



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY  
P L A N N I N G   D E P A R T M E N T

Chris Bazar  
Agency Director

January 3, 2018

Agenda Item #5  
January 09, 2018

Albert Lopez  
Planning Director

224 West Winton Ave  
Room 111

Hayward, California  
94544-1215

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[www.acgov.org/cda](http://www.acgov.org/cda)

The Honorable Board of Supervisors  
County Administration Building  
1221 Oak Street, Fifth Floor  
Oakland, CA 94612

Dear Board Members:

**SUBJECT:** Appeal submitted by Charles F. Campos on behalf of Oasis Venture, LLC, of a decision of the Community Development Agency Director for a Medical Cannabis Cultivation Operator Permit application, PLN2017-00215, for property located at 7033 Morgan Territory Road, in the North Livermore area of unincorporated Alameda County, Assessor's Parcel Number: 903 -0007-001-01.

**RECOMMENDATION:**

**CDA/Planning:** The Community Development Agency Director recommends that the Board of Supervisors deny the appeal and sustain the decision that the Oasis Venture application be considered an Unsuccessful Application.

**SUMMARY:**

In response to a County Request for Proposals (RFP) to issue Medical Cannabis Cultivation Operator Permits (MCCOP), CDA/Planning received 10 applications, which were all found to be complete and forwarded to the County Selection Committee (CSC) for evaluation. The CSC reviewed all 10 applications and ranked them in order of preference against the following Final Evaluation Criteria:

- Security Plan
- Appropriateness of Site and Design of Proposed Facility
- Operating Plan
- Mitigation of Potential impacts
- Environmental Considerations
- Community Benefit
- Local Commitment

Pursuant to County ordinances and the RFP process, the top four applicants were granted Cultivation Operator Permits (see table below for final results). By ordinance (6.106.120), an appeals process is available, and Oasis Venture LLC has submitted an appeal described more fully below. Section 6.106.120 also stipulates that the Board of Supervisors will consider the appeal at a public hearing at which the Board may sustain, modify, or overrule the decision. The Board may also remand the decision back to the Community Development Director for reconsideration based on new information not previously presented to the Director.

The total scores for each cultivation application given by the three members of the County Selection Committee are listed below. The maximum number of points possible from each selection committee member is 440.

<b>Cultivation Permits</b>				
<u>Ranking</u>	<u>Applicant</u>	<u>PLN number</u>	<u>Total score</u> (out of a possible 1320 points)	<u>Average score</u> (out of a possible 440 points)
1	ACGH, Inc.	PLN2017-00213	1155	385.00
2	Sunol 3C, Inc.	PLN2017-00214	1116.5	372.17
3	CCSAC, Inc.	PLN2017-00216	1100.45	366.82
4	5840 Lindemann, LLC	PLN2017-00211	1071.75	357.25
5	Eagle Valley Farms, Inc.	PLN2017-00207	922.4	307.47
6	Rosciano Farms, LLC	PLN2017-00208	888.4	296.13
7	<b>Oasis Venture, LLC</b>	<b>PLN2017-00215</b>	<b>884.35</b>	<b>294.78</b>
8	Frank Imhof	PLN2017-00209	765.2	255.07
9	Chretien Maynes	PLN2017-00210	738.1	246.03
10	The Royal Herb	PLN2017-00212	636.65	212.22

**APPEAL:**

On December 19, 2017, Charles Campos submitted an appeal on behalf of Oasis Venture, LLC advocating in favor of his application and noting that the process did not include a site visit or oral interview. He contends that an oral interview would have provided the applicant the opportunity to explain their technology and cancer research, as well as provide clarification on the application. The appeal letter also argues that not having access to the other applications prior to the expiration of the appeal period does not provide a basis for comparison of one application to another. Also, the appellant states that there would be benefit in approving their cannabis cultivation application on a property that is located in close proximity to the property on Manning Road that was granted two of the four cannabis cultivation applications: ACGH, Inc. and CCSAC, Inc.

**DISCUSSION**

The County Selection Committee (CSC) consisted of the Planning Director, the Agricultural Commissioner and a Commander from the Sheriff's Office. As the Planning Director was on the CSC, the Community Development Agency (CDA) Director served as the final administrative decision-maker on the applications, with appeals going straight to the Board of Supervisors. At the completion of the final scoring, the CSC provided their results to the CDA Director, who reviewed and affirmed their conclusions; letters of Notice of Intention to Grant were mailed on December 14, 2017.

Although the majority of the applications for cultivation received were competitive, the process as described in the published RFP required a scoring and ranking, clearly stating that an application with a high weighted total will be deemed of higher quality than an application with a lesser-weighted total. Also, the RFP clearly explained that a site visit and oral interview were an optional 2<sup>nd</sup> stage of the final evaluation process, thereby allowing the CSC to complete the evaluation process based solely on what was submitted in the applications. After the first stage of scoring and ranking was complete, it was the consensus of the CSC that, based on the distribution of the points (evenly spread, clear top candidates), a site visit and interview would not be necessary. As scored, this application was 7<sup>th</sup> out of 10 on the final list, indicating this proposal was of a lesser quality than others submitted.

Although not explicit, the appeal letter suggests that the application be reconsidered, suggesting that either: (1) a successful application/permit be rescinded; or (2) a fifth cultivation permit be issued to Oasis Venture, LLC.

Staff recommends against a re-examination of the scoring outcome, as the three-person panel sitting as the CSC ranked the Oasis application similarly (scoring sheets attached). Also, given where Oasis ranked out of the ten applications, there is no basis for considering them a higher quality application than any of the four successful proposals.

In terms of considering additional cultivation sites, staff believes there is a potential path forward to do so if that was the direction of the Board, but it would require additional ordinance work that builds on the foundation already laid by the Board of Supervisors. The ordinance allowing the County to issue cultivation permits is based on a two year pilot program model, and a revision to the ordinance would be required to allow additional permits to be issued. Should the Board be interested in pursuing this path, staff would require additional guidance on some key questions.

**CONCLUSION:**

Based on the Final Evaluation Criteria, the results of the County Selection Committee, and the determination of the Community Development Director, it is recommended that the Board of Supervisors deny the appeal and sustain the decision that the Oasis Venture LLC application be considered an Unsuccessful Application.

Very truly yours,



Chris Bazar, Director  
Community Development Agency

Enc: Appeal Letter from Oasis Venture LLC  
Scoring sheets for Oasis Venture LLC  
RFP submittal from Oasis Venture LLC  
RFP final  
County Ordinance Chapter 6.106 (cultivation)





PLN 2017-215



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December 19, 2017

Alameda County, CDA-Director Chris Bazar  
224 West Winton Avenue, Room 110  
Hayward, CA 94544

RE: MCCOP RFP - Appeal

Dear Chris,

The Oasis Venture, LLC wishes to formally exercise it's right of appeal under section 6.106.120 of the Alameda County General Ordinance Code.

As implemented, the process did not include the site visit or oral interview. We believe the Oasis Venture application offers many advantages. We believe an oral interview would not only have provided us an opportunity to expand on our leading-edge technology and our Veterans Administration CRADA for cancer research at UCSF but would have given us an opportunity to clarify and explain any perceived shortcomings in our application.

In addition, the appeal process as implemented does not give unsuccessful applicants a basis of comparison to successful applications from which to base an appeal since examination of the successful applications does not become public record until after the appeal process 10-day time window is expired.

Finally, our location is across from a site that has been granted 2 permits. Having 3 permits in very close proximity provides many advantages during the pilot and on an ongoing basis to both CDA and the Sheriff's department.



The Oasis Venture is fully committed to working with Alameda County elected officials and staff to demonstrate how cannabis cultivation enhances agriculture in Alameda County. We are also fully committed to the significant cancer research with cannabis a permit enables.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuk Campos".

Chuk Campos  
Founder & Managing Member

Oasis Venture, LLC

7033 Morgan Territory Road  
Livermore, California 94551  
925.606.6185

[www.oasisventure.com](http://www.oasisventure.com)

cc: Clerk of the Board of Supervisors, Anika Campbell-Belton

County Selection Committee member:

R.M.

Date:

Applicant:

Oasis

PLN 2017-215

LOCAL AGRICULTURAL COMMUNITY COMMITMENT	
I.	<p><b>Local Commitment:</b></p> <p>Points equaling up to ten percent of the Applicant's total score for the above Final Evaluation Criteria (Stage 1 + Stage 2) will be added based on the extent to which the Applicant(s) demonstrate an historic and/or a long-term commitment to improving the local agricultural community.</p> <p style="text-align: right;">Ten Percent (10%)</p>

Notes:

	Criteria	0-5 point scale range	X possible points	Total Points
A	Security Plan	3	20	60
B	Appropriateness of Site and Design of Proposed Facility	4	20	80
C	Operating Plan	4	20	80
D	Mitigation of Potential impacts	4	10	40
E	Environmental Considerations	4	5	20
F	Community Benefit:	2	5	10
G	Oral Interview:		10	
H	Site Visit:		10	
I	Local Commitment:	4% (11.6)	10%	11.6
			Subtotal	290
			Grand Total	301.6





County Selection Committee member: *H-I*

Date:

Applicant: *Oasis*

*PLN 2017-215*

LOCAL AGRICULTURAL COMMUNITY COMMITMENT	
I.	<p><b>Local Commitment:</b></p> <p>Points equaling up to ten percent of the Applicant's total score for the above Final Evaluation Criteria (Stage 1 + Stage 2) will be added based on the extent to which the Applicant(s) demonstrate an historic and/or a long-term commitment to improving the local agricultural community.</p> <p style="text-align: right;">Ten Percent (10%)</p>

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Dunes Property for type and has maintained by activities on site.*

	Criteria	0-5 point scale range	X possible points	Total Points
A	Security Plan	3	20	60
B	Appropriateness of Site and Design of Proposed Facility	4	20	80
C	Operating Plan	4	20	80
D	Mitigation of Potential Impacts	3	10	30
E	Environmental Considerations	4	5	20
F	Community Benefit:	2	5	10
G	Oral Interview:		10	
H	Site Visit:		10	
I	Local Commitment:	5%	10%	
				280
			Grand Total	



Applicant: *The Oasis*

*PLN2017-00215*

LOCAL AGRICULTURAL COMMUNITY COMMITMENT	
I.	<p><b>Local Commitment:</b></p> <p>Points equaling up to ten percent of the Applicant's total score for the above Final Evaluation Criteria (Stage 1 + Stage 2) will be added based on the extent to which the Applicant(s) demonstrate an historic and/or a long-term commitment to improving the local agricultural community.</p> <p style="text-align: right;">Ten Percent (10%)</p>

Notes: *Sally Port system, good location for greenhouses, research only. Detailed job descriptions, fair operating plan*

	Criteria	0-5 point scale range	X possible points	Total Points
A	Security Plan	<i>4</i>	20	<i>80</i>
B	Appropriateness of Site and Design of Proposed Facility	<i>4</i>	20	<i>80</i>
C	Operating Plan	<i>3</i>	20	<i>60</i>
D	Mitigation of Potential impacts	<i>3</i>	10	<i>30</i>
E	Environmental Considerations	<i>3</i>	5	<i>15</i>
F	Community Benefit:	<i>2</i>	5	<i>10</i>
G	Oral Interview:		10	
H	Site Visit:		10	
I	Local Commitment:		10% <i>5%</i>	<i>13.75</i>
			<b>Grand Total</b>	<b><i>288.75</i></b>





Oasis Venture, LLC  
7033 Morgan Territory Road  
Livermore, California 94551  
925.606.6185

RFP Response to:

County of Alameda  
Medical Cannabis Cultivation Operator Permits ("MCCOP")

Alameda County, CDA-Planning  
224 West Winton Avenue, Suite 111  
Hayward, CA 94544





# EXHIBIT A

## APPLICATION RESPONSE PACKET

MCCOP RFP 2017

To: The County of Alameda, Community Development Agency

From: **Oasis Venture, LLC**

(Official Name of Applicant)

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- **AS DESCRIBED IN THE SUBMITTAL OF APPLICATIONS SECTION OF THIS RFP, APPLICANTS ARE TO SUBMIT ONE ORIGINAL HARDCOPY APPLICATION (EXHIBIT A – APPLICATION RESPONSE PACKET), INCLUDING ADDITIONAL REQUIRED DOCUMENTATION), WITH ORIGINAL INK SIGNATURES, PLUS 6 COPIES AND ONE ELECTRONIC COPY OF THE APPLICATION IN PDF**
- **ALL PAGES OF THE APPLICATION RESPONSE PACKET (EXHIBIT A) MUST BE SUBMITTED IN TOTAL WITH ALL REQUIRED DOCUMENTS ATTACHED THERETO; ALL INFORMATION REQUESTED MUST BE SUPPLIED**
- **EACH APPLICANT MUST SIGN AND SUBMIT THE APPLICANT INFORMATION AND ACCEPTANCE FORM BELOW**
- **EACH LANDOWNER MUST SIGN AND SUBMIT THE LANDOWNER INFORMATION AND ACCEPTANCE FORM BELOW**
- **ALL NOTATIONS MUST BE PRINTED IN INK OR TYPEWRITTEN; ERRORS MAY BE CROSSED OUT AND CORRECTIONS PRINTED IN INK OR TYPEWRITTEN ADJACENT, AND MUST BE INITIALED IN INK BY PERSON SIGNING THE APPLICATION**







## Required Documentation and Submittals

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October 25, 2017

Alameda County, CDA-Planning  
224 West Winton Avenue, Suite 111  
Hayward, CA 94544

RE: MCCOP RFP - Response

Hello,

The Oasis venture has evolved over the last 4½ years. From the start, we have had a focus on agriculture, water, energy, and food innovation, education, and commercialization. Today, this focus is commonly referred to as Agriculture Technology or "Agtech".

Cannabis for medical use has long helped people suffering with a variety of ailments. More and more research is being performed to discover the medical benefits of cannabis. As a high value agricultural product, it enjoys a significantly higher profit margin than most other crops. Consistency of quality and yield has long been a problem with cannabis cultivation for a variety of reasons. As a result, there is significant interest in increasing both the quality and yield. Even small gains provide compelling reasons for investors to invest in Agtech.

About a year ago, the Oasis had the good fortune to team up with an investor who was inspired by the purpose of the Oasis and introduced a leading scientist in cancer research from the University of California San Francisco Veterans Administration hospital to the Oasis. A commitment was made and the Oasis Venture, LLC was born.

To this end a Cooperative Research and Development Agreement (CRADA) was pursued and has been granted between the Oasis Venture, LLC and the United States Veterans Administration to conduct cancer research over a 5-year period. (A copy of the CRADA will be furnished on request.) The first year will be focused on prostate cancer. Years 2 – 5 will involve research on a number of other cancers including breast cancer and cervical cancer. With the granting of a cultivation permit at the Oasis by Alameda County, a variety of organic pesticide and fungus free strains of cannabis will be provided to support this important research. We expect there to be enough cannabis grown at the Oasis to support other medical research by other scientific research programs also.



## **Innovation**

The Oasis intends to use a novel though proven hybrid hydroponic aeroponic technology to cultivate cannabis. Harmful chemicals and pesticides will not be used. Plant related diseases and infections are virtually eliminated with our growing technology. Water use in our fully climate controlled state-of-the-art greenhouses will be a mere 70,000 gallons a month for our 22,000-square foot canopy. All water used in the operation will be recycled. Energy use will also be minimized. Given our ideal location for PV-solar, we expect to offset our impact to the power grid.

Our commitment to innovation drives us to continually improve our growing, drying, trimming, and curing operations. It will drive us to improve related functions including innovations in track and trace, safety, security, waste processing, and anything we can do to advance education, community benefit, and the evolution of public policy.

## **Education**

The Oasis is and will be involved with education in a variety of ways. We are already participating in the Alameda County Cannabis Education Youth and Adult Awareness (CEYAA) Committee. Oasis has also been involved over the past several years with mentorship and other educational programs for UC Davis, Lawrence Livermore National Lab, Sandia National Lab, and the Cleantech Open.

The Oasis facilities have already been used to hold a variety of classes and seminars. As we become operational, we expect to extend relationships in the community to host a variety of educational programs in support of scientists, entrepreneurs, farmers, teachers, community colleges, law enforcement, as well as the community at large.

We will develop programs at all levels in conjunction with the schools, universities, labs, and local businesses for job training in crop management, controlled climate environments, water management systems, waste management, energy management, and high-tech infrastructures to support local sustainability. We expect to provide a variety of programs for veterans and other groups who may need an extra hand such as the "high functioning homeless".

## **Community**

The Oasis Venture values the communities it is a part of from our immediate neighbors, to the Tri-Valley area, Alameda County, and beyond. As one of the owners of the Oasis, I have been actively involved over the past few years with the Alameda County Agricultural Advisory Committee and am more recently involved in the Measure D Working Committee. I have also been an Alameda County property owner since 1989.



We will constantly monitor our value and impact in the community. We will reach out and make sure we are properly controlling risks through exceptional security measures and environmental controls. We will continually work to excel in our operations. We will continually work to exceed expectations.

Cannabis cultivation at the Oasis will also fund and help sustain the agricultural infrastructure supporting the Oasis Venture enabling the Oasis Innovation Center and the Oasis Institute to fully launch and provide an even broader range value to Alameda County.

The Oasis Agtech incubator and innovation showcase will launch. An accelerator program educating startups and others will launch. An externship program will provide scientists, engineers, and educators an opportunity to collaborate in an entrepreneurial environment. Job programs providing hands on education will help train and retrain farmers and workers in the latest array of Agtech. This will only improve innovation, education, and accelerate commercialization of more and better Agtech related products to further promote local sustainability.

The Oasis Venture is fully committed to working with Alameda County elected officials and staff to demonstrate how cannabis cultivation enhances agriculture. Please feel free to verify the information contained in this application. We have reviewed, understand, and accept performance standards for cannabis cultivation that may be adopted by the director. Inspections and process reviews are hereby authorized and welcomed.

We are committed to compliance in both state and county and certify under penalty of perjury the information contained in this application is true and correct. Working together, we can all gain the most benefit learning from this 2-year pilot and beyond.

