from shoulder to ear, and shades wrapped around a bald pate. He has hired more than 40 guards, most with special ops experience.

“If you’re going to fight the best,” as he likes to say, “you better have the best.”

Steps from the counter where the peace buds are sold, a warning sign is emblazoned with the words, “DEADLY FORCE.”

His firm has landed about 30 contracts so far and is adding about one a day, according to Daniels, who charges between \$5,000 and \$15,000 a month. Most of the contracts come right after a break-in or a robbery, he says, and none have been hit again with his team on the scene. “I think criminals are afraid,” he says. “I don’t think they want to deal with my guys.”



Ed Kashi / VII for NBC News

The New Age Wellness marijuana dispensary was attacked by masked gunmen recently, where Alan Pedersen, 23, was assaulted and \$6,000 worth of merchandise was stolen. Now a Blue Line Protection Group officer stands guard in Longmont, Colo.
advertisement

At Medicine Man, where Daniels has provided security since January 1st, there are now six cash registers and an armed guard for each one, plus another at the door. At the end of the day, after spraying the cash with Febreze to mask the scent, employees stuff it into tamper-resistant clear plastic bags, which Blue Line escorts downtown and into the company's vault.

If they face a robbery, they may call 911, but they're authorized to return fire. Every day now at New Age Wellness, in Boulder County, steps from the counter where the peace buds are sold, a warning sign is emblazoned with the words, "DEADLY FORCE." In front of the sign is a Blue Line guard, Glock on his hip.

"One of my guys, I think, can probably easily hold off five to 10 guys by himself," says Daniels, who appreciates the irony of blending what is essentially police work with the protection of a product that he used to bust people for using. For most of his guys, however, the product doesn't matter.

Daniels allows them to partake of the plant they're guarding, as long as they quit it at least 10 hours before reporting to duty, but they're in it for the conflict.

Exhibit D

“We thrive on going out,” says Keith Wood, a former Army Ranger who deployed to both Iraq and Afghanistan, before coming home to become Blue Line’s operations manager. “I’m not going to run away,” he said in an interview. “I could die today on the job. We don’t know. But that’s another reason to bring veterans in. That’s how we’re trained to think.”

The competition comes from former Denver city councilman Ed Thomas, a 23-year veteran of the Denver Police Department. He recently partnered with CSC-USA, a California-based company that touts security gigs during two World Cups, four presidential inaugurations, and 30 Super Bowls. He’s got two contracts so far and expects that number to grow.

“There are some really bad guys out there,” he says. “It’s just a matter of time until ... well, I don’t even want to go there.”

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High Crimes: Robber Gangs Terrorize Colorado Pot Shops

First published February 3rd 2014, 9:44 am



Tony Dokoupil

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Tony Dokoupil is a senior writer for NBC News. He joined NBC News in September of 2013 and contributes... [Expand Bio](#)

Tony Dokoupil is a senior writer for NBC News. He joined NBC News in September of 2013 and contributes enterprise feature stories to NBCNews.com, reporting on the legal pot trade, mystery illnesses, ghost towns, and much more. Follow him on Twitter and Google+.

Dokoupil joined NBCNews.com from The Newsweek Daily Beast Company, where he was a senior writer. In that role, he wrote numerous cover stories, including "The Suicide Epidemic," "iCrazy" and "Dustoff 73." His story "The Last Dive" and the original video became Newsweek's first video cover.

His is the author of "The Last Pirate," which is due from Doubleday on April 1, 2014.

He lives in Brooklyn, N.Y. with his wife and children. [Collapse Bio](#)

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Exhibit N

Good afternoon
Tuesday
July 29, 2014
Vol. 113, No. 174
75 cents

Bail for marijuana heist set at \$500,000

Second robber still at large

By **ANDY MATARRESE**
staff reporter

An Ellensburg man is in jail, and an accomplice is still at large, after an alleged armed robbery involving a large marijuana stash in north Ellensburg.

Steven Mikel Taylor, 24, is held at the Kittitas County Jail on suspicion of first-degree burglary, first-degree robbery and third-degree theft following his arrest Sunday night.

Kittitas County Deputy Prosecutor Jodi Hammond, reading from a probable cause statement in Kittitas County Superior Court Monday, said Ellensburg police officers on patrol received word of a robbery at 304 W. Helena Ave. that evening.

Hammond said a man there told police he was robbed at gunpoint by two men, one he did not recognize and another who he allegedly identified as Taylor.

The man said Taylor was holding a knife and the other man had a handgun, according to the statement.

The victim told officers he allegedly used to sell drugs with Taylor, and had more than a pound of marijuana in his home, which the two allegedly demanded the man turn over during the robbery.

The victim also reportedly told officers Taylor took several dollars in cash, a digital scale and several clear glass jars, according to the statement.