Sincerely,

**Chuk Campos**  
**Founder & Managing Member**

**Oasis Venture, LLC**

7033 Morgan Territory Road  
Livermore, California 94551  
925.606.6185

[www.oasislivermore.com](http://www.oasislivermore.com)



## **APPLICANT INFORMATION AND ACCEPTANCE**

1. The undersigned Applicant declares that the Application Documents, including, without limitation, the RFP, Addenda, and Exhibits have been read.
2. The undersigned Applicant has reviewed the Application Documents and fully understands the requirements in this RFP.
3. The undersigned Applicant authorizes the County, its agents and employees, to seek verification of the information contained in the Application.
4. The undersigned Applicant agrees to hold harmless and indemnify the County from all costs and expenses including attorney's fees that the County may incur in connection with processing the Applicant's Application.
5. The undersigned Applicant declares, under penalty of perjury, that:
  - a. I am the Applicant or have legal authority to sign on behalf of the Applicant;
  - b. The Applicant has the ability to comply with laws regulating businesses in the state of California and shall maintain compliance with all relevant laws during the term of the permit;
  - c. The Applicant and any person with an ownership interest of more than ten (10) percent in the proposed cultivation operation has not been convicted of a felony within the past three years; and
  - d. The Applicant is at least eighteen (18) years of age.
6. The undersigned Applicant certifies, under penalty of perjury, that:
  - a. All the information contained in this Application is true and correct; and
  - b. The Applicant accepts the Performance Standards and Standard Conditions for Pilot Program Medical Cannabis Cultivation Sites adopted by the Planning Director.

**[SIGNATURE AND ADDITIONAL INFORMATION AND ACCEPTANCE FOLLOW ON NEXT PAGE]**



APPLICANT INFORMATION AND ACCEPTANCE (CONTINUED)

Official Name of Applicant: Oasis Venture, LLC

Street Address Line 1: 7033 Morgan Territory Road

Street Address Line 2: \_\_\_\_\_

City: Livermore State: CA Zip Code: 94551

Webpage (if applicable): www.oasislivermore.com

Type of Entity / Organizational Structure (check one):

Corporation

Joint Venture

Limited Liability Partnership

Partnership

Limited Liability Corporation

Non-Profit

Other: \_\_\_\_\_

Jurisdiction of Organization Structure: California

Date of Organization Structure: February 3, 2017

Primary Contact Information:

Name / Title: Charles F. Campos/Managing Member

Telephone Number: 925-606-6185 Fax Number: no inbound

E-mail Address: chuk@oasislivermore.com

SIGNATURE: 

Name and Title of Signer: Charles F. Campos/Managing Member

Dated this 23rd day of October 2017

APPLICANT INFORMATION AND ACCEPTANCE (CONTINUED)

Official Name of Applicant: Oasis Venture, LLC

Street Address Line 1: 7033 Morgan Territory Road

Street Address Line 2: \_\_\_\_\_

City: Livermore State: CA Zip Code: 94551

Webpage (if applicable): www.oasislivermore.com

Type of Entity / Organizational Structure (check one):

- |   |  |
|---|--|
| <input type="checkbox"/> Corporation                              | <input type="checkbox"/> Joint Venture |
| <input type="checkbox"/> Limited Liability Partnership            | <input type="checkbox"/> Partnership   |
| <input checked="" type="checkbox"/> Limited Liability Corporation | <input type="checkbox"/> Non-Profit    |
| <input type="checkbox"/> Other: _____                             |  |

Jurisdiction of Organization Structure: California

Date of Organization Structure: February 3, 2017

Primary Contact Information:

Name / Title: Charles F. Campos/Managing Member

Telephone Number: 925-606-6185 Fax Number: no inbound

E-mail Address: chuk@oasislivermore.com

SIGNATURE: \_\_\_\_\_  


Name and Title of Signer: Charles F. Campos/Managing Member

Dated this 23rd day of October 2017



**LANDOWNER INFORMATION AND ACCEPTANCE**

- 1. The undersigned Landowner declares, under penalty of perjury, that:
  - a. I am the owner of the proposed cultivation site identified in Exhibit A;
  - b. I consent to the proposed use of the land by the Applicant for the purpose of a medical cannabis cultivation operation.

*If the site has more than one landowner, the signature of each landowner is required. Provide a completed Landowner Information and Acceptance for each landowner and clearly identify the total number and names of all relevant Landowners.*

Official Name of Landowner: Campos Family Trust

Street Address Line 1: 7033 Morgan Territory Road

Street Address Line 2: \_\_\_\_\_

City: Livermore State: CA Zip Code: 94551

Type of Entity / Organizational Structure (check one):

- |  |  |
|--|--|
| <input type="checkbox"/> Corporation                           | <input type="checkbox"/> Joint Venture |
| <input type="checkbox"/> Limited Liability Partnership         | <input type="checkbox"/> Partnership   |
| <input type="checkbox"/> Limited Liability Corporation         | <input type="checkbox"/> Non-Profit    |
| <input checked="" type="checkbox"/> Other: <u>Family Trust</u> |  |

Jurisdiction of Organization Structure: California

Date of Organization Structure: August 27, 1994

Primary Contact Information:

Name / Title: Charles F. Campos/Trustee

Telephone Number: 925-606-6185 Fax Number: no inbound

E-mail Address: chuk@oasislivermore.com

SIGNATURE: \_\_\_\_\_

Name and Title of Signer: Charles F. Campos/Trustee

Dated this 23rd day of October 2017



**SECTIONS 3a & 3b**  
**REDACTED**





# Site Plan

On its gently sloping 92.53 acres in the north Livermore foothills of Alameda East County, APN: 903-7-1-1 is an ideal location for a pilot cannabis cultivation site. It is far enough from dense traffic yet very assessible.

The land is zoned for agriculture. The land use designation of Resource Management dates back to an EIR done in the early 1990's. With modern controlled climate agriculture, the restrictions currently interpreted by this designation is a contradiction. The north Livermore foothills have water availability issues. The hybrid aero/hydroponic technology used in our controlled climate greenhouse environment will consume well less than 5% of the water typically consumed with traditional growing. In addition, we will cleanse and reuse the water again and again.

## The Oasis Neighborhood

Other agricultural properties are the only adjoining neighbors. Cattle grazing is the primary use followed by sheep and a few horses. Neighbors have other barnyard animals such as chickens, also. We graze cattle on part of the property – well away from the proposed cultivation area.



Some neighbors also grow one crop of winter grains for animal hay. The Oasis does too in areas east of the residential envelope.



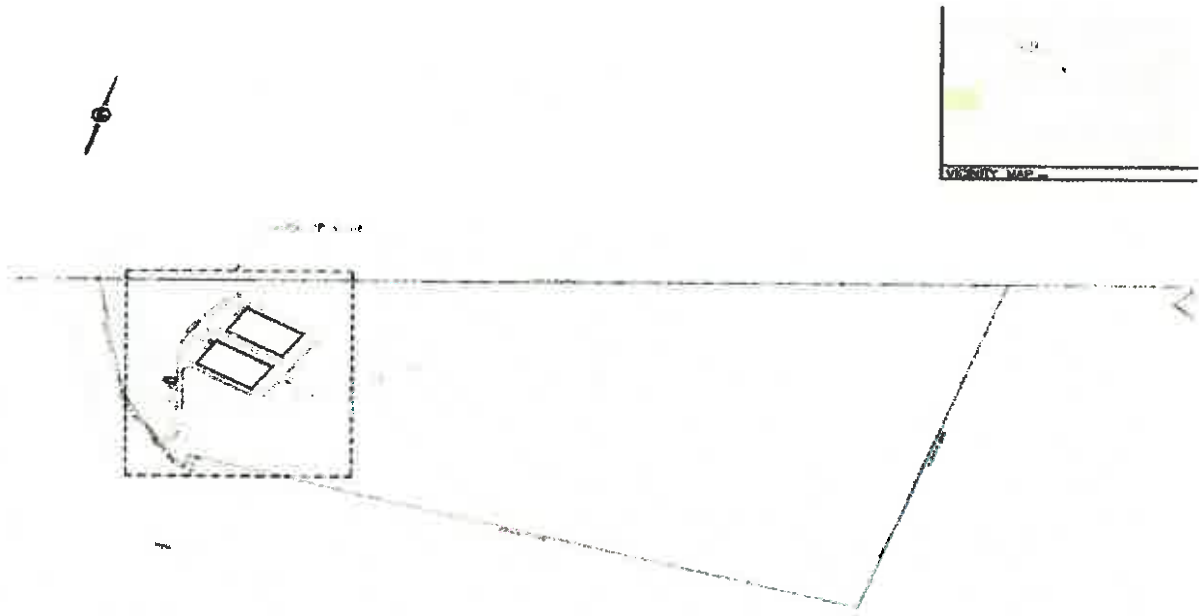
## Property Lines



The property line approximation is indicated in the illustration above by the black lines. There are 4 houses on the north border and one on the west border. The west side neighbor and one neighbor to the north are the closest neighbors to the cultivation site though well beyond ordinance restrictions. To the south there are 6 houses. Five of them are at least ½ mile away with the remaining one about ¼ mile away. Practically speaking, there are no neighbors to the east.



The picture below is a similar view of the property boundary prepared by Greenwood & Moore, the architectural firm engaged for the Oasis venture. It shows the planned cultivation site in the context of the whole property accommodating 2 greenhouses.





## Cultivation Area

The picture below shows the west side of the property. The white line shows the paved access road and the yellow line is Morgan Territory Road. Trees are visible along Cayetano Creek and in the old homestead area of the property. There's also a barn visible. It is over 100 years old. Farm equipment is visible in the middle of the picture. The upper right of the picture shows the edge of the residential envelope.



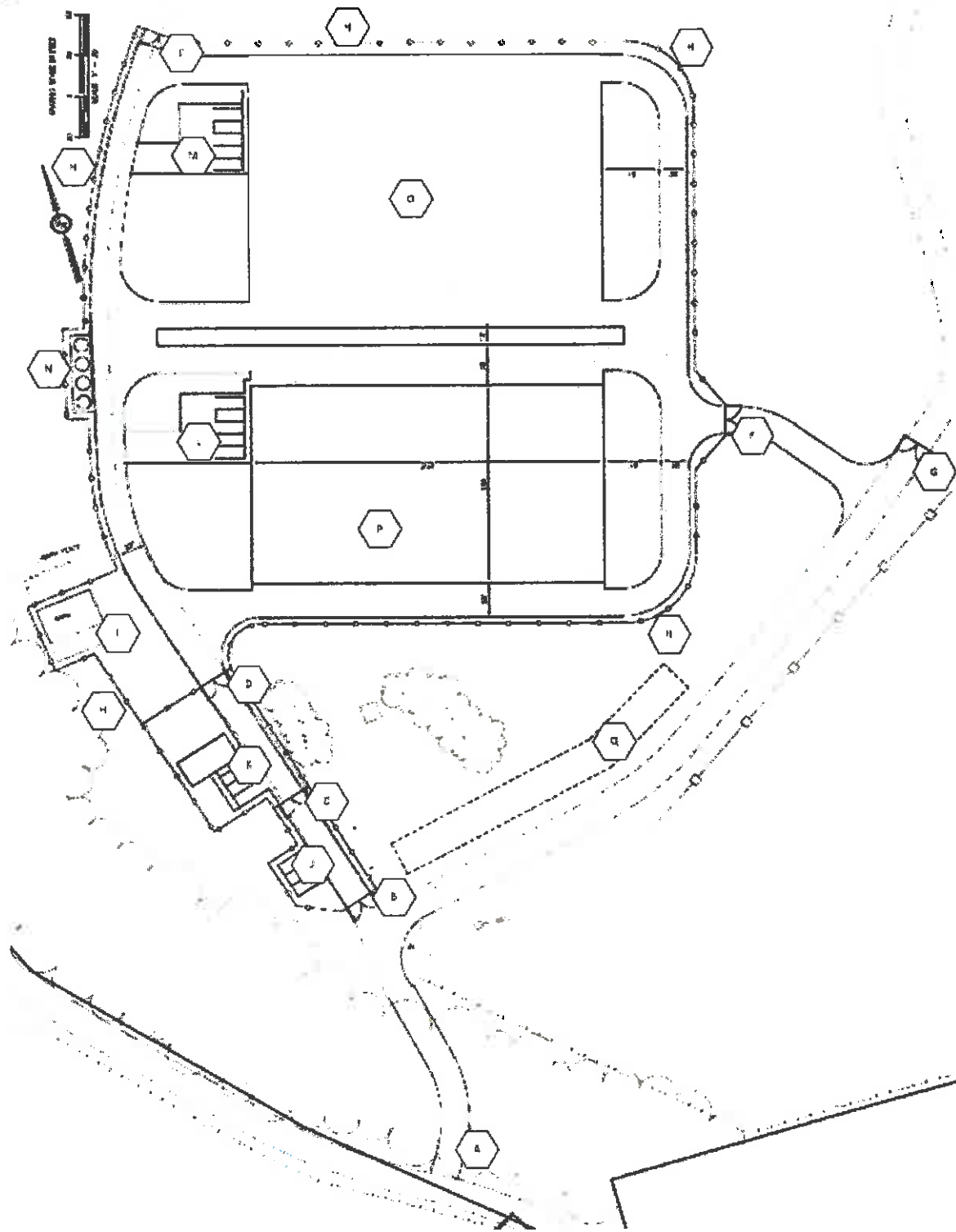


The picture below is taken from the driveway of the main residence and shows the proposed cultivation area. The historic barn, baled hay, and farm equipment are also pictured. The Cyprus trees on the left are a part of the original property home site. The greenhouse area will be located in the open field.





OASIS





The facing page is a concept drawing of the planned cultivation site at the Oasis. It is annotated with hexagon shapes having letters that reference the following:

- A. Property Entrance
- B. First entry gate into the cultivation area for preliminary screening of "visitors".
- C. Second entry gate into cultivation area for cleared "visitors". Only one visitor vehicle will be permitted in this area at a time. Depending on purpose, the visitor will drive into this area and park. This will include receiving supplies for the cultivation site. More often, this will be the area where cannabis product orders will be processed. There is a secured security office in this area where safes will store cured cannabis for pickup by licensed California cannabis distributors.
- D. Third entry gate into cultivation area leading to the cultivation facilities.
- E. Fourth entry/exit gate into the cultivation area leading to the rear area outside of the cultivation site and to other areas of the property. This gate will generally be closed all the time.
- F. Employee entrance gate.
- G. Entry gate to the unsecured area of the property.
- H. Perimeter fencing for the cultivation area.
- I. Historic barn. This area is where Cannabis Processing Operations will occur. It will contain full ADA accommodations.
- J. Parking area for cleared "visitors" with ADA accommodation.
- K. Parking area for product pickup and security office with ADA accommodation.
- L. Parking area for Oasis Venture greenhouse. It will have ADA accommodations.
- M. Parking area for future expansion with ADA accommodation.
- N. Water tanks and fire department hydrant access.
- O. Area for future greenhouse.
- P. Oasis Venture greenhouse with required ADA accommodations. This is where our Cannabis Cultivation Operations will occur.
- Q. Water runoff holding area for recycling.



This proposed cannabis cultivation site is naturally screened from visibility. A comprehensive landscape plan will be developed during the Conditional Use Permit stage of this process to provide additional screening and to further enhance security and the scenic beauty of the area.

## Oasis Venture Cannabis Cultivation

This picture is of a cannabis cultivation site in Colorado. Its purpose here is to illustrate the general type of greenhouse we are looking at putting in. Our site will utilize a 6-peak version of this picture where each peaked area is 42x144 feet for a total area of 36,288 square feet.



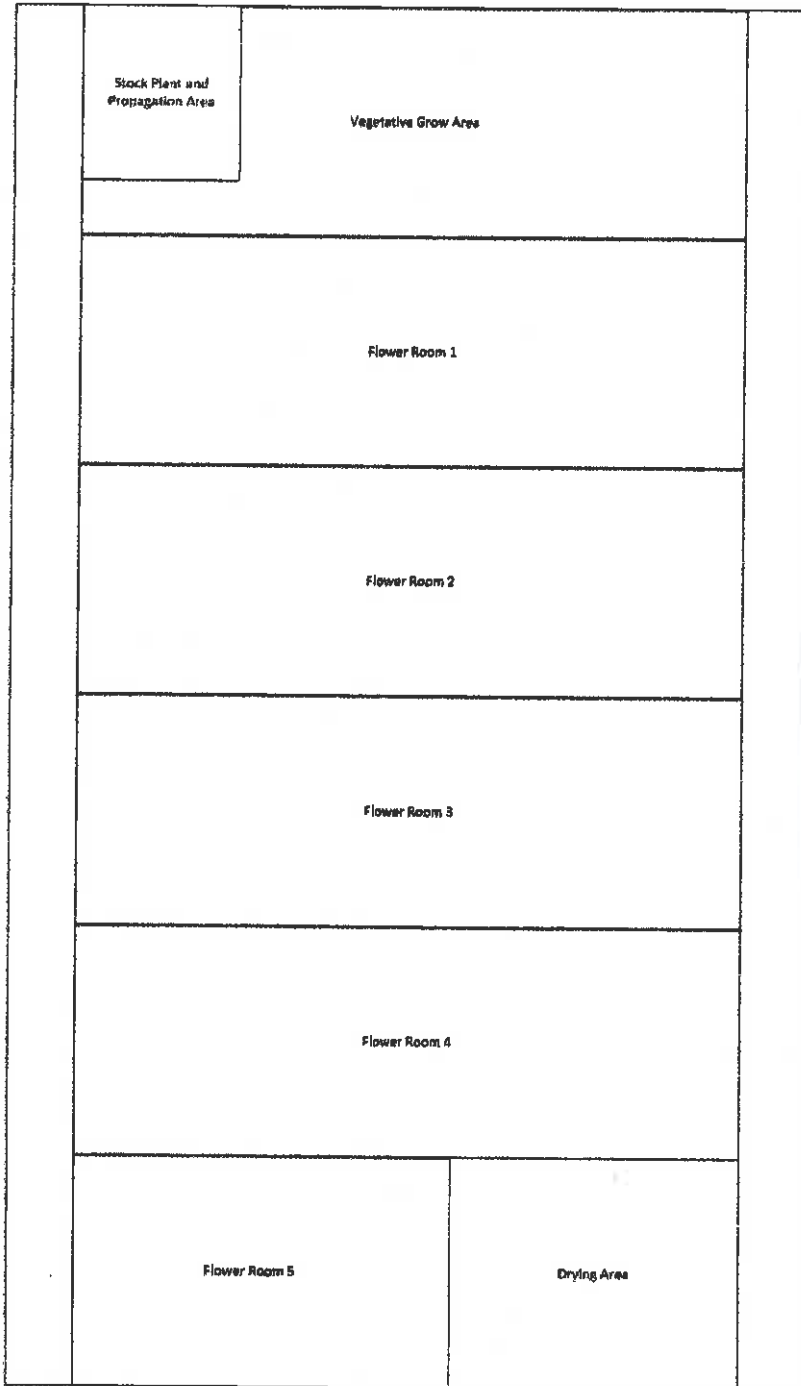
With the patented growing system planned for the Oasis Venture, 36,288 square feet is the greenhouse area necessary for 22,000 square feet of cannabis canopy plus the equipment and systems necessary in a modern state-of-the-art controlled environment.



The gutter height will be 14' with a 10' rise to the peak. The picture on the left illustrates the interior structure of the type of greenhouse we plan to put in. It is the interior of one of the peaked areas of the greenhouse in Colorado pictured above. (Note: the growing method shown here is not at all similar to the patented method planned for the Oasis.)



## Cultivation Operation



The block diagram at the left shows the main greenhouse areas planned. The greenhouse will be used exclusively for Cultivation Operations.

**Stock Plant and Propagation Area –** This room is intended for the maintenance and growth of stock plant material from which new plants will be propagated. This space is designed to provide a minimum of 18 hours of light to the plants daily using supplemental lighting as needed to ensure exclusively vegetative growth of plants while producing no flowers. New propagation batches will reside in this space until

cuttings are rooted and ready to be moved into the Vegetative Grow Area.





## OASIS

**Vegetative Grow Area** – This room is intended for the growth of plants in the vegetative growth stage. These spaces are designed to provide a minimum of 18 hours of light to the plants daily using supplemental lighting as needed to ensure exclusively vegetative growth of the plants while producing no flowers.

**Flower Areas 1 to 5** – These rooms are intended for the growth of plants in the flowering growth stage. This part of the facility is designed to provide precisely 12 hours of light to the plants daily using blackout light deprivation material and supplemental lighting as needed. Plants occupying this space will produce cannabis flowers suitable for drying and curing. A rotation will be established where half of one Flower Area will be ready to harvest each week.

**Drying Area** – This area is will have specific climate control for drying harvested Cannabis Plants during the 10 -12 day drying period of the cultivation process. Dried cannabis plants will be moved from the Cultivation Operation greenhouse Drying Area to the Processing Operation facility in the Historic Barn area to prepare it for sale.

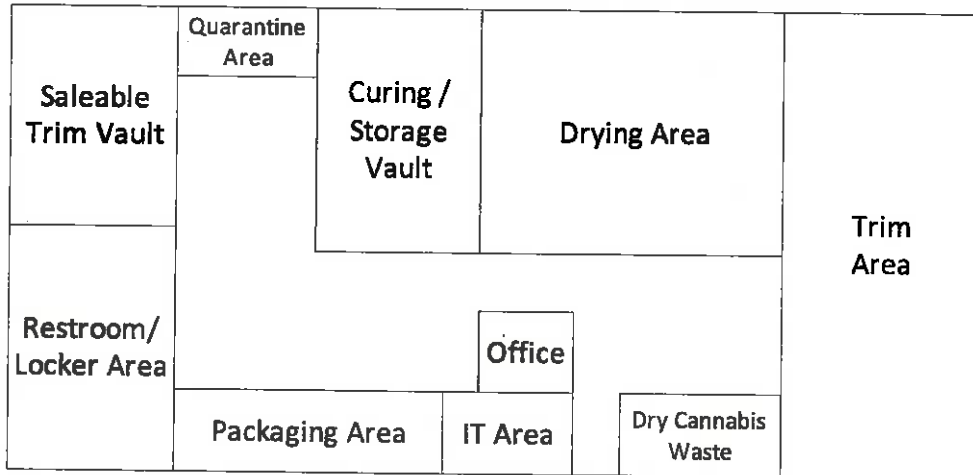
**Secondary Areas** – There will be a set of secondary areas not illustrated in the greenhouse block diagram for:

1. Tools
2. Nutrients
3. Track and Trace supplies and equipment
4. Climate and Cultivation Control systems
5. "Wet" Cannabis Waste
6. ADA compliant restrooms w/lockers
7. Break area
8. Office



## Processing Operation

We are in the process of evaluating options for a 3,300 square foot facility in the Historic Barn area to perform the processing operations. Detailed plans will be submitted with our CUP application. The block diagram below indicates our plans to date.



**Drying Area** – This area will have the same climate control for drying harvested Cannabis Plants during the 10 -12 day drying period of the cultivation process as the Drying area in the greenhouse. Dried cannabis plants will be moved from the Cultivation Operation greenhouse Drying Area to this Drying Area. Depending on inventories and workflow harvested plants may dry in either of the two Drying Areas.

**Trim Area** – This area will be used to trim the harvested cannabis.

**Dry Cannabis Waste Area** – This secure area will be used to store unsaleable cannabis trim.

**IT Area** – This secure area houses the servers and primary computer resources for the site.

**Office** – The Office is located to have maximum view of the processing operations.

**Packaging Area** – This area will be used to package cannabis for shipment through a licensed distributor for testing or for sale.



### **Restroom / Locker Area**

**Saleable Trim Vault** – This climate controlled secure vault area will be used to store saleable cannabis trim.

**Quarantine Area** – This climate controlled secure vault area will be used to store cannabis batches awaiting results from a certified testing facility.

**Curing Storage Vault** – This climate controlled secure vault area will be used to cure the final cannabis product and to hold cured product prior to sale.

**Secondary Areas** – There will be a set of secondary areas not illustrated in the block diagram for:

1. Tools
2. Packaging supplies and equipment storage
3. Track and Trace supplies and equipment storage
4. Conference Area
5. Break Area
6. Administrative Area

### **Security, Shipping, and Receiving Operations**

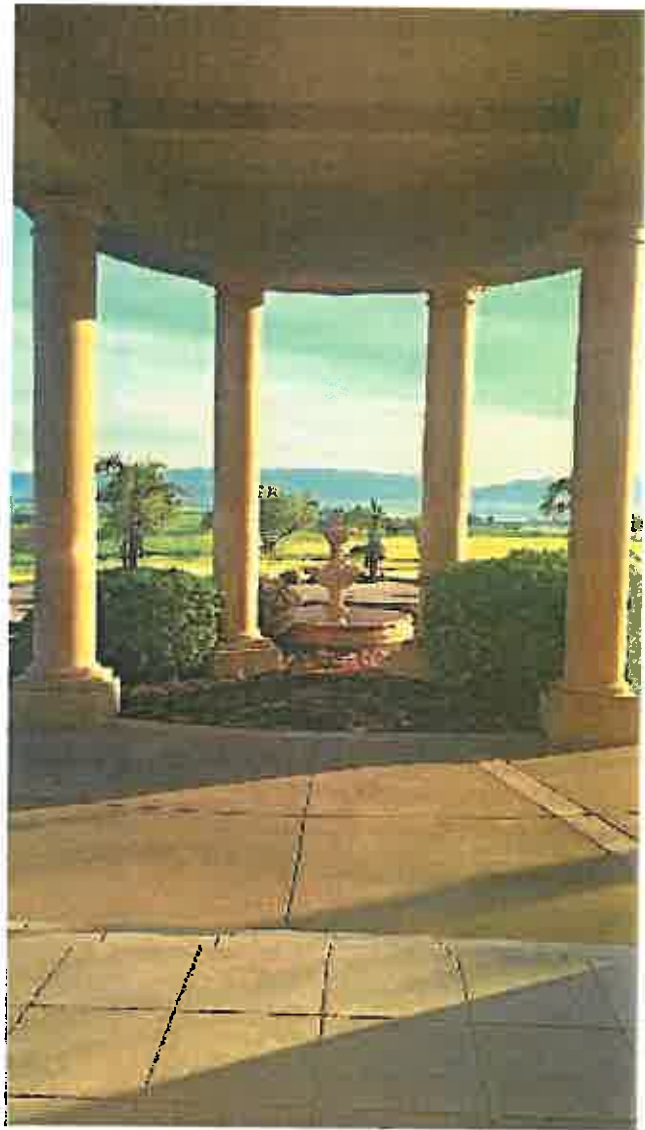
We are in the process of evaluating options for a 640 square foot facility in area "K" shown in the cultivation site layout above. Detailed plans will be submitted with our CUP application.

This facility will house the security office. It will also contain a vault to hold cannabis for a licensed distributor for pickup that day. There will be a shipping/receiving staff member on rotation in this facility, too. There will also be a unisex ADA compliant restroom in this area.



# Description of External Appearance

The Oasis is located less than 5 straight miles from Highway 580 at Livermore Avenue in Livermore. In the northern hills surrounding the valley it is easily accessible yet a world away – an ideal location for cannabis cultivation.





Approaching the property towards the end of North Livermore Avenue at Manning Road, the property view is of the main house and land that is clearly agricultural.



The pictures below show the entry to the Oasis access road from Morgan Territory Road and then back again to Morgan Territory Road. There is no signage at all and we expect to keep it this way. The access road is paved and has provided easy access for emergency equipment including larger fire equipment on several occasions. Access into the property should not be an issue.



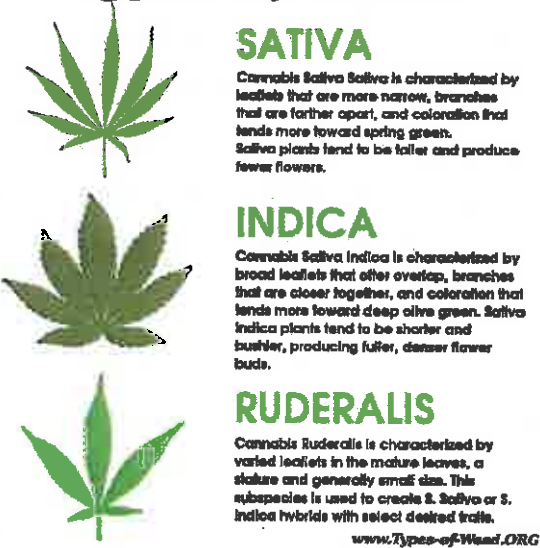
Tab 08 - Alameda County MCCOP RFP Response - Item F- Description of External Appearance



## Description of Products

Cannabis is an annual, dioecious (having separate male and female plants), flowering herb in the Cannabaceae family. There are three species of *Cannabis*: *Sativa*, *Indica*, and *Ruderalis*. Hemp is a variety of *Cannabis Sativa* developed to produce fiber and contains very low amounts of the bioactive THC (tetrahydrocannabinol); varieties of all three species that produce higher amounts of THC are available for cultivation for medicinal or recreational use. THC is produced by trichomes on flowers borne on the female plants; as such, the flower buds are harvested and processed for use. Marijuana can be grown indoors, outdoors, or in greenhouses. Indoor and greenhouse marijuana can be grown in soil, growing mixes (various organic and mineral ingredients substituting for soil), or hydroponically (in water enriched with nutrients).

### Types Of Weed



The Oasis will grow all three species of cannabis: *Sativa*, *Indica*, and *Ruderalis*. Our goal is to provide a widest range of properties found in cannabis to maximize the range of scientific research and produce the most scientific value.

We will use a patented hybrid aeroponic/hydroponic system for cannabis cultivation. The nutrient quantities and pH will be regularly monitored to maintain optimal levels.

During the vegetative stage of growth, imbalances will delay growth, but otherwise have no negative long-term effect. With flowering plants, however, a single day of imbalance will irrevocably damage the potential of the final product since the



flowering process is on its own countdown clock that continues to tick regardless of the condition of the plants.

Cloning cannabis requires a more scientific approach to monitoring environmental factors than most flower growers are accustomed to maintaining. Temperatures and moisture levels of incubating clones need to be maintained within very narrow ranges to keep unrooted plants happy while they are switching gears to form new roots.



We will maintain our "Mother" plants in a vegetative state in our nursery. With 18-24 hours a day of light, they will never flower. We will use similar space to get plants ready for flowering. The best Mother plant specimens will be used to provide cuttings. These cuttings will provide the plants which will be grown in a vegetative state until flowering.

The method of cutting plants for clone production for flowering systems is very important. Each cut taken from the plant affects the structure and yield of the plant in the following days and weeks. Depending on the variety, we will prune to the ideal



number of branches that will fill the canopy without blocking light from lower parts of the plant. This varies wildly from one strain to the next. Indica type plants need time to stretch out before being cut, whereas Sativas need to be cut back very quickly and intensely

to encourage a bushier structure, which is ultimately higher yielding in both cloning and flowering.

Our primary product objective is to produce a continuum of cannabis plants, so the widest range of cannabinoid properties can be provided for research. Different properties in varying quantities are expected to provide different benefits to different people across a range of diseases. Understanding these differences will enable doctors to ultimately prescribe the most effective medicine value to their patients.



**THE OASIS**

a venture dedicated to Agtech  
INNOVATION • EDUCATION • COMMUNITY

## Mission Statement

The Oasis Venture will cultivate the purest, cleanest, highest quality, pesticide free cannabis for medical research. There is a rapidly growing body of evidence cannabis has tremendous medical benefit. To this end the Oasis Venture has been granted a 5-year cooperative research and development agreement with the U.S. Veterans Administration for cancer research. We expect to provide a variety of high grade strains of cannabis to the UCSF VA hospital for this and other medical research.

In parallel we will be supporting our local community and beyond in a variety of ways. We are dedicated to collaborative innovation in agriculture technology – continually advancing better more effective and sustainable ways to grow more and better food and medicine with less water, less environmental impact, less water, and less energy. We will involve our local community through a variety of educational programs and job training programs in state-of-the-art Agtech.









# Mitigation Measures

The Oasis engaged Terraphase Engineering to perform an initial environmental assessment and to provide a mitigation strategy. Alice Hale Price, PE and Wendy Bellah, PE of Terraphase provided the following description of the methods we will employ to mitigate potentially adverse impacts on surrounding property owners:

In accordance with General Code Section 6.106.080.A.16, the Oasis commits to ensuring that potentially significant adverse impacts to surrounding property owners will be mitigated to a less than significant level. The proposed project is currently in the design phase, and as such, the specific environmental analysis studies have not been completed. Following award of the Alameda County MCCOP, during the Conditional Use Permit (CUP) and associated California Environmental Quality Act (CEQA) evaluation, the following studies will be prepared, and additional mitigation measures, if identified, will be incorporated into the proposed project and CUP conditions.

## **Traffic Impacts**

The proposed project would include traffic effects related to employee commutes, delivery of supplies, and delivery of product to qualified manufacturing and/or dispensary facilities. As discussed in the *Alameda County General Ordinance Amendments Regarding Cannabis Regulations Initial Study / Negative Declaration* ("the County IS/ND"; Alameda County 2017), traffic associated with employee commutes and delivery of supplies would be generally comparable to existing agricultural operations within the area. Because the final cannabis product is relatively small in volume, the number of outgoing distribution trucks would likely be reduced from trucking associated with other agricultural products in the area.

The proposed project site is located on Morgan Territory Road along the northern, rural boundary of unincorporated Livermore in eastern Alameda County. Morgan Territory Road



is a two-lane county road (one lane in each direction), and would serve as the primary site access route as well as the emergency vehicle access route. The average annual daily traffic on Morgan Territory Road is approximately 700 vehicles per day (Esri 2017, data collected in 2014).

The construction schedule associated with the proposed project will be determined following final design decisions. During operation of the proposed cultivation facility, an average of one truck per day is anticipated for deliveries of supplies and/or product distribution. It is not anticipated that the temporary increase in traffic associated with the potential construction period and the ongoing incremental increase in traffic associated with proposed project operations would have a significant impact on transportation and circulation. However, a traffic impact evaluation will be conducted to assess and quantify potential impacts as part of the CEQA process. The traffic impact evaluation will include assessment of the following:

- Consistency with local and regional plans, ordinances, and policies, including the East County Area Plan (ECAP) and the Alameda Countywide Transportation Plan;
- Impacts to level of service of state and county roadways;
- Impact on emergency access routes;
- Impact on air traffic;
- Impact on public transportation, bicycle, or pedestrian facilities.

The traffic impact evaluation will include assessment of the consistency of the proposed project with requirements for circulation improvements or fair-share contributions to ensure that adequate levels of services are maintained at intersections and on streets, roads, and highways. If potentially significant impacts are identified through this evaluation, the recommended mitigation measures will be incorporated into the proposed project.



## **Light**

The proposed project consists of the installation of a mixed-light cannabis cultivation greenhouse. As discussed in the County IS/ND, mixed-light cannabis cultivation includes the use of artificial lighting during specific periods of the cultivation cycle. If unmitigated, the mixed-light greenhouse lighting could potentially be a source of light which could adversely affect nighttime views.

In addition to the greenhouse artificial lighting, the proposed project will use outdoor lighting around the perimeter of the greenhouse, as well as at the perimeter of the cultivation site for security purposes, as discussed in the Security Plan. This lighting will be designed in accordance with the ECAP Policy 115, which requires that all exterior lighting must be located, designed, and shielded so as to confine direct rays to the parcel where the lighting is located.

At minimum, the following mitigation measures will be employed:

- **Light Screens.** The proposed greenhouse will be built using state-of-the-art technology. In addition to providing artificial light during specific periods in the growth cycle, it is equally important to completely block natural light during other periods in the growth cycle. As such, the greenhouse will be outfitted with light blocking screens which can be deployed to prevent natural solar lighting from affecting the plants, or when using artificial lighting to prevent visible lighting on the exterior of the greenhouse.
- **Trees.** The proposed greenhouse site is screened from Morgan Territory Road by existing trees along the roadway, which will further reduce lighting visibility for residences to the west of the property. Additional trees will be planted around the



proposed greenhouse which will provide multi-directional shading of the cultivation operations.

- **Light Shields/Design.** Security lighting will be designed to minimize glare, and confine the rays to the area of the site under security surveillance.