Ellensburg Police Department Capt. Dan Hansberry said Monday afternoon officers are attempting to track down the second suspect.

EPD is also investigating the nature of the victim's alleged marijuana dealings, he said, adding it does in all such cases, regardless of changing marijuana laws.

Hansberry said police don't believe the marijuana was for medical purposes, and for the moment, the violent crime investigation takes precedence.

"Obviously, that gets shadowed when you talk about someone coming in and threatening you with a handgun and stealing from you," he said.

Superior Court Judge Scott Sparks set Taylor's bail, and scheduled his arraignment, where he may be formally charged, for Aug. 11.

Exhibit E

FINLEY

Pot grower fires at would-be thief

The Benton County sheriff's office says a man fired several shots when he caught someone trying to steal Medford marijuana plants from his yard early Thursday in Finley.

KVEW reported there is no indication the suspect was hit, but he did get away.

—Associated Press

Daily Record - www.dailyrecordnews.com

Friday, Oct. 3, 2014 - AS

Selah men accused of stealing medical pot

SELAH -- Two Selah men were arrested Tuesday morning after Yakima County sheriff's deputies say the men stole medical marijuana plants and displayed a handgun.

The men, ages 31 and 32, were booked into the Yakima County jail on suspicion of possession of stolen property. The 31-year-old is also suspected of unlawful firearm possession, according to a sheriff's office news release.

The men are accused of taking five planted medical marijuana plants from the backyard of a house in the 500 block of Collins Road. The plants' owner followed the men to a home in the 900 block of Jamie Drive, where he confronted them and one of the men displayed the firearm, the release said.

Deputies recovered the marijuana plants and a handgun after carrying out a search, according to the release.

Liquor board chief's Sunnyside visit now Nov. 3

SUNNYSIDE -- A visit by the head administrator of the state Liquor Control Board has been rescheduled for Nov. 3.

Rick Garza, director of the agency charged with regulating the state's new recreational marijuana industry, had planned to visit the Sunnyside City Council for an informational meeting Monday but backed out, citing an unspecified medical problem.

The city has rescheduled the meeting for 6:30 p.m. Nov. 3 at the Sunnyside Law and Justice Center, 401 Homer St.

10/1-2014

V.H.R.

Exhibit O



How New iPads are Selling for Under \$40

QuickBids



Tricks Car Insurance Agents Don't Want You to Know

HowLifeWorks



New Testosterone Booster Hits the Shelves

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Pot grow robbery gone wrong: Man killed, teen wounded

Kale Williams

Published 2:29 pm, Thursday, September 18, 2014

3 11 1 0

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(09-18) 14:27 PDT DINUBA, TULARE COUNTY -- A man was shot dead and a teenager was wounded when their attempted harvest-season robbery of a marijuana growing operation southeast of Fresno turned into a gunfight, officials said.

Deputies from the Tulare County Sheriff's Department responded at 4 a.m. Thursday to a 911 call reporting gunfire on the 10000 block of Avenue 400, a rural area near the Central Valley community of Dinuba.

Deputies found a pushed-over fence surrounding a grove of about 50 marijuana plants, each one roughly the size of an orange tree, said Sheriff Mike Boudreaux.

A search of the area turned up an AK-47, a shotgun, two police scanners, a pool of blood and what Boudreaux described as "body drag marks."

At the same time, deputies received a report from a fire station a few miles away that two individuals had been dropped off with gunshot wounds, Boudreaux said.

Upon arriving at the fire station, deputies discovered a 25-year-old man dead from multiple gunshot wounds and a 16-year-old boy suffering from a gunshot wound to the leg and bleeding profusely, Boudreaux said.

Neither of their identities were released.

The teen was rushed to a nearby hospital, where he was undergoing surgery Thursday afternoon, according to Boudreaux. He is expected to survive.

A third man, who is believed to have driven the two victims to the fire station, fled when deputies arrived, but was quickly apprehended.

During the course of the investigation - which included interviews with two individuals who lived on the property where the confrontation took place - detectives learned that there was likely a gunbattle after the two victims, and possibly the third man detained, attempted to rob the marijuana operation, Boudreaux said.

No arrests had been made by Thursday afternoon. Boudreaux said detectives were trying to sort out exactly what happened before they arrested anyone.

Kale Williams is a San Francisco Chronicle staff writer. E-mail: kwilliams@sfgate.com Twitter: @sfkale

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San Francisco Chronicle

Exhibit E

Water resource rules and regulations for marijuana growing in Washington state

Under Initiative 502, Washington voters in 2012 approved licensing for the production, possession, delivery and sale of marijuana.

The initiative makes marijuana subject to the same water use regulations as any other commercial crop in Washington state.