With implementation of the mitigation measures, the proposed project will meet the requirements of:

- **Alameda County General Code 17.52.585(C)(3) / Performance Standard & Standard Condition #9:** Artificial light shall not escape the greenhouses at a level that is visible from neighboring properties between sunset and sunrise. Additionally, lighting visible from the exterior of the greenhouses will be limited to lighting utilized for the security of the premises.
- **Alameda County General Code 17.52.585(C)(4):** Any direct or sky-reflected glare or heat shall not be perceptible at any point outside of the Cannabis Cultivation site.

## **Odor**

Odors from cultivation activities, as discussed in the CalCannabis Cultivation Licensing Draft Program Environmental Impact Report ("the Draft PEIR"), can include odors from: mature (flowering) plants; fertilizers; pesticides; composting areas; and diesel particulate matter (DPM) from diesel-fueled equipment. Potential impacts from odors will be mitigated using the following methods:

- **Plant Odors.** Odors associated with the plants will be mitigated using the following methods:
  - **Reduced Air Exchange Rate.** The greenhouse will include a wet wall system and ventilation fans for cooling the indoor air. The system will reuse the indoor air, drawing in outside air only when the inside air is warmer than the target temperature and the outside air is cooler. This system results in a lower air



exchange rate compared to greenhouses that are cooled using ventilation only. By reducing the air exchange rate, the potential for odors experienced outside the greenhouse is also reduced.

- **Odor Control System.** The greenhouse will be outfitted with an odor control system. The design will be selected based on the findings of an Odor Control Study, which will consider the strengths and weaknesses of the following three technologies: Hydroxyl ion generators such as the International Ozone Technologies Group, Inc. Titan 4000 (utilizes UVA TiO<sub>2</sub> photocatalytic lamps); ozone generators such as International Ozone Group, Inc. – Total Zone ozone generator; and a conventional carbon adsorption system supplemented with introduction of neutralizing agents. The Odor Control Study will evaluate each technology for the level of odor control, technical reviews and assurance of efficacy, energy requirements, and operations and maintenance requirements. The selected system will ensure that odors are mitigated to a less than perceptible level outside of the cultivation area.
- **Fertilizers and Pesticides.** The proposed facility would not employ the use of pesticides, and would minimize the use of fertilizers to the maximum extent possible. Liquid fertilizers would be stored indoors in closed containers (except during application). During application of fertilizers, the greenhouse ventilation system and odor control system will effectively mitigate odors.
- **Composting area.** A designated compost area will be established and will be managed in accordance with the Waste Disposal Plan. Cannabis byproducts, such as trim, roots, stalks, leaves, and stems will be rendered unusable prior to leaving the cultivation site, as outlined in Performance Standard & Standard Condition #28. In order to minimize odor associated with composting, the compost area will be located to provide a buffer from the nearest residence.



- **Diesel Fueled Equipment.** Due to the indoor nature and small footprint of proposed operations, it is not anticipated that diesel-fueled equipment will be required for operations. During construction, diesel-fueled equipment will be operated in accordance with Bay Area Air Quality Management District standards, and will minimize idling times, as required.

An air quality assessment will be completed during the CEQA process, which will identify any additional mitigation measures, if necessary, required to minimize air quality impacts, including those associated with odors, to a less than significant level. With implementation of the mitigation measures, the proposed project will meet the requirements of:

**County General Code 17.52.585(C)(6):** Odorous gases or odorous matter shall not be emitted in quantities such as to be perceptible outside of the Cannabis Cultivation site.

**County General Code 6.106.080 (A)(16):** The cannabis cultivation site shall be designed to provide sufficient odor absorbing ventilation and exhaust systems so that any odor generated on the premises is not detected outside property on which it operates.

## **Noise**

Typical noise generating equipment associated with the cultivation activities would include: ventilation fans, truck loading/unloading and travel, and water pumps. The use of the wet wall system as opposed to a traditional heating, ventilation, and air conditioning (HVAC) system will reduce the noise generated by the greenhouse. As discussed in the Draft PEIR, the higher the efficiency of a ventilation fan, the lower the noise level. Given that the proposed project is planned to use state-of-the-art technology, the noise associated with the ventilation system and pumps would be minimized.



Truck usage would be in-line with agricultural operations located in the area, and, as discussed in the Draft PEIR, would not be expected to present a significant impact from noise or ground borne vibrations.

Noise generation will be a critical factor in selection of mechanical equipment. Following preliminary selection and system design, as discussed in the Draft PEIR, a noise evaluation will be conducted as part of the CEQA process to evaluate the equipment to be used, noise levels generated, timing of use, location of nearby sensitive receptors, topography, screening, and enclosures (such as buildings) within which the noise may be contained, and the local noise standards or ordinance. If potentially significant impacts are identified, mitigation measures will be implemented to reduce noise associated with operations to an undiscernible level at the lot line, in accordance with the following requirements:

**County General Code 17.52.585(C)(5):** Noise or vibration, other than that related to transportation activities and temporary construction work, shall not be discernible without instruments at any lot line of the site.

**Performance Standard & Standard Condition #22:** Permittees must comply with the County Noise Ordinance.







# Operating Plan

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## Staffing

### Staffing Overview

The Oasis Venture will be staffed with highly qualified people to assure quality operations and safety. To promote public perception and our security interests, all prospective employees and vendors will be stringently vetted during the application process. Each employment candidate will undergo a thorough background check, drug test, and character assessment and review. Only the most desirable candidates will be selected.

The Oasis will follow all regulatory requirements in our hiring policy. All employees will be required to wear Oasis Venture identification at all times while on the property and will not be admitted into the secured cultivation site without one.

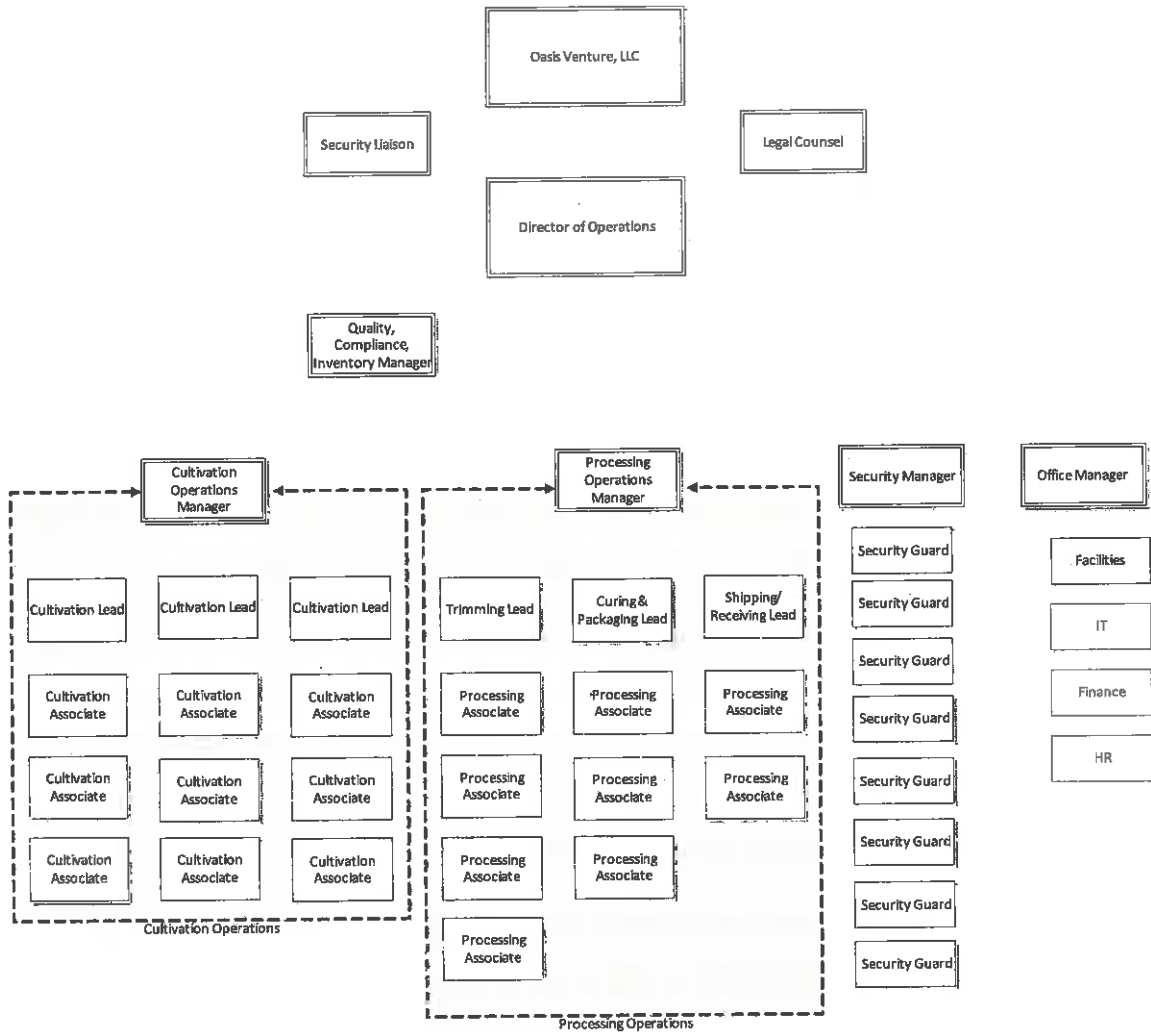
The facing page is our functional organization chart. Upon granting of a Cannabis Cultivation permit we will staff key positions and develop detailed operational procedures to assure our success during this 2-year pilot. We will constantly monitor and critique ourselves to continually develop and refine best practices. The scope of our operational procedures will cover

There are currently 4 people associated with the Oasis Venture plus our legal counsel. Detailed biographical information is available on request. Three of the four people are the owners of Oasis Venture, LLC and the fourth is our Master Grower:

- Owners
  - Charles (Chuk) Campos
  - Rajvir Dahiya
  - Andrey Kukushkin
- Cultivation Operations Manager
  - Gleb Hilitski
- Legal Counsel
  - Robert Finkle



## Oasis Venture Functional Organization





## **Functional Positions**

### **Director of Cultivation Operations**

Responsible for:

- Overall management responsibility for the success of the Oasis Venture.
- Overall responsibility for Cultivation and Processing Operations, and Security
- Overall responsibility for quality, compliance, and inventory management
- Overall responsibility for business administration
- Overall responsibility for training
- Creation and implementation of compliant standard operating procedures for all areas of the business
- Cultivation and maintenance of positive reputation within the community
- Managing participation in and donations to local community groups
- Spearheading philanthropic actions
- Managing requests from charitable organizations and community members
- Developing forward-facing Oasis venture messaging.

### **Cultivation Operations Manager**

Responsible for:

- Management of day-to-day operations of the cultivation operation
- Hands-on management of each stage of production from cloning to drying
- Training of all cultivation employees
- Creation and implementation of compliant standard operating procedures for the cultivation facility
- Management of all cultivation employees
- Garden planning
- Ensuring compliance of all cultivation methods and procedures



- Developing and implementing systems for accurate record keeping; and development of proprietary formulas for cultivation including methodology, nutrient formulas, watering and light schedules.

#### Processing Operations Manager

Responsible for:

- Management of day-to-day operations of the processing operation
- Hands-on management of each stage of production from drying to final shipping or disposal
- Training of all processing employees
- Creation and implementation of compliant standard operating procedures for the processing facility
- Management of all processing employees
- Workflow planning
- Ensuring compliance of all product trimming, curing, packaging, shipping, and receiving methods and procedures including track and trace
- Developing and implementing systems for accurate record keeping; and development of procedures to improve processing operations.
- Confirming items are properly weighed and data is collected for all waste, trim and flower produced
- Tracking yield and productivity data

#### Quality, Compliance and Inventory Manager

Responsible for:

- Overall responsibility of quality, compliance and inventory procedures and their effectiveness
- Ensuring all cultivation procedures are compliant
- Confirming all company and employee licenses, bonds and permits are in good standing and managing license renewal process



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- Tracking all internal inventory and sales data
- Transportation and transfer management
- Managing bulk ordering for office, cultivation and processing supplies
- Inventory audits, counts and adjustments
- Creating uniformity amongst inter-company data and record keeping
- Monitoring updates to local rules and regulations and adapting standard operating procedures to adhere to new local and state regulatory mandates,
- Researching and responding to all intra-company compliance issues
- Auditing all company inventory, systems and reports for accuracy and consistency

### Security Manager

Responsible for:

- Ensuring the safety of products and employees
- Monitoring the interior and exterior of the premises utilizing video surveillance equipment
- Assisting with movement of cash throughout the facility
- Ensuring no loitering or illegal behavior occurs on or around the physical property
- Ensuring upkeep and maintenance of security equipment
- Managing security guard staff

### Office Manager

Responsible for:

- Management of day-to-day administration for the overall site
- Overall responsibility for facilities
- Overall responsibility for IT functions and systems
- Overall responsibility of accounting and finance





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- Overall responsibility for HR functions and adherence to staffing and training policies and procedures.

### Cultivation Lead

Responsible for:

- Leading the cultivation associate team in carrying out the day-to-day care of cannabis plants prior to harvest
- Following nutrient and watering schedules
- Cloning, pruning, transplanting, trimming, treating plants for disease or infestation
- Systematic cleaning and sanitization of the cultivation facility and equipment.
- Ensuring waste is disposed of in a compliant fashion
- Documenting all actions and data relative to the life-cycle of the plants
- Submitting recorded information to the data administration manager

### Cultivation Associate

Responsible for:

- Carrying out the day-to-day care of cannabis plants prior to harvest
- Following nutrient and watering schedules
- Cloning, pruning, transplanting, trimming, treating plants for disease or infestation, systematic cleaning and sanitization of the cultivation facility and equipment, ensuring waste is disposed of in a compliant fashion, and documenting all actions and data relative to the maintenance of the plants and submitting recorded information.

### Processing Operation Leads

Responsible for:

- Leading the processing associate team in carrying out the day-to-day care of cannabis plants after harvest from drying to sale or proper disposal



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- Following drying, curing, inventory management, shipping, and receiving schedules
- Systematic cleaning and sanitization of the processing operation facility and equipment,
- Ensuring waste is disposed of in a compliant fashion
- Documenting all actions and data for track and trace and Oasis Venture record keeping.

### Processing Associate

Responsible for:

- Adhering to compliant procedural guidelines for product operations including trimming, curing and packaging, shipping and receiving
- Ensuring waste is disposed of in a compliant fashion
- Ensuring packages are weighed and labeled properly
- Ensuring packaged items appear uniform and consistent
- Systematic cleaning and sanitization of the harvest and processing area,
- Recording all actions and data relative to the harvest and drying of the plants and submitting recorded information.

### Facilities Manager

Responsible for:

- Overall facility cleanliness and maintenance
- Cleaning and sanitizing all rooms within the cultivation and processing site on a daily basis
- Equipment maintenance and upkeep
- Organized storage of all cultivation and processing supplies
- Assisting with harvest and processing as needed



### IT Manager

Responsible for:

- Collecting and recording data for all plants and waste in the business management platform
- Reporting data to the governing entity as required by regulation
- Generating reports for management and the executive team
- Recording and tracking cultivation supply usage
- Reporting compliance issues to the Compliance and Inventory Manager
- Tracking yield totals and productivity data for both the cultivation facility
- Ensuring compliance with Track and Trace policies.

### Finance

Responsible for:

- Entry of accounting and tracking information

### HR

Responsible for:

- Maintaining employee records
- Coordinating new applicant processes
- Coordinating former employee processes

### Training

#### Safety and Security

1. The proper use of employee's access badge for entry into the premises and main building entrance;
2. The proper use of employee's access badge for entry into employee's authorized access areas;
3. The proper use of employee's agent card;
4. Employee's authorized entry and exit points;



5. Employee's locker; and
6. Restroom and sink facilities.

### **Loss Prevention**

1. Necessity of keeping all facility doors locked and secure at all times
2. Prohibited activities such as entrance into unauthorized access areas
3. Awareness of video monitoring
4. ICS training for the tracking of all product-related activities and information
5. Requirement to report any unusual activity, security concern, or loitering

### **Emergency**

1. Accident prevention training
2. How to respond to an emergency
3. Emergency service provider location
4. Emergency service contact information
5. Emergency first aid kit locations
6. Emergency exits and panic button locations

To promote professionalism and organization, all employees will be expected to follow the established safety practices set forth in the Security Plan, comply with the approved uniform dress code for their respective position of employment, display proper hygiene, keep a professional physical appearance, and wear their agent card at all times.

### **Employee Log**

For the safety and security of the premises surrounding the building, the building, its occupants, plants and products, the Security Manager will keep a current and accessible roster of all employees and ensure that both all employees are aware of terminations or duty reassignments as they occur. All terminated employees or those not having valid agent cards will be prohibited from being in, on or about the Cultivation Center.

### **Employee Termination**



Upon termination of any employee, whether it is voluntary or involuntary, we will ensure that terminated employee's keys, uniform, tools and access codes and cards are returned, and ensure that such codes and access points are altered to prevent the terminated employees' access. We will notify the Department within ten (10) days after a medical cannabis establishment agent ceases to be employed by at the cultivation facility.

### **Employee and Visitor Badges**

The only persons who may be on the premises of our Cultivation Center are:

1. An employee
2. A person with appropriate authority and a visitor identification badge
3. A person inspecting our facility with proper government authority.

Any person other than those authorized to be on the Cultivation Center premises must obtain a visitor identification badge from us at the time of entering the main entrance. All persons on or about the premises must visibly display proper identification at all times. Any lost or stolen agent card, or those that may need to be updated, must be immediately reported to the Security Manager and the Department. Only authorized employees may dispense visitor badges, and only upon verification of such person's valid state picture identification card (i.e. driver's license), completion of the visitor information form, and such person's signature thereon and on the visitor log. The visitor log will indicate the date, time and duration of the visit as well as the escort responsible for the visitor.

A person who obtains visitor identification badge, including, without limitation, an outside vendor or contractor, if appropriate:

1. Must be escorted and monitored by an agent at all times he or she is on the premises
2. Must visibly display his or her visitor identification badge at all times he or she is on the premises



3. Must return the visitor identification badge to us upon leaving the premises of the medical cannabis establishment and sign out

## **Policies and Procedures for Record Keeping**

### **Initial Inventory**

We will accurately and consistently document the status of all plants and products in the manufacturing process.

We will use our inventory control system (ICS) to document:

1. Each day's beginning inventory, acquisitions, harvests, sales, disbursements, designation and disposal of unusable cannabis, and ending inventory.
2. Any samples provided, including the provision, return and/or destruction of the same, as set forth by law and regulation.
3. Each batch of cannabis cultivated, including:
  - a. The batch number;
  - b. The number of cannabis seeds or cannabis cuttings planted
  - c. The date the cannabis seeds or cuttings were planted
  - d. The list of all chemical additives, including, without limitation, pesticides, herbicides and fertilizers used in the cultivation
  - e. The number of plants grown to maturity
4. At harvest, the following will be documented:
  - a. Date of harvest
  - b. Wet weight of the harvest
  - c. Wet weight of the Cannabis waste
  - d. The name and employee registration card number of the employee responsible for the harvest.



## **Track and Trace**

Our staff will document the following:

1. Date of the inventory
2. Summary of the inventory findings
3. The name, signature and title of the employees who conducted the inventory and the agent-in-charge who oversaw the inventory
4. Our staff will count and precisely weigh all products, including:
  - a. Packaged Cannabis
  - b. Cannabis in various stages of production, including leaves and byproduct
  - c. Cannabis products in quarantine
  - d. Waste Cannabis awaiting disposal
  - e. Cannabis that is reserved for a Dispensary
  - f. Cannabis plants in various stages of growth, including seedlings and seeds.

Records of all medical cannabis sold will show:

1. The date of sale
2. The name of Dispensary facility to which medical cannabis was sold
3. Batch number, product name(s) and quantity of cannabis products sold

Records of all medical Cannabis destroyed will show:

1. The date the medical cannabis was destroyed
2. Manner in which it was destroyed
3. Reason it was destroyed
4. Employee responsible for the destruction of the cannabis



### **Random Physical Inventory Checks**

Random physical inventory checks will be conducted throughout the facility, throughout the year. Our staff will document one or more of the following:

1. Packaged Cannabis
2. Cannabis in various stages of production, including leaves and byproduct
3. Products in quarantine
4. Waste Cannabis awaiting disposal
5. Cannabis that is reserved for a Dispensary
6. Cannabis plants in various stages of growth, including seedlings and seeds.

The Agent-in-Charge will monitor all random physical inventory checks.

### **Inventory Audit**

A complete and accurate recording of all cannabis plant stock and products on hand will be prepared annually on or before the anniversary of the initial inventory under the direct supervision of the Agent-in-Charge. In addition, the Agent-in-Charge will conduct and document a system-wide audit of the inventory of the establishment that is accounted for according to generally accepted accounting principles at least once every year.

If an audit or random inventory check identifies a reduction in the amount of cannabis in the inventory of the establishment not due to documented causes, or in the event actual inventory counts do not match the recorded or expected counts, we will determine where the loss has occurred and taken and document corrective action. If the reduction in the amount of cannabis in the inventory of the establishment is due to suspected criminal activity by an employee, we will report the employee to the Sheriff's Department and any other appropriate law enforcement authorities. When a significant discrepancy in inventory occurs, the Agent-in-Charge will conduct an internal audit and investigation. The Agent-in-Charge will document the incident in a report that includes the following information:

1. Incident date





2. Name of people involved
3. A description of the incident
4. Identification of known or suspected causes of the event any corrective actions taken. Pursuant to law all such incidents will be reported to regulatory and/or law enforcement authorities.

## Cannabis Waste Tracking and Notification Procedures

All waste will be secured, locked and tracked in accordance with State regulations and the Cultivation Center's Operations and Waste Management Practices Plan.

### Solid Cannabis Waste Handling Procedure

1. The cannabis waste will be weighed
2. Data will be recorded in our ICS noting date, weight, wet or dry, batch number, plant variety or product and section of the facility generating the waste.
3. The waste will be bagged, tagged and moved in the ICS, as well as physically to the Secure Waste Storage and Rendering Room.
4. We will give the Department and State Patrol a minimum of seven day's notice through the traceability system prior to rendering the Cannabis solid waste unusable and disposing of the Cannabis waste.

All aspects of the cannabis plants, byproduct wastes, weights, ID numbers and associated data is stored in the system indefinitely. Destruction event information and explanations are also documented and stored within the track and trace software. This data cannot be modified or deleted by the cultivation center employees or even by the software. Track and trace software will record manual inventory adjustments with a detailed audit trail as well as the reason for disposal and, if applicable, disposal.

All disposed cannabis material are recorded and archived to the 16 digit barcode associated with it. As with all transactions in the track and trace software, the



employee responsible for the transaction is required to enter a PIN or biometric fingerprint recording the date, time, and reason for the transaction.

## Shipping and Transportation Procedures

We will use track and trace software to create transport manifests and store transferee information internally. Manifests will be archived by the system and quickly available upon authorized request for a period of five years. We will also complete shipping manifests and archive them for at least five years.

**Prior to shipping any cannabis, we will:**

1. Complete a shipping manifest
2. Securely transmit a copy of the manifest to the testing facility that will receive the products before the close of business the day before transport.
3. The Shipping Lead will follow the same procedure with every shipment:
  - a. Assemble the order
  - b. Package the order
  - c. Assign asset tracking GPS to the shipment
  - d. Place a copy of the manifest and the asset tracking GPS unit in the box
  - e. Attach two copies of the manifest to the box

**Information collected and tracked will include**

1. Drivers (2) license numbers and Department Identification Numbers (2)
2. Transport vehicle VIN
3. Transport vehicle license number
4. Transport vehicle description
5. Transport Vehicle Asset Tracking GPS ID#
6. Origin Cultivation Center registration number
7. Destination Dispensary registration number



## 8. Product quantity, names, and serial numbers

### Shipping procedures will include the following:

1. All shipments of cannabis will occur through a California permitted distribution company
2. All individual orders will be assigned a unique asset tracking GPS unit
3. Each day Shipping/Receiving will move boxed and sealed orders from a Processing Operation Vault to the Shipping/Receiving Vault scheduled for pickup and transport under the oversight of a Security Guard.
4. Boxed and sealed orders will be securely moved from the SPSSA to the Secure Loading Bay (SLB) through a secure corridor.
5. Shipping Lead will assure proper identification and properly signed paperwork is available before any product leaves the premises.
6. Receiving Lead will assure all cannabis products or cannabis samples were received, and the seal was unbroken at the time of delivery.

### Post Shipping Reconciliation Procedures

All shipment manifests will be reconciled after the return of a transport vehicle to the Cultivation Center Secure Loading Bay. If this inventory check identifies a discrepancy in the amount of medical cannabis scheduled for testing and the amount actually returned, we will determine whether a loss has occurred and take and document corrective action. If the discrepancy is due to suspected criminal activity by an employee or the testing facility, we will report the employee or testing facility to the appropriate law enforcement authorities. When a significant discrepancy occurs, the Agent-in-Charge will conduct an internal audit and investigation. The Agent-in-Charge will document the incident in a report that includes the following information.

1. Incident date
2. Name of people involved
3. A description of the incident



4. Identification of known or suspected causes of the event any corrective actions taken. Pursuant to law all such incidents will be reported to regulatory and/or law enforcement authorities.

### **Record Keeping**

We will maintain all inventory records and documentation for at least five years. All documents will be available for review upon request.

### **BUSINESS MANAGEMENT PLATFORM**

The company will utilize an industry specific business management platform, MJ Freeway, in conjunction with other programs such as Microsoft Office, Quickbooks and others deemed appropriate. These systems will enable the company to automate procedures and record all relevant data, while reducing the potential for human errors.

The Oasis Venture will assure transparent operation by using a management information system (MIS). Not only will MIS reports provide a complete digital overview of the company, they will also act as a communication and planning tool. These systems will allow the company to identify operational strengths and weaknesses through various reports, such as; revenue reports, inventory reports, employee performance records, cultivation reports, customer data, etc. This data will help the company improve its business processes and operations).

### **INVENTORY MANAGEMENT SYSTEM**

The Oasis will select a comprehensive cloud-based inventory & information management system, MJ Freeway, which has demonstrated success with legal and regulated cannabis businesses. The business management platform will offer the company intuitive tools for plant management and cloning, nutrient mixing and testing, cultivation costs, and task delegation to easily handle harvest and processing; in addition to management of harvested material in various stages of preparation for packaging and distribution. The platform will perform multiple functions for the company, including production costing, employee & task



scheduling, state compliant labeling, state compliance reporting & integration, integrated test results, time clock, multi-location support, and custom reporting.

The Oasis will utilize this industry-specific seed-to-sale tracking software to maintain compliance with all regulations and comprehensively manage all inventory; from clones to plants in various light stages, to harvested raw flower which has completed the drying and curing process, to packaged items which are allotted for delivery.

This system will efficiently track every plant within the cultivation facility, along with every gram of harvested flower the facility produces, and each final packaged product, including waste. It will allow the company to not only meet all state tracking requirements, but also create a streamlined and sustainable inventory management process that will enable increased productivity and efficiency.

The business management platform the company chooses will be dynamic, establishing compatibility with state regulatory structures. The platform will conform its reporting process to align to California's new requirements. The Oasis will work directly with platform developers to modify the platform to ensure total compliance with California's regulatory mandates relative to the capturing of data and record keeping.

Relative to security, the business management platform will be a permission-based platform, featuring bank level encryption. Platform administrators will assign permissions to each user based on their level of employment within the company. This enables administrators to limit what hourly level employees can see and do within the platform, while allowing management level employees more freedom to navigate and view items and transactions, perform audits and adjustments, and pull reports.

The business management platform will also provide the ability to record inventory as well as sales tracking. The platform will allow us to monitor, in real time, inventory levels and movement, along with sales totals. The platform will allow us to track the purchasing habits of clients and accurately predict demand. This tool will be effective



for forecasting inventory needs, as it will allow the inventory manager to analyze historical purchase data and inventory trends.

To ensure the freshest product is provided to customers, a first-in-first-out inventory system will be used. This means that the product that has been in storage the longest will be the product sold to clients, making sure that all product is rotating through storage within a reasonable time frame.

Any disruption in raw materials will have an impact on the company's ability to keep to a strict production schedule and could result in failure to fulfill orders accurately and on time. In order to ensure we are capable of consistently producing quality products, we will establish relationships with several suppliers of nutrients and cultivation supplies. This will ensure a set of reliable source for the same raw materials for each batch at the lowest price possible. All raw materials in the facility will be recorded in the platform, which will prompt reordering when supply levels fall below a set point. The system will also keep track of material expiration dates and prompt reordering when the date approaches.

#### **ORDER FULFILLMENT SYSTEM**

Our Quality, Compliance, Inventory (QCI) Manager will be responsible for overall product allocation and order fulfillment. This individual will be the main point of contact and will oversee both the testing process and distribution from the cultivation facility to wholesale clients. The QCI Manager will coordinate testing schedules, ensuring samples are gathered properly and delivered to the laboratory in a timely fashion, while adhering to a strict chain of custody throughout the process. Test results will be entered in the platform immediately upon return from the laboratory.

The QCI Manager will utilize the platform to create electronic travel manifests sufficiently detailing each line item contained within the order. Products will be transferred utilizing these manifests, whether it is from the cultivation facility to a testing laboratory or to a wholesale client. This process moves the product from the cultivation facility inventory yet still keeps a record of it.



Regular inventory audits will be performed at the cultivation site to mitigate theft and ensure inventory counts within the platform are always accurate.

A key differentiating system will be the company's Cultivation Operations & Analytics (COA) System. COA will be fed by all automated cultivation ag-tech; including, but not limited to:

- Fertigation System
- Light Management System
- Business Management Platform (including all location data points of each plant and associated product batches)
- Temperature / Humidity Management System
- O<sub>2</sub> / CO<sub>2</sub> Management System
- Customer Feedback System
- Quality & Compliance Management System
- Sales and Price data

COA will then provide predictive models to direct ideal settings for each customizable cultivation factor, such as:

- Vegetation duration
  - Light specs
- Fertigation
- Flower duration
- O<sub>2</sub> / CO<sub>2</sub> values
- Temperature and humidity values

### **Reports**

1. Accounting:
  - a. Accounts/Bad Debts
2. Employee Reports:
  - a. Timesheet



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- b. Time Sheet Log
- 3. Cultivation Reports:
  - a. Mother Yields
  - b. Plant Inventory
  - c. Removed Plants
  - d. Waste
  - e. Plant yields
  - f. Plant Auditing Report
  - g. Strain Counts
- 4. Inventory Reports:
  - a. Current Inventory
  - b. Historical Inventory
  - c. Inventory Adjustments
  - d. Products
  - e. Inventory Forensics
  - f. Inventory Audits
  - g. Inventory Conversions
  - h. Inventory Area
  - i. Inventory Transfers

### **Transfers**

- 1. Logs:
  - a. Product Categories Log
  - b. Products Log
  - c. Strain Log
  - d. Backup Log
  - e. Patient Ratio
- 2. Sales Reports:
  - a. Best Sellers
  - b. Best Sellers by Quantity
  - c. Cash Close





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- d. Complex Sales Report
  - e. Discount Report
  - f. Discount Report by
3. Employee
- a. Discount Report by Item
  - b. Payments
  - c. Payouts
  - d. Sales Counts by Hour
  - e. Sales Counts by
4. Weekday
- a. Sales Counts by
5. Weekday and Hour
- a. Sales Reports
  - b. Sales Tickets
  - c. Voided Tickets
  - d. Wholesale Payments
  - e. Wholesale Report
  - f. Wholesale Tickets
  - g. Worst Sellers
  - h. Worst Sellers by
6. Quantity
- a. Z-Out Report
  - b. Sales Demographics
  - c. Sales Trends
  - d. Weigh Heavy Report

### **Cannabis Testing**

The Bureau of Cannabis Control has released a plan to make cannabis safer for patients, with rules for all medical cannabis legally sold in the state to be independently lab tested starting in 2018.



Key details in the proposed rules include:

- Labs will have to test for homogeneity; the presence or absence of various analytes, including cannabinoids, residual solvents, micro-organisms, pesticides, heavy metals, and mycotoxins; water activity and moisture content; and filth and foreign material.
- Labs can also test for terpenes.
- Testing labs must report in milligrams the concentration of THC, THCA, CBD, CBDA, CBG and CBN. Samples “pass” if they don’t vary from the stated THC or CBD levels by more than 15 percent.
- Labs must report whether samples have more than allowed amounts of pesticides such as acephate, residual solvents such as butane, impurities such as Salmonella, heavy metals such as arsenic, mold that averages 5 percent of the sample by weight and more.
- To get a full annual license, labs will need to be accredited by the International Organization for Standardization. California will offer 180-day provisional licenses to labs that meet all other qualifications while they work on their ISO accreditation.
- Laboratory technicians are required to wear safety goggles, hair nets and other sanitary gear plus use sanitized tools when collecting samples for testing.
- Laboratories must collect 0.5 percent of the total cannabis batch for testing. Batches must be under 10 pounds.
- Labs must have to maintain detailed plans for chain of custody for samples, employee training, storage and more. And they have to make those plans available to the bureau if asked.
- The state plans to take feedback in writing and through a series of public hearings over the next several weeks before getting a final set of rules in place in time to start issuing licenses to testing labs, cultivators, retailers and all other cannabis businesses by Jan. 1, 2018.



- California expects to release draft regulations this fall for the recreational cannabis industry, created when voters passed Proposition 64 on Nov. 8. Those rules must also be in place by the start of the new year.

### **Cannabis Testing & Lab Services**

The following laboratories provide cannabis testing and lab services:

- A2LA -- American Association for Laboratory Accreditation
- ANAB-ANSI/ASQ National Accreditation Board
- Azzur Labs
- BUCHI Corporation
- C3 Labs, LLC
- Emerald Scientific
- FMS, Inc.
- Fritsch Milling and Sizing, USA Inc.
- GenTech Scientific
- GenTech Scientific Inc
- Harley Moore Accountancy Corporation
- Ibudtender
- LabTech, Inc.
- Le Herbe
- LGC Standards
- MyDx, Inc.
- Orange Photonics Inc.
- Perritt Laboratories
- Phylos Bioscience
- Phytosciences
- PIC-SFC Inc.
- Potbotics
- PSI Labs



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- Renewable Sciences
- Retro Image Apparel Two, LLC
- RGreen services
- Rousselet-Robatel Kromaton
- Sage Analytics
- Sage Analytics
- SAGE Consulting
- Scientific Solutions
- Scientific Solutions Inc
- Sequence Quality and Compliance Services
- Shimadzu Scientific
- SPEX CertiPrep
- SRI Instruments
- Test4Kits.com
- Thomas Scientific
- TLC Lab Supply
- VICAM, A Waters Business
- [www.labtechus.com](http://www.labtechus.com)

The Oasis cultivation site will segregate the entire batch from which the testing sample was selected until the cannabis testing facility reports the results from its tests. During this period of segregation, the Oasis will maintain the batch in a secure, cool, and dry location to prevent the cannabis from becoming contaminated or losing its efficacy. The Oasis will not sell or transport any cannabis from the segregated batch until the cannabis testing facility has completed its testing and provided those results, in writing, to us. Our cannabis cultivation facility will maintain the testing results as part of its business books and records.

### Cannabinoids

A laboratory will test for and report measurements for the following cannabinoids:



1. THC;
2. THCA;
3. CBD;
4. CBDA;
5. CBG; and
6. CBN.

For harvest-batch samples, a laboratory will report, to 3 significant figures, the concentration in milligrams per gram (mg/g) dry-weight sample of the cannabinoids listed in above. The laboratory will report this information in the certificate of analysis.

For harvest-batch samples, a laboratory will also calculate the dry-weight percent of cannabinoids listed above detected in the sample in the following way:

- Dry-weight percent THC = wet-weight percent THC / (1 – percent moisture / 100).
- Dry-weight percent CBD = wet-weight percent CBD / (1 – percent moisture / 100).
- Dry-weight percent THCA = wet-weight percent THCA / (1 – percent moisture / 100).
- Dry-weight percent CBDA = wet-weight percent CBDA / (1 – percent moisture / 100).
- Dry-weight percent CBG = wet-weight percent CBG / (1 – percent moisture / 100).
- Dry-weight percent CBN = wet-weight percent CBN / (1 – percent moisture / 100).