Water availability for outdoor growing operations can vary significantly from county to county or water source to water source. Generally, outdoor growing operations have three options for supplying water to plants:

- Obtaining water from a water right purveyor such as a public utility district or irrigation district.
- Relying on the water right permit exemption for small uses of water.
- Obtaining a water right permit.

Q: How do I obtain a water right permit in Washington state?

A: First check if your property is in an area that allows you to withdraw a limited amount of groundwater under the permit-exemption. This is a simpler solution (see next question).

If you cannot use the exemption, a permit is typically obtained by acquiring land with a water right certificate attached to it. If you are a new owner of the property, you must apply to have a permit assigned to you.

Applying for a change in the purpose and use of an existing water right is more cost-effective and accomplished easier than applying for and obtaining a new water right.

If you have to apply for a new water right or have questions about purchasing an existing water right, contact the Water Resources staff of the regional Dept. of Ecology (Ecology)

FOR MORE INFORMATION

Contact your nearest Ecology office

Central Region (Yakima):
509-457-7140

Eastern Region (Spokane):
509-329-3464

Southwest Region (Lacey):
360-407-6058

Northwest Region
(Bellevue): 425-649-7077

Guidance for indoor and outdoor marijuana growing operations is available through the Liquor Control Board at:

<http://liq.wa.gov/mjlicense/permitting>

Special accommodations

If you need this document in a format for the visually impaired, call the Water Resources Program 360-407-6872.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.



office closest to your marijuana growing operation. Staff can direct you on the best way to obtain water for your operation before you spend money and effort preparing a water right application.

For more information on the water right application process, go to:
<http://www.ecy.wa.gov/programs/wr/rights/water-right-home.html>

For more information, on changes and transfers of water rights, go to
http://www.ecy.wa.gov/programs/wr/rights/change_transfer_use.html

Q: How do I obtain a water right permit exemption for small uses of water?

A: Washington state's water right permit exemption allows the use of well water (groundwater) to:

- Provide a water supply of no more than 5,000 gpd for a home or group of homes.
- Water a non-commercial lawn or garden one-half acre in size or less with no gpd limit.
- Water livestock with no gpd limit.
- Provide a water supply of no more than 5,000 gpd for a commercial or industrial purpose including indoor and outdoor use.

gpd = gallons per day.
Measurement of how much water is used daily.

Growers holding a water right under the commercial/industrial exemption may use it to cultivate marijuana but the half acre non-commercial lawn or garden exemption in some basins cannot be transferred to a commercial/industrial exemption for growing marijuana.

Find out if your project is exempt from a water right permit:
http://www.ecy.wa.gov/programs/wr/comp_enforce/gwpe.html

Use of any exemption varies from watershed to watershed depending upon water availability, mitigation requirements and water use regulations.

Q: What restrictions apply to the use of permit-exempt wells?

A: Once you drill a water well under Washington's permit exemption and put that water to beneficial use, you hold a water right in Washington state. However, newer water rights are "junior" to older, senior water rights. Therefore the water use of junior water right holders is the first to be curtailed in the event of a drought or impairment of a senior water right drawing from the same water source.

Water management rules in certain areas of the state may prohibit new groundwater uses or impose conditions on new groundwater uses that must be met before water can be used. Growers with questions on possible restrictions of their water use should contact their nearest Ecology regional office.



Q: Will the water use limit of 5,000 gpd under the commercial/Industrial exemption provide enough water for growing marijuana?

A: Growers are responsible for researching and evaluating their water needs. Current information regarding marijuana water use is largely anecdotal. Growers are being licensed by the state Liquor Control Board in three tiers depending on how much marijuana they intend to grow, but all three tiers are estimated to require less than 5,000 gpd. The tiers by maximum amount (square feet, sf) of marijuana canopy allowed and the estimated amounts of water (gallons per day, gpd) needed for indoor grow operations are:

- **Tier 1**— 2,000 sf; 260 gpd
- **Tier 2** – 10,000 sf; 1,300 gpd
- **Tier 3** – 30,000 sf; 3,900 gpd

Water needs for outdoor grow operations, where environmental conditions cannot be controlled, are likely much higher and climate variations at different locations in the state is a significant factor in determining the water needs for growing marijuana. Given that marijuana previously has been illegal to cultivate, the state does not have the same level of data regarding the irrigation needs for various locations across the state as it possesses for traditional crops.

Q: Will I be able to use water from my irrigation district to grow marijuana?

A: In May 2014, the U.S. Bureau of Reclamation (USBR) announced that use of USBR water or facilities (reservoirs, canals, pumps, etc.) for any activities related to the cultivation and distribution of marijuana is prohibited under the Controlled Substance Act of 1970. This means any irrigation district supplied by USBR projects can not provide water for marijuana irrigation.