A laboratory may test for and provide test results for additional cannabinoids if requested to do so by the requester of the laboratory testing.

### **Residual Solvents and Processing Chemicals**

A laboratory will analyze samples of manufactured cannabis batches for residual solvents and processing chemicals. A laboratory does not need to analyze for residual solvents and processing chemicals in dried flower, kief, and hashish samples.



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The laboratory will analyze the concentration of residual solvents present in each sample of manufactured cannabis batches in accordance with the table in subsection (c).

For the purposes of residual-solvent testing, the laboratory will report that the sample “passed” residual-solvent testing if the concentrations of residual solvents are at or below the residual solvents and processing chemicals action levels listed on the next page



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Chemical Name	CAS No.	Action Level for Medical Cannabis Goods Meant for Inhalation (ppm)	Action Level for All Other Medical Cannabis-Infused Goods (ppm)
Dichloromethane	107-06-2	2	5
Acetone	67-64-1	750	5000
Acetonitrile	75-05-8	60	410
Benzene	71-43-2	1	2
Butane	106-97-8	800	5000
Chloroform	67-66-3	2	60
Ethanol	64-17-5	1000	5000
Ethyl acetate	141-78-6	400	5000
Ethyl ether	60-29-7	500	5000
Ethylene oxide	75-21-8	5	50
Heptane	142-82-5	500	5000



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Hexane	110-54-3	50	290
Isopropyl alcohol	67-63-0	500	5000
Methanol	67-56-1	250	3000
Methylene chloride	75-09-2	125	600
Naphtha	8030-30-6	400	400
Pentane	109-66-0	750	5000
Petroleum ether	8032-32-4	400	400
Propane	74-98-6	2100	5000
Trichloroethylene	79-01-6	25	80
Toluene	108-88-3	150	890
Total xylenes (ortho-, meta-, para-)	1330-20-7	150	2170

**Residual Pesticides**

A testing laboratory will test all samples for residual pesticides.

Medical cannabis must not contain levels of pesticides above those listed in the following table:





<b>Edible Cannabis Components (ppm)</b>	<b>Dried Cannabis Flowers (ppm)</b>	<b>All Other Processed Cannabis (ppm)</b>	
<b>Spinosad</b>	<b>0.29</b>	<b>0.1</b>	<b>0.02</b>
<b>Spiromesifen</b>	<b>20.0</b>	<b>0.1</b>	<b>0.1</b>
<b>Spirotetramat</b>	<b>10.0</b>	<b>0.1</b>	<b>0.1</b>
<b>Spiroxamine</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>
<b>Tebuconazole</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>
<b>Thiacloprid</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>
<b>Thiamethoxam</b>	<b>0.01</b>	<b>0.01</b>	<b>0.01</b>
<b>Trifloxystrobin</b>	<b>25.0</b>	<b>0.1</b>	<b>0.02</b>

The laboratory will report the levels detected in parts per million (ppm) to 3 significant figures in the certificate of analysis. If a sample is found to contain pesticides above the allowable amount listed in the tables in subsection (b), the sample "fails" pesticide testing. If the sample fails pesticide testing, the batch fails laboratory testing and may not be released for retail sale.



### Microbiological Impurities

- a. A testing laboratory will test all samples for microbiological impurities. For the purposes of microbiological testing, the laboratory will report that the sample “passed” microbiological-impurity testing if the following are not detected:
  - Shiga toxin–producing *Escherichia coli*: not detected in 1 gram;
  - *Salmonella* spp.: not detected in 1 gram.
- b. The laboratory will report whether the strains listed above (a) are detected or are not detected in 1 gram. The laboratory will report this information in the certificate of analysis. If the strains are detected, the batch fails laboratory testing and may not be released for retail sale.
- c. A laboratory is also required to test for the pathogenic *Aspergillus* species *A. fumigatus*, *A. flavus*, *A. niger*, and *A. terreus* in all medical cannabis goods intended for consumption by inhalation, including but not limited to dried flower, kief, hashish, oil, and waxes.
  - (1) For the purposes of pathogenic *Aspergillus*-species testing, the laboratory will report that the sample “passed” if the concentrations of the following *Aspergillus* species are not detected:
    - (A) *Aspergillus fumigatus*: not detected in 1 gram;
    - (B) *Aspergillus flavus*: not detected in 1 gram;
    - (C) *Aspergillus niger*: not detected in 1 gram; and
    - (D) *Aspergillus terreus*: not detected in 1 gram.
  - (2) If a pathogenic *Aspergillus* species is detected in a sample under (c) (1), the sample fails microbiological-impurity testing, and the batch fails laboratory testing and may not be released for sale. The laboratory will report the results in the certificate of analysis.
- d. The laboratory may test for and provide test results for additional microorganisms if requested by the requester of the laboratory testing.



### **Water Activity and Moisture Content**

- A laboratory will analyze a dried flower harvest-batch sample to determine its water-activity level. If the water activity is at or below 0.65 Aw, the sample “passes” water-activity testing.
- A laboratory will analyze solid and semi-solid edible cannabis products to determine its water-activity level. If the water activity is at or below 0.85 Aw, the sample “passes” water-activity testing.
- The laboratory will report the water-activity level of the sample in Aw to 2 significant figures. The laboratory will report this information in the certificate of analysis.
- A laboratory will analyze a dried flower harvest-batch sample to determine its moisture content. If the moisture content is at 5.0% to 13.0%, the sample “passes” moisture-content testing.
- The laboratory will report the moisture content in percentage to the nearest tenth of one percent, by weight, of the dry sample. The laboratory will report this information in the certificate of analysis.
- The laboratory may provide additional information on moisture content and water activity results if the laboratory determines it is important or if requested by the requester of the laboratory testing.
- If a harvest-batch sample “fails” water-activity or moisture-content testing, the harvest batch may be returned to the cultivator or person holding title for further drying and curing unless prohibited by these regulations.

### **Filth and Foreign Material**

A laboratory will analyze all samples for filth and foreign material present in the sample. “Filth and foreign material” includes but is not limited to hair, insects, feces, packaging contaminants, and manufacturing waste and by-products.

The laboratory will report the sample “passed” filth and foreign material testing if the concentration of filth and foreign material is at or below the filth and foreign material action levels in the following table:



The laboratory will report in the certificate of analysis whether the sample “passed” or “failed” filth and foreign-material testing. If it fails filth and foreign-material testing, the batch fails laboratory testing. A harvest batch that fails must be destroyed unless it can be remediated. Failed manufactured cannabis batches must be destroyed.

**Heavy Metals**

- a) The laboratory will analyze all samples for concentrations of the following heavy metals:
  1. Arsenic (As);
  2. Cadmium (Cd);
  3. Lead (Pb); and
  4. Mercury (Hg).
- b) The laboratory will report the concentration of each heavy metal listed in subsection (a) in micrograms per gram (µg/g) in the certificate of analysis. The laboratory will report that the sample “passed” heavy-metal testing if the concentrations of heavy metals listed in subsection
- c) The heavy metal action levels are as follows:

<u>Heavy Metal</u>	<u>Action Level for Medical Edible Cannabis Products, Suppositories, Sublingual Products, and Other Manufactured Products (µg/g)</u>	<u>Action Level for All Inhaled Medical Cannabis Goods (µg/g)</u>	<u>Action Level for Topical and Transdermal Medical Cannabis Goods (µg/g)</u>
<u>Cadmium</u>	<u>0.5</u>	<u>0.2</u>	<u>5.0</u>
<u>Lead</u>	<u>0.5</u>	<u>0.5</u>	<u>10.0</u>



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Arsenic

1.5

0.2

3.0

Mercury

3.0

0.1

1.0

- d) The laboratory will test for and may provide test results for additional metals if the instrumentation detects additional metals in the samples or if requested by the requester of the laboratory testing

**Terpenes**

(a) If the cultivator's, manufacturer's, or distributor's product labeling says that the sample contains discrete terpenes, the laboratory will test for those terpenes. The testing laboratory will report to one-hundredth of a percent the concentration in percentage in the certificate of analysis.

(b)The laboratory will also report a terpene measurement for a terpene requested to be tested for by the requester of the laboratory test.

## Cultivation Program

### Seeds or Clones to Start Cannabis Cultivation Operation

We will use seeds to start out cannabis cultivation operation. This will allow us better control over the entire growth cycle. Getting clones from another grower will speed up the process, but leaves the plants susceptible to mold, disease, or shock if replanting is required. There are three types of cannabis seeds: feminized seeds, regular seeds, and autoflower seeds.

Feminized seeds are widely preferred because the plants are specifically bred to only produce bountiful female plants. Feminized seeds cost than regular and autoflowering seeds, but the advantage is best seen in the ability to only grow female plants and avoid wasting time growing male plants.



Regular seeds are less expensive and more reliable than other types of seeds, but half of the crop will be male cannabis plants and will therefore not flower, requiring removal from grow room before pollination.

Auto-flowering seeds begin to flower on their own – no adjustments to light cycles necessary. These plants tend to be smaller as a result, but yields are comparable to those of regular and feminized seeds.

### **Trimming, Curing & Storing Cannabis for Commercial Use**

A very significant part of the cannabis flower production process is the trimming and curing that occurs at the end of each flowering cycle. We will set up the operation for continuous harvests, meaning a section of a grow room, or sometimes an entire modular grow room, will be harvested each week. Over time, the balance between planting, harvesting, and customer demand is found.

Cannabis cultivation sites use trimming rooms where machines and humans remove extra leaf matter from the flowers, sometimes in a wet state, and sometimes dry. There are advantages and disadvantages to both approaches. Wet trimming by hand takes more time, but it retains the resin coating on the cannabis flowers better. Wet trimming machines tend to have less useful waste materials than dry trimming machines because of how the resin gets damaged during the process.

Dry trimming has become more and more common as cannabis production sites grow in size. The drying and curing process has its own art and science to it. Certain temperature and humidity ranges must be used in order to maintain the integrity of the plant terpenes, and the time it takes to completely dry out a cannabis flower has a drastic effect on its quality.

The storage of dry cannabis flowers will be carefully monitored in order to maintain consistency in cannabinoid profiles and increase shelf life. We will use nitrogen storage bags for maximum product stability.



## Performance Standards

**Alameda County Ordinance Code (Chapter 6.106) and standard conditions for pilot program medical cannabis cultivation sites.**

The Oasis Venture will strictly follow the guidelines, performance standards, and conditions specified by Alameda County Ordinance Code (Chapter 6.106) and standard conditions for pilot program medical cannabis cultivation sites as follows:

1. **Limited Authorization.** The Oasis Venture will conduct activities involving the planting, growing, harvesting, drying, curing, grading, or trimming and associated storage of cannabis, including but not limited to nursery operations, only at a site approved for cannabis cultivation pursuant to a conditional use permit.
2. **Indoor or Mixed-Light Cultivation Only.** As per Alameda County Ordinance Code (Chapter 6.106), all planting, growing, harvesting, drying, curing, grading, or trimming and associated storage of cannabis will occur within the interior of our fully climate controlled greenhouse. Cannabis will not be visible from the exterior of the premises.
3. **Maximum Cultivation Area.** As per Alameda County Ordinance Code (Chapter 6.106), the maximum area the Oasis Venture will use for growing cannabis plants, including both mature and immature plants, is limited to 22,000 square feet, inclusive, of total canopy size. The canopy includes all areas occupied by any portion of a cannabis plant, inclusive of all vertical planes, whether contiguous or noncontiguous on any one site.
4. **Operations Plan Required.** As per Alameda County Ordinance Code (Chapter 6.106), we have included an Operations Plan that addresses the following elements for the County to evaluate the proposed cultivation operation against the requirements included herein:
  - a. Site Plan
  - b. Site Security Plan



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- c. Track and Trace Plan
  - d. Cultivation Operations Plan
  - e. Worker Safety Plan
  - f. Cannabis Processing Plan
  - g. Waste Disposal Plan
  - h. Biological Assessment Report
5. No Dispensing. As per Alameda County Ordinance Code (Chapter 6.106), we will not dispense cannabis at the site.
  6. Track and Trace. As per Alameda County Ordinance Code (Chapter 6.106), we will institute a track and trace program to be approved by the Planning Director to ensure that cannabis cultivated at the site is dispensed only at a California dispensary. Unique identifiers will be attached at the base of each plant and will be traceable through the supply chain back to the cultivation site. We will maintain records of each plant cultivated at the site and its ultimate destination.
  7. No Manufacturing. As per Alameda County Ordinance Code (Chapter 6.106), we will not manufacture cannabis products at the cultivation site.
  8. Testing. We will use accredited testing laboratory, as defined in Business and Professions Code section 26001(at) for analytical testing of our cannabis products.
  9. Lighting. We will use artificial lighting to shield structures, including greenhouses, so that little to no light escapes. Light will not escape at a level that is visible from neighboring properties between sunset and sunrise. Lighting that is visible from the exterior of the cultivation area will not be used, except such lighting as is reasonably utilized for the security of the premises.
  10. Minimum Age. As per Alameda County Ordinance Code (Chapter 6.106), we will not employ any person who is less than eighteen (18) years of age in the cultivation operation. No person under the age of eighteen (18) will be allowed on the premises. The entrance to the building area of the cultivation site will be





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posted with a notice that states the restrictions on the presence of persons under the age of eighteen (18).

11. No Ingesting Permitted. As per Alameda County Ordinance Code (Chapter 6.106), nobody will be allowed to smoke, ingest or otherwise consume cannabis on the cultivation site.
12. Display Cultivation Permit. As per Alameda County Ordinance Code (Chapter 6.106), we will conspicuously display the cultivation permit (MCCOP).
13. Registry of Employees. We will maintain a current registry of persons, including, but not limited to, employees, contractors and volunteers, who are regularly engaged in the operation of the cultivation site. The registry will be provided to the Planning Director and the Sheriff at any time upon request. The registry will include the name, current residential address, telephone number, date of birth and the height, weight and color of eyes and hair of each such person.
14. Criminal Background Checks. As per Alameda County Ordinance Code (Chapter 6.106), no person who has been convicted of a felony within the past three years may be actively engaged in the operation of any cultivation site. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
15. Safety and Security. We have provided adequate security on the premises, including lighting and alarms, to ensure the safety of persons and to protect the premises from theft. All safety and security measures are detailed in a Site Security Plan, which will be approved by the Sheriff's Office.
16. Compliance with State Law. As per Alameda County Ordinance Code (Chapter 6.106), we will comply with all state statutes, regulations and requirements. We will obtain and maintain any permit, license, certification or registration required by the state. We will pay for all required state taxes and fees. Compliance with all applicable requirements established by the following agencies is specifically required:
  - a. California Department of Food and Agriculture
  - b. California Department of Fish & Wildlife



- c. California Water Quality Control Board
- d. Bay Area Air Quality Management District
- e. CALFIRE
- f. California Department of Pesticide Regulation
- g. California Environmental Protection Agency
- h. California Franchise Tax Board

17. Compliance with Local Law. As per Alameda County Ordinance Code (Chapter 6.106), we will comply with all local ordinances, regulations, guidelines, standards and requirements of all local agencies and departments. We will obtain and maintain any permit, license, certification or registration required by a local agency or department. We will pay all local taxes and fees. Compliance with all applicable requirements established by the following agencies and departments is specifically required:

- a. Alameda County Public Works Agency
- b. Alameda County Planning Department
- c. Alameda County Treasurer-Tax Collector
- d. Alameda County Fire Department
- e. Alameda County Agricultural Commissioner
- f. Alameda County Environmental Health Department
- g. Alameda County Sheriff's Office
- h. Zone 7 Water Agency or other agency having jurisdiction over water supply and/or flood control

18. Inspections. We will follow the guidelines of inspection such as periodic on-site compliance unannounced inspections to be conducted by appropriate officials. Inspections will initially occur four times per year, but the frequency and number of inspections may change at the discretion of the Planning Director.

19. Fees. We will remit payments for all application, program, and inspection fees in a timely manner.



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20. Conditions. We will comply with any special conditions or conditions of approval applicable to the permit, parcel, or project.
21. Fuels and Agricultural Additives. As per Alameda County Ordinance Code (Chapter 6.106), we will comply with the regulations of storage, use and handling of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide that are applicable with state and local laws and regulations, and in such a way that prevents spillage.
22. Noise. We will comply with the County Noise Ordinance.
23. Water. As per Alameda County Ordinance Code (Chapter 6.106), water will be sourced locally (on-site) and trucked water will not be used for general cultivation purposes, but may be used for emergencies (e.g., fire).
24. Employer Certification. As per Alameda County Ordinance Code (Chapter 6.106), Pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act, Business and Professions Code section 26051.5, we state and declare that we are an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Labor Conditions. As per Alameda County Ordinance Code (Chapter 6.106), we will comply with all applicable federal, state, and local laws and regulations governing California agricultural employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the County Ordinance Code. We will provide a copy of its labor peace agreement when required by California Business & Professions Code section 26051.5 to enter into and abide by a labor peace agreement. The Oasis will have restroom facilities that will accommodate both male and female staff.
26. Cultivation Liaison. As per Alameda County Ordinance Code (Chapter 6.106), we will provide the Planning Director with the name, telephone number and facsimile number of a community relations contact to whom one can provide notice of



problems associated with the cultivation site. We will make a good faith effort to resolve problems without the need for intervention by the County.

27. Processing Safety. As per Alameda County Ordinance Code (Chapter 6.106), we will follow these rules:

- a. Processing operations will be maintained in a clean and sanitary condition including all work surfaces and equipment.
- b. Processing operations will be implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
- c. Employees handling cannabis in processing operations will have access to facemasks and gloves in good operable condition as applicable to their job function.
- d. Employees will wash hands sufficiently when handling cannabis or use gloves.