In Washington state, the USBR operates two large reclamation projects: the Yakima Basin Project and the Columbia Basin Project. Even though marijuana cultivation is legal under state law, Washington cannot require USBR – and the irrigation districts it contracts with – to supply water for marijuana production. There are no USBR projects in western Washington but you should contact your irrigation district to determine if water is available for marijuana irrigation.

Q: Can rainwater be collected and stored to cultivate marijuana?

A: Yes. Rainwater collection systems are legal in Washington state and do not require a water right. They can be used to store water collected in the wet season for later use. Groundwater from exempt wells can also be pumped to a storage tank or cistern that is part of the rainwater collection system and stored until needed, as long as the 5,000 gpd limit is not exceeded.

Collected rain or groundwater can only be used on the same parcel from which it was captured. More information on rainwater collection: <http://www.ecy.wa.gov/programs/wr/hq/rwh.html>

Exhibit Q

Kittitas county. Lots of anti-marijuana rhetoric and doomsday scenarios is proved to be false. A common misconception of people that are pro 502 that means you are pro marijuana, and that's absolutely not the case. We want more intelligent solution to thirty years of failed policy. Do you have a better policy than pursuit over these years, probably not, but so being pro 502 is not pro marijuana. Arguments with hay production, ban 502 because of hay production this argument has been repeated again and again, and repeated in the same thing over, without facts does not make it true. Marijuana is an annual plant with very controlled pollination there is almost zero chance that marijuana can cross pollinate with hay. **Mark Jones, 6300 Robbins Rd**, representing himself, we all have a fear of marijuana. We have a choice to take the tax revenue, or you can sit back and lose it. I watched the corn farmers turn to hay farmers, the hay farmers turn to sudan. This is a new life generation. This is a medical marijuana industry too. We have cancer, we have leukemia, seizures, and the medical is different the recreation. You are gonna sit here and program yourselves that its bad. Get your fact. I am here as a cancer survivor, I have lived here all my life. I watched Boise Cascade collapse, I watched Twin Cities Foods, the biggest growers are Ward Rugh and Anderson, a couple others and that's it. We can wrap it and grab it with our hands and go. And I thank you for having this meeting, and I urge you to get your facts straight because it's all about the money. Open your hearts, and souls and minds, don't be so closed.

Stephanie McKendrick, Sorenson Rd, I just have a couple of facts. One fact is a grow operation in production in Badger Pocket, in a three week period I have copies of sheriff's reports of the alarms going off 5 times. That is five times at night that our 2-4 deputies were out in badger pocket taking care of alarms for marijuana. Not only we are losing law enforcements those alarms are darn loud and its not pleasant. Listen to the residents, because if go online, that have now applied for marijuana are Seattle, are Vancouver. Who are you here to serve? The people from the west side or the people who live here. I moved here and I wake up every morning to the green and the hay. I took my life savings to move here because I love this community. Listen to the residents not the owners. The same property owner has not paid their property taxes from April. This same building as has an agricultural building has not had any permitting. Another building has no permits, no permitted well, or septic and hasn't paid their taxes. IS that who you want to have operating a cash business? I urge you to listen to the residents of Kittitas County.

Rollie Bernth, 650 N Willow St, representing Kittitas County Timothy Hay Growers Association and others, I have lived in Ellensburg most of my life and difficult time even discussion this topic. What's the benefit of all this? I just don't see this. Our friend their doesn't think there Isn't risk involve, and right now we are trying to ship hay to China their hay that was shipped over there wasn't even close to a GMO alfalfa field. The potential for contamination is there. If it happens this country will be in real financial trouble and the farmers will be out of business because our markets won't accept that. I don't understand why the County Commissioners didn't place a moratorium. Why are we letting three people decide our future? We should have a say in this. Again, what's the benefit? I don't know but this could turn out like Obama care cause we won't find out till it happens.

Sandy Linder, 4961 Nanuem Rd, I too agree that marijuana is not a normal agricultural crop. If you watched the news from the tri-cities you would see people climbing over fences and stealing the crop. Other growers are sleeping in tents to protect their product; I haven't seen a timothy hay farmer sleep in a tent to protect his hay bales. Why would you want to put that in our neighborhood? I don't think law enforcement is strong enough to handle this. When you call someone and you live in a rural community it takes a while to get there. I urge you to ban it outright, but if you are not going to do that move it to an area where our law enforcement can take care of it.

Kaz Murata, 7180 Sorenson Rd, one thing that puzzles me the most is the definition of agricultural. But if you apply the same principle heroin and opium is a poppy and a plant, and cocoa is a plant that produces cocaine, but it's an agricultural plant. Marijuana seems to me comes at a price, sold by gram, and goes to the straight to the brain. It does not provide any nourishment to the body. Marijuana only

Exhibit A

Ordinance 2014-015 Kittitas County Comprehensive Plan and Development Code Update

December 2, 2014

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