28. Employee Safety Practices. As per Alameda County Ordinance Code (Chapter 6.106), we will follow the following employee safety practices:

- a. Cultivation operations and processing operations will implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
  1. Emergency action response planning as necessary;
  2. Employee accident reporting and investigation policies;
  3. Fire prevention;
  4. Hazard communication policies, including maintenance of material safety data sheets (MSDS);
  5. Materials handling policies;
  6. Job hazard analyses; and
  7. Personal protective equipment policies, including respiratory protection.
- b. Cultivation operations and processing operations will visibly post and maintain an emergency contact list which includes at a minimum:
  1. Operation manager contacts;
  2. Emergency responder contacts; and



3. Poison control contacts.
  - c. At all times, employees will have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source will be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. Any on site-housing provided to employees will comply with all applicable federal, state, and local laws and regulations.
  - e. We will include the following information in our Cannabis Processing Plan
    1. Summary of processing practices.
    2. Description of location where processing will occur.
    3. Estimated number of employees, if any.
    4. Summary of Employee Safety Practices.
    5. Description of toilet and handwashing facilities.
  - f. We will include a description of plumbing and/or septic system and whether or not the system is capable of handling increased usage.
  - g. The source of employee drinking water will be described and posted.
  - h. Any measurable increase in road use resulting from processing will be documented with a plan to minimize that impact.
  - i. Any on-site housing will be documented.
29. Waste. As per Alameda County Ordinance Code (Chapter 6.106), we will handle the waste products as follows:
- a. Solid and liquid wastes generated during cannabis production and processing will be stored, managed, and disposed of in accordance with applicable state and local laws and regulations.
  - b. Wastewater generated during cannabis production and processing will be disposed of in compliance with applicable state and local laws and regulations.
  - c. Wastes from the production and processing of cannabis plants will be evaluated against the state's hazardous waste regulations to determine if



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those wastes are classified as hazardous waste. It is the responsibility of each Permittee to properly evaluate their waste to determine if it is designated as a hazardous waste. If a Permittee's waste does qualify as a hazardous waste, then that waste is subject to the applicable management and disposal standards. A cannabis plant, usable cannabis, trim and other plant material in itself is not considered hazardous waste unless it has been treated or contaminated with a solvent.

- d. Cannabis byproducts or wastes that do not qualify as hazardous including but not limited to trim, roots, stalks, leaves, and stems, will either be rendered unusable prior to leaving the cultivation site or be fully accounted for in the our track and trace system





# Environmental Considerations

The Oasis Venture engaged Terraphase Engineering to perform an initial environmental assessment and to provide a mitigation strategy. Alice Hale Price, PE and Wendy Bellah, PE of Terraphase provided the following environmental considerations:

At the request of The Oasis, Terraphase has prepared the following description of the "green" business practices relating to energy and climate, water conservation, and materials and waste management which the applicant has incorporated into the project. This section may be used in response to the MCCOP Application Evaluation Criterion E.

The Oasis is committed to establishing a state-of-the-art-cultivation facility focused on efficient use of resources to generate the highest quality product. The proposed project includes the elements described in the following sections.

## **Energy & Climate**

The proposed project will include an extensive photovoltaic solar installation with PG&E agreement to buy electricity during times of low production (i.e. during the nighttime), and sell excess electricity during times of high production (i.e. mid-day). The system will be designed to generate the power needed for operations, and result in a net zero usage of grid supplied power. By utilizing a renewable energy source for cultivation operations, the proposed project would have significantly lower greenhouse gas (GHG) emissions than similarly sized projects powered exclusively by the grid.

In accordance with *Alameda County General Ordinance Amendments Regarding Cannabis Regulations Initial Study / Negative Declaration* ("the County IS/ND"; Alameda County 2017) Mitigation Measure GHG-1, the proposed project will prepare a quantitative estimate of annual GHG emissions associated with operations. Because the proposed project will utilize





renewable energy, it is not anticipated that emissions would exceed the significance threshold of 1,100 MTCO<sub>2</sub>/year.

### **Water Conservation**

The proposed project will utilize an aeroponic growing system which greatly reduces the water intensity of growing operations. The proposed operations would require approximately 70,000 gallons of water per week. The Oasis plans to recycle water to the maximum extent feasible, which would significantly reduce the weekly fresh water demand. Based on initial estimates, as much as 80% of the water may be able to be recycled. The Oasis is currently evaluating water treatment and recycling options to evaluate feasibility.

The proposed project includes the installation of a stormwater runoff storage system. This will allow stormwater to be captured during the wet season and used for irrigation or landscaping during the dry season. The capturing and storage of stormwater will also mitigate the potential for soil erosion both onsite and downstream.

### **Materials Use and Waste Reduction**

The proposed project is committed to producing the highest quality products, and as such will utilize only natural ingredients. The proposed facility would not employ the use of pesticides, and would minimize the use of fertilizers to the maximum extent possible.

A composting system will be established for management of organic waste materials and will be managed in accordance with the Waste Disposal Plan. This practice will greatly minimize the volume of waste sent for offsite disposal. Cannabis byproducts, such as trim, roots, stalks, leaves, and stems will be rendered unusable prior to leaving the cultivation site, as outlined in Performance Standard & Standard Condition #28.



## Environmental Considerations

### **Green Business practices relating to energy:**

The most significant environmental impact of cannabis cultivation is the energy intensity of indoor cultivation. The majority of the energy is used for lighting and ventilation (to remove heat and humidity); cannabis requires about 2000KWh of energy per pound of product (BOTEC). This level of energy intensity is very high compared with other horticultural products, and energy can account for over one-third of total production costs. Lighting is usually provided by a mix of metal halide (MH) and high-pressure sodium (HPS) lamps, which are replaced every three to four growing cycles.

Carbon dioxide generators fueled by natural gas or propane are often used in indoor grow houses to boost plant growth. Illegal operations that run on off-grid power may have altered energy use profiles due to the use of diesel or gasoline generators.

Indoor growing, despite the cost of energy use, has generally been the preferred cultivation method due to the ability to minimize and hide the cultivation area (in illegal operations) and to control environmental conditions to produce larger amounts (multiple harvests per year) of high-grade, profitable products.

An additional concern about lighting is that both metal halide and high-pressure sodium lamps contain mercury; it is important for these lamps to be properly recycled after use. Greenhouse cultivation requires significantly less energy than indoor cultivation; the primary use of energy is for heat, though not all greenhouse designs require supplemental heat. The operation of greenhouses to grow cannabis is similar to that of certain flowers and out-of-season vegetables.

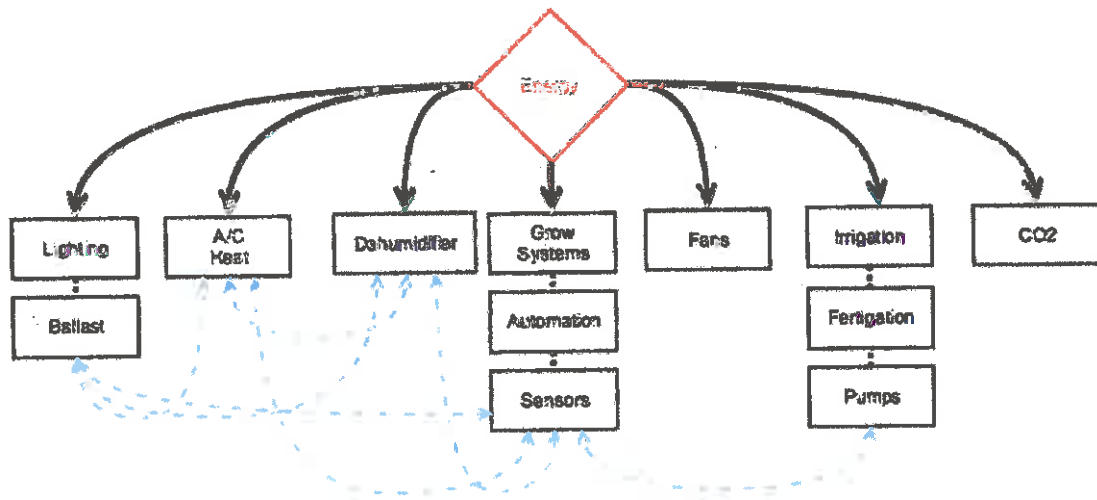
### **Energy efficiency and Renewable energy**

To address these issues, we will use solar energy that is clean and natural and will have less environmental impact. We will make sure that we follow energy efficiency and renewable energy guidelines using our solar energy panel system that will be



installed in our cultivation site. We will also use on-site power generator, commonly referred to as distributed generation (DG) that can deliver economic, environmental and operational benefits in our cultivation facilities. Two DG technologies cultivators are solar photovoltaic arrays (Solar PV) and electric energy.

Solar Photovoltaic Systems (Solar PV), convert sunlight into usable electricity. The two main components of a solar system are the panels and inverter(s). The solar panels use sunlight to generate electricity, and the inverter(s) converts that electricity from variable direct current (DC) to alternating current (AC) at the correct voltage, frequency, and phase needed to tie into the facility's electrical infrastructure and the larger electrical grid. For cannabis cultivation facilities, these systems will be installed on the ground (ground-mounted). Because the economic returns from on-site solar systems are typically dependent on utility-specific regulations, PG&E has been consulted with.



### 3 Principal Reasons to Reduce Energy Profiles:

1. **Economic Competitiveness** – Energy use represents a significant portion of a cultivation facility's total operating budget. As the industry continues to mature in California, the market is becoming increasingly price competitive. We should



reduce their energy consumption, and thereby energy costs, to be better positioned to succeed in this increasingly competitive market.

2. **Community Relations** –As the cannabis industry continues to grow, the electric demands of cultivation facilities can potentially lead to grid outages that affect the local community.
3. **Environmental impact** – Producing electricity is responsible for approximately one third of total greenhouse gas emissions in the United States. Over the past decade, various efforts to mitigate climate change have resulted in national electric demand remaining flat (zero percent growth).

While there is no singular solution for cultivators that are looking to reduce facilities' energy profile, the listed best practices are intended to provide a framework by which organizations can begin to develop a comprehensive energy management plan.

The Oasis Venture will install and use a ground mounted PV solar array to reduce the energy consumption and to be environmentally friendly.

### **Water Conservation, Waste Management**

Cannabis plants require nearly twice as much water as do grapes or tomatoes, and the last five years have brought a 50 to 100 percent increase in the amount of northern California watershed lands used for cannabis production that are causing growing concern among conservationists because of recent and very severe statewide drought. The majority of California agriculture is subject to heavy water use regulations. Farmers of most irrigated crops help their plants through the dry summer months by filling water tanks in the winter, when streams and springs are full. In contrast, many cannabis growers draw surface water during the plant's summer growing season, when drought conditions are worst. Taking water directly from rivers and streams in the summer not only reduces the water available for agriculture but also threatens wildlife species, especially birds and fish that depend on these wetland ecosystems for survival. Illegal cannabis plantations in California are associated with a wide range of other environmental impacts, including pollution,

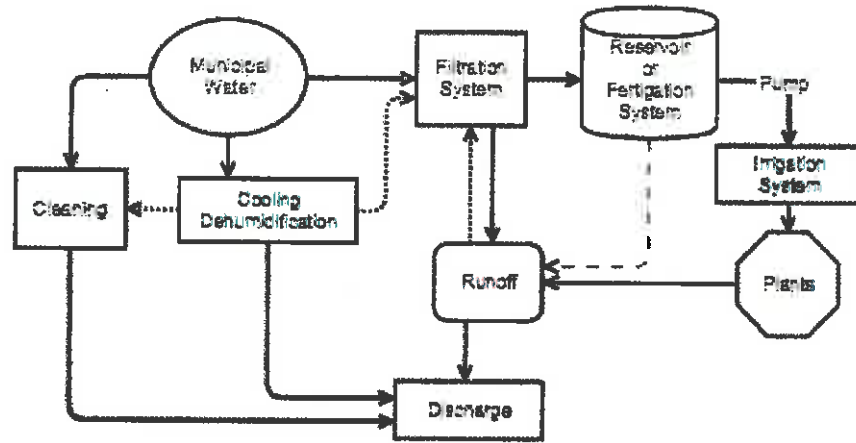


poaching, and pesticides that poison wildlife. Even legal outdoor cultivation can cause deforestation and soil erosion.

To address these concerns, we will use a patented hybrid hydroponic/aeroponic growing system. Aeroponic systems utilize spray nozzles to mist the stem or roots with a nutrient solution. Large-scale aeroponic system operators are more likely to use a channel system in which the roots of many plants are enclosed within a channel and spray misters line the inside of the channel. Another method is the bucket system, in which nutrified water and air are maintained in buckets into which the roots grow. Hydroponics systems are a method of growing plants in a water based, nutrient rich solution. Hydroponics does not use soil. Instead, the root system is supported using an inert medium such as perlite, rock wool, clay pellets, peat moss, or vermiculite. The basic premise behind hydroponics is to allow the plants roots to come in direct contact with the nutrient solution, while also having access to oxygen, which is essential for proper growth). Using these systems, the re-used and re-circulated water will reduce the consumption of water. Our method will significantly reduce the water consumption to less than 5% of what is normally used for cannabis cultivation.

However, there are specific process points of environmental impact, including net consumptive use (influent -- effluent), filtration and treatment, and effluent discharge water quality. For indoor or mixed light cultivation operations, influent filtration and treatment requirements result in solid waste generation, energy consumption and efficiency challenges, while effluent water quality is impacted as a result of the agricultural inputs required for cultivation. The flow of water through a typical indoor or mixed light cannabis cultivation is presented in the diagram on the next page.

The Oasis Venture will continually pursue innovations in water remediation and waste management technologies.



### Greenhouse Gas Emission:

Water and energy are inextricably linked, as there is a significant amount of energy embedded in the water supply due to factors intrinsic to the water and energy infrastructure. Water and wastewater utilities account for approximately 5 percent of overall U.S. electricity use, resulting in significant Greenhouse Gas (GHG) Emissions. In addition, regional water resource concerns — such as the loss of agriculture in rural areas and the biodiversity and watershed impacts of piping water outside of its native watershed — are of increasing concern. As such, introducing efficiencies in water use and quality can result in quantifiable reductions in GHG emissions and watershed.

The agriculture industry by nature requires significant amounts of water, which may stress local watersheds. Indoor and mixed light agriculture is similarly water intensive, yet cultivating cannabis in controlled environments provides multiple opportunities for water efficiencies and water recycling. Cultivation rooms can be thought of as a closed system for water use. Virtually all excess water runoff and water vapor can be captured and delivered back to the beginning of the watering process.



## Climate Change

Due to climate change, water scarcity and habitat degradation in northern California is likely to worsen in the future. Regional climate change projections anticipate warmer average air temperatures, increases in prolonged heat waves, decreases in snow pack, earlier snow melt, a greater percentage of precipitation falling as rain rather than snow, a shift in spring and summer runoff to the winter months, and greater hydroclimatic variability and extremes. Consequently, future hydrologic scenarios for California anticipate less water for ecosystem services, less reservoir capture, a diminished water supply for human uses, and greater conflict over the allocation of that diminished supply.

Climate change is expected to result in higher air and surface water temperatures in California's streams and rivers in the coming decades, which in turn could significantly decrease suitable habitat for freshwater fishes. Due to a warming climate, by 2050, 25 to 41% of currently suitable California streams may be too warm to support trout.

The data suggests that for some smaller headwater tributaries, cannabis cultivation may be completely dewatering streams, and for the larger fish-bearing streams downslope, the flow diversions are substantial and likely contribute to accelerated summer intermittence and higher stream temperatures. Clearly, water demands for the existing level of cannabis cultivation in many northern California watersheds are unsustainable and are likely contributing to the decline of sensitive aquatic species in the region.

Given the specter of climate change induced more severe and prolonged droughts and diminished summer stream flows in the region, continued diversions at a rate necessary to support the current scale of cannabis cultivation in northern California could be catastrophic for aquatic species.

Both monitoring and conservation measures are necessary to address environmental impacts from cannabis cultivation. State and federal agencies will



need to develop more comprehensive guidelines for essential bypass flows to protect rearing habitat for listed salmonid species and other sensitive aquatic organisms. Installation of additional streamflow gages and other water quality and quantity monitoring will be necessary to fill data gaps in remote watersheds. In addition, increased oversight of water use by state and local agencies will be necessary to prevent and remediate illegal grading and forest conversions. Local and state governments will need to provide oversight to ensure that complies with environmental regulations and best management practices. Local and state agencies and nonprofit organizations should also continue to educate cannabis cultivators and the public about the environmental threats, appropriate mitigation measures, and permit requirements to protect fish and wildlife habitat. Finally, local governments should evaluate their land use planning policies and ordinances to prevent or minimize future forestland conversion or other land uses that fragment forestlands and result in stream diversions.

To address these concerns, we will use our patented hybrid aeroponic/hydroponic system to grow cannabis and the water will be re-used and re-circulated to reduce the consumption of water.

## Pesticide Use

Due to its federal status as illegal, the Environmental Protection Agency provides no guidance on the use of pesticides for cannabis cultivation, and no pesticides are registered (permitted) federally for use on cannabis. States that permit cannabis cultivation have taken various approaches to regulating pesticide use: 17 states and the District of Columbia have adopted policies regulating pesticide use. Five of these states (Delaware, Massachusetts, New Hampshire, New Jersey, and Vermont) outlaw the use of any federally registered pesticide, while three states (Delaware, New Jersey, Vermont) have policies requiring cannabis to be grown without any pesticides. Four states (Illinois, Nevada, New Hampshire, Washington) have created or plan to create (in the case of Nevada) lists of pesticides approved for use. State





regulations on testing of cannabis products for pesticide residues and on labeling of pesticide contaminants on cannabis products vary.

To address these concerns, we will not use any pesticide in our aeroponic/hydroponic system of cannabis cultivation. Although extreme care is taken to minimize the risk, we will do analytical testing of all cannabis products for other contaminations such as fungus or other environmental contaminations.

### **Cannabis waste management**

We will document every stage of plant management, usually called "seed to sale tracking," which is handled by several software companies at this point. This includes accounting for plants and plant material that is being discarded, which usually includes extra vegetative plants, failed clones, and harvest waste. Collectively, this is referred to as Cannabis Waste Management.

This tracking process also averts employee theft, which is an added bonus. If 100 clones were cut, and 80 were sold, we will have a digital paper trail showing that the other 20 failed and were discarded with photo evidence of the failed clones saved in our database. This measure will further deter employee diversion.

As per Alameda County Ordinance Code (Chapter 6.106), we will handle the waste products as follows:

- Solid and liquid wastes generated during cannabis production and processing will be stored, managed, and disposed of in accordance with applicable state and local laws and regulations.
- Wastewater generated during cannabis production and processing will be disposed of in compliance with applicable state and local laws and regulations.
- Wastes from the production and processing of cannabis plants will be evaluated against the state's hazardous waste regulations to determine if those wastes are classified as hazardous waste. It is the responsibility of each Permittee to properly evaluate their waste to determine if it is designated as a hazardous waste. If a



Permittee's waste does qualify as a hazardous waste, then that waste is subject to the applicable management and disposal standards. A cannabis plant, usable cannabis, trim and other plant material in itself is not considered hazardous waste unless it has been treated or contaminated with a solvent.

- Cannabis byproducts or wastes that do not qualify as hazardous including but not limited to trim, roots, stalks, leaves, and stems, will either be rendered unusable prior to leaving the cultivation site or be fully accounted for in our track and trace system.

### **Cannabis Re-cycling and Re-use Programs**

Waste from cannabis cultivation facilities will be strictly regulated. For any cannabis generated waste, we will use sustainable waste management practices. Currently, landfilling is the main form of waste disposal along with recycling and composting. Our cultivation facilities will aim to reduce, reuse and recycle as much of our waste stream as possible. We will consider the source of the resources used and purchase items that are made from natural, compostable or recycled materials, when available. We will further reduce the waste generated and landfilled by using compliant packaging that minimizes materials or by implementing package collection schemes.

The sustainability impacts of waste management and diversion include:

1. **Economic Competitiveness** – Operational efficiencies required for overall solid cannabis waste reduction result in budget optimization through reduced raw materials procurement and disposal costs. Reduction of raw material use and material re-use results in consumables reduction and solid waste output reduction. This cannabis waste reduction is linked to water and energy usage levels, so the implementation of efficiency strategies for the water and energy sustainability factors can result in lower consumable use and subsequent solid waste reduction.



2. **Community Relations** – Waste reduction and diversion creates a point of outreach with the community by reassuring neighborhood residents that a cannabis cultivation operation is a responsible local environmental partner, committed to the health and well-being of the local area. In addition, because land use impacts and Greenhouse Gas (GHG) Emissions are reduced, a progressive solid waste management program can dovetail with municipal climate, energy and land use sustainability goals.
3. **Environmental Impacts** – As water and energy are inextricably linked, consumable use reduction is enabled through optimization of operational processes related to water and energy. In addition, waste reduction and diversion results in lower volumes of municipal solid waste (MSW) and subsequently lower embedded energy, landfill gas (LFG) emissions and landfill leachate. Cultivation facility waste is mainly generated from agricultural inputs, equipment, and product packaging. These wastes can be categorized as either organic, recyclable, universal and hazardous waste.



# Community Benefit

## Supporting and Funding Community Programs

### **Revenue Impact of State Legal Cannabis Enactments to Date**

Four states and the District of Columbia have legalized the sale of retail cannabis by popular vote, with an additional 25 states permitting medical cannabis or decriminalizing cannabis possession. In those states that have fully legalized cannabis, revenue collections have exceeded initial estimates. Colorado anticipated \$70 million in cannabis tax collections per year, and after a slow initial start, state collections will likely exceed \$140 million in calendar year 2016. In Washington, after a slow start to bring the licensing system online, sales are now averaging over \$2 million a day with revenue possibly reaching \$270 million per year. If all states legalized and taxed cannabis, states could collectively expect to raise between \$5 billion and \$18 billion per year. While these amounts are not stratospheric, they are considerable and exceed additional enforcement and regulatory costs incurred by the states.

### **Estimated Revenue Impact of Legal Cannabis**

It is estimated the current size of the cannabis market nationally is \$45 billion per year, approximately 0.28 percent of gross domestic product and comprising some 26 million pounds of cannabis consumed per year.

Federal and state governments have several options for taxes on a legal cannabis industry. A federal excise tax on cannabis similar to that of cigarettes, approximately \$23 per pound of product, would raise approximately \$500 million in additional revenue. A 10 percent sales surtax, similar in nature to those adopted recently by Colorado and other states and proposed in recent legislation by Rep. Earl Blumenauer, would raise approximately \$5.3 billion in additional revenue; higher excise tax rates would raise proportionately more.



Business income from cannabis production would initially raise almost \$5.5 billion in federal revenues and an additional \$1.5 billion in state and local revenues. These revenues are expected to fall as more businesses enter into the market and drive down profit margins. Individual income tax and payroll taxes from labor in the cannabis industry, which would be reported after legalization, contributes \$1.5 billion in federal revenue and an additional \$1 billion in state and local revenues. These revenues are expected to increase as production expands.

At the state level, assuming no black market, state taxes on cannabis similar to Washington and Colorado could increase state's tax revenues by \$13 billion nationally, with an additional \$5 billion from normal sales taxes. If high tax rates or other factors perpetuate the black market, tax collections would be less.

### **Cannabis Tax Breakdown**

Now that Proposition 64 has passed (after covering administrative costs) the remaining tax revenue potential is:

**\$10 million** annually for 11 years for public universities in California to evaluate the impact of legalization and recommend policy changes, if needed. Research will cover topics such as public health, public safety and prices.

**\$3 million** annually for five years to the CHP to develop protocols for determining when drivers are impaired by cannabis, with no good test available now

**\$10 million**, increasing to \$50 million annually by 2022, for grants to local health departments and nonprofits that support addiction treatment, job placement, mental health treatment and other services for communities such as Compton and Oakland that have been hard-hit by previous drug policies.

**\$2 million** annually to the UC San Diego Center for Medical Cannabis Research to study cannabis as medicine.

The remaining revenue will be divided up to include:



**60 percent** to prevent young people from abusing substances by offering grants to schools and county health programs, funding treatment programs, helping at-risk youth and more. Estimated at \$450 million or more a year.

**20 percent** to help state environmental agencies restore waterways affected by cannabis cultivation and protect public lands from being used for cannabis activities. Projected to be upwards of \$150 million annually.

**20 percent** to the CHP to train officers for detecting DUIs and to offer grants to local law enforcement, fire protection or public health programs in regions where cultivation and sales are allowed. Expected to be some \$150 million or more each year.

Starting in 2028, legislators could funnel revenue to other programs. However, they could never reduce the dollar amount going to youth programs, environmental agencies or law enforcement.

A mature cannabis industry could generate up to \$28 billion in tax revenues for federal, state, and local governments, including \$7 billion in federal revenue: \$5.5 billion from business taxes and \$1.5 billion from income and payroll taxes.

A federal tax of \$23 per pound of product, similar to the federal tax on tobacco, could generate \$500 million per year. Alternatively, a 10 percent sales surtax could generate \$5.3 billion per year, with higher tax rates collecting proportionately more.

The reduction of societal risk in being engaged in the cannabis trade, as well as the inclusion of taxes, will combine to reduce profits (and tax collections) somewhat from an initial level after national legalization.

Society pays all the costs regardless of legality but tax revenues help offset those costs.



## Employment and Job Training Programs

We have vital interests in ensuring a safe, healthy and efficient working environment for our employees, their co-workers and the customers we serve. Using or possessing alcohol or other intoxicating drugs in the workplace presents a danger to everyone. For these reasons, we have established as a condition of employment and continued employment at our cultivation facilities the following intoxicants in the workplace policy. We will train our employees in the following areas.

Controlled substances (because of psychoactive effects) are defined by the federal and state governments to describe five levels of drugs, with schedule I drugs being the most restrictive and illegal to possess or use (i.e., heroin, LSD and cannabis\*) and schedule V drugs (i.e., cough syrup, aspirin and sleep aids) available without prescription at most retail stores.

Employees are prohibited from reporting to work or working while under the influence of alcohol and/or other drugs that adversely affect the employee's ability to safely perform his or her job duties.

Employee substance abuse problems will be identified by issues with behavior and measures of performance only. We understand that there is a difference between substance use and substance abuse, and that use isn't necessarily abuse.

Employees are free to make their own lifestyle choices when not in the workplace or otherwise on company time. However, such choices must not be allowed to interfere with job performance. Employees are prohibited from reporting for duty or remaining on duty with any alcohol or any other intoxicants in their systems. Employees are further prohibited from consuming alcohol or other intoxicants during working hours, including meal and break periods. Failure to comply with the foregoing substance abuse policy may result in disciplinary action, up to and including discharge.



## Cannabis and Local Substance Abuse

When a person smokes cannabis, THC quickly passes from the lungs into the bloodstream. The blood carries the chemical to the brain and other organs throughout the body. The body absorbs THC more slowly when the person eats or drinks it. With ingestion the effects are not usually felt until after 30 minutes to 1 hour. THC acts on specific brain cell receptors that ordinarily react to natural THC-like chemicals. These natural chemicals play a role in normal brain development and function. Cannabis over activates parts of the brain that contain the highest number of these receptors. This causes the "high" that people feel. Cannabis also affects brain development. When people begin using cannabis as teenagers, the drug may impair thinking, memory, and learning functions and affect how the brain builds connections between the areas necessary for these functions. Researchers are still studying how long cannabis's effects last and whether some changes may be permanent.

Cannabis use can lead to the development of a substance use disorder, a medical illness in which the person is unable to stop using even though it's causing health and social problems in their life. Severe substance use disorders are also known as addiction. Research suggests that between 9 and 30 percent of those who use cannabis may develop some degree of cannabis use disorder. People who begin using cannabis before age 18 are four to seven times more likely than adults to develop a cannabis use disorder.

Many people who use cannabis long term and are trying to quit report mild withdrawal symptoms that make quitting difficult. These include: grouchiness, sleeplessness, decreased appetite; anxiety.

No medications are currently available to treat cannabis use disorder, but behavioral support has been shown to be effective. Examples include therapy and motivational incentives (providing rewards to patients who remain drug-free). Continuing research





may lead to new medications that help ease withdrawal symptoms, block the effects of cannabis, and prevent relapse.

Because cannabis abuse and addiction have so many dimensions and disrupt so many aspects of an individual's life, treatment is not simple. Effective treatment programs typically incorporate many components, each directed to a particular aspect of the illness and its consequences. Addiction treatment must help the individual stop using drugs, maintain a drug-free lifestyle, and achieve productive functioning in the family, at work, and in society. Because addiction is a disease, most people cannot simply stop using drugs for a few days and be cured. Patients typically require long-term or repeated episodes of care to achieve the ultimate goal of sustained abstinence and recovery of their lives. Indeed, scientific research and clinical practice demonstrate the value of continuing care in treating addiction, with a variety of approaches having been tested and integrated in residential and community settings. As we look toward the future, we will harness new research results on the influence of genetics and environment on gene function and expression (i.e., epigenetics), which are heralding the development of personalized treatment interventions. These findings will be integrated with current evidence supporting the most effective cannabis abuse and addiction treatments and their implementation, which are reflected in this guide.

## The Oasis Venture Education Outreach

The Oasis is and will be involved with education in a variety of ways. We are already participating in the Alameda County Cannabis Education Youth and Adult Awareness (CEYAA) Committee. Oasis has also been involved over the past several years with mentorship and other educational programs for UC Davis, Lawrence Livermore National Lab, Sandia National Lab, and the Cleantech Open.

The Oasis facilities have already been used to hold a variety of classes and seminars. As we become operational, we expect to extend relationships in the community to host a variety of educational programs in support of scientists,



entrepreneurs, farmers, teachers, community colleges, law enforcement, as well as the community at large.

In addition to working in cannabis abuse prevention programs and general education about cannabis, we will develop programs at all levels in conjunction with the schools, universities, labs, and local businesses for job training in crop management, controlled climate environments, water management systems, waste management, energy management, and high-tech infrastructures to support local sustainability. We expect to provide a variety of programs for veterans and other groups who may need an extra hand such as the “high functioning homeless”.

Tax revenue generated from cannabis sales will be used for youth education. The purpose is to decrease youth cannabis use through education and this can be achieved through a collaborative effort of the Cannabis Prevention Partnership. Membership includes representation from our local health department, health district, mental health center, tobacco prevention coalition, hospital network, youth corrections facility, family based organization, substance abuse prevention agency, school districts, youth enrichment organizations, law enforcement, and suicide prevention agency.

Our goals are:

- preventing access to alcohol and cannabis by minors
- avoiding business practices that promote high-risk drinking and irresponsible use of cannabis
- collaborating with community entities to solve challenges faced by alcohol and cannabis retailers
- cultivating a relationship built on trust with the Sheriff's Department
- informing the community about our commitment to reduce underage drinking and underage use of cannabis
- provide parents with facts and information about cannabis use



## Cannabis and Domestic Violence Programs

Studies have shown that couples who use cannabis experience lower rates of domestic violence. Furthermore, those who have suffered from domestic violence and assault often use cannabis to treat the PTSD they suffer from because of their past. A study done in 2014 by Yale University, Rutgers and University of Buffalo found lower rates of domestic violence between married couples who both use cannabis. The study started in 1996, and followed 634 couples for nine years. The study also took into account factors like use and behavioral issues, and still found that overwhelmingly, the cannabis-using couples were less violent. The researchers hypothesize that the positive side effects of using cannabis may actually reduce conflict and aggression. However, the researchers worry that some of these findings may have been predictive rather than causal—meaning that this could be not because cannabis is making people less violent, but because those who choose to smoke cannabis are the type of people who would not commit violent acts in the first place. That is still not a bad outcome of this research, as it serves to dispel the already-refuted myth that cannabis users are violent or aggressive people. Within the study, the couples that used cannabis more frequently generally also experienced less frequent intimate partner violence for both men and women, within the first nine years of marriage; and, when both people in the couple used cannabis frequently, the couple became even less at risk for subsequent partner violence.

In contrast, researchers have long debated a possible link between use of cannabis and violent crime. In contrast to alcohol, meth, and many other illegal drugs, the mellowing effects of cannabis seem unsuited to promoting violent behavior.

However, ample previous research has linked cannabis use to increased violent behavior. The sticky problems in such studies are the many confounding factors involved in interpreting this correlation. It is very difficult to determine whether any statistical correlation between cannabis use and violent behavior are causally linked, or instead the two are associated through some other factor, such as socioeconomic status, personality traits, or many other variables that are related to the propensity to



use cannabis. Moreover, the causal relation between smoking cannabis and violent behavior could be in exactly the opposite direction. That is, individuals who are involved in violence or who commit criminal offenses may also be people who are more open to using cannabis. After all, cannabis is an illegal substance in most places, so people with antisocial personality traits and those with tendencies toward lawlessness may be the type of individuals inclined to be more open to obtaining and using the illegal substance. What makes this new study more compelling than previous studies is that the researchers followed the same individuals for over 50 years from a young age to adulthood. This is precisely what one needs to solve the chicken or egg riddle with respect to cannabis and violence: just look and see which one happens first.

## The Oasis Venture – Community Benefit

The Oasis Venture is built on 3 core values; innovation, education, and community. A culture of collaboration ties these values together. Collaboration provides synergy because it is interactive. Each adds value to the other.

What does this mean in a more practical sense? The Oasis has been involved with Community Benefit already for several years through involvement in pro bono civil dispute resolution and work with at-risk youth. Currently, we are involved with the Cannabis Education for Youth and Adults (CEYAA) group, the Measure D Working Committee, the Cannabis Stakeholders group, and the Alameda County Agriculture Advisory Committee.

We are committed to working with local elected officials and staff to further the value of this pilot by helping to refine and advance public policy around cannabis cultivation and permitting as well as the impact of agriculture technology to the advancement of agriculture in Alameda County.

We will provide job training in a variety of agriculture related areas including modern greenhouse growing techniques, greenhouse operations and maintenance, cannabis



growing. Job training and jobs opportunities will be available to people in the local community. We will seek out veterans and high functioning homeless people to fill available openings who can meet the requirements specified by county and state regulations.

The Oasis has the good fortune of being well located with exceptional facilities for outreach and education. We will make our facilities available for events and programs supporting agriculture, water, energy, and local sustainability.





**THE OASIS**

a venture dedicated to Agtech  
INNOVATION • EDUCATION • COMMUNITY

## Local Commitment

The Oasis is committed to the wellbeing of our local community. We have been Alameda County landowners for 29 years.



The nearly 100-acre Oasis property had not been used for agriculture for many years when we acquired it nearly 5 years ago. We returned the land to agriculture growing winter grains and grazing cattle.

We also established the Oasis Innovation Center, a venture dedicated to agriculture, water, energy, and food establishing relationships with Innovation Tri-Valley, Lawrence Livermore National Laboratory, Sandia National Laboratory, Las Positas Community College, and a variety of other organizations to create an Agtech



**OASIS**

a venture dedicated to Agtech  
INNOVATION • EDUCATION • COMMUNITY

incubator/accelerator/think tank focused on collaborative innovation, education, and commercialization of agriculture technologies ([www.oasisventures.com](http://www.oasisventures.com)). We regularly support the Graduate School of Entrepreneurship at UC Davis and their satellite campus' as mentors and judges to help young businesses.

When the Oasis Venture flourishes through its work in cannabis cultivation we will be in the financial position to launch programs to help support these goals even more than we will now. There will be increased jobs and job training plus a greater variety of educational programs coordinated with the local education infrastructure.

In addition, we have our non-profit, the Oasis Institute, standing by to further our community education goals, selected research, and community outreach efforts. We will support the community at large as well as veterans, high-functioning homeless, and other selected groups who have been marginalized.

Oasis Venture owners have demonstrated community commitment through involvement in dispute resolution programs, work with at risk youth, membership in the Agriculture Advisory Committee, the Cannabis Stakeholders Group, the Measure D Working Committee, and the Cannabis Education for Youth and Adults group. This is a partial list. Moreover, we are fully committed to our local community both through our efforts and through leveraging our exceptional facilities for events and programs.





**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY**  
P L A N N I N G   D E P A R T M E N T

# COUNTY OF ALAMEDA

## REQUEST FOR PROPOSAL for

### Medical Cannabis Cultivation Operator Permits (“MCCOP”)

For complete information regarding this project, see RFP posted at <https://www.acgov.org/cda/planning/landuseprojects/medical-cannabis.htm> or contact the County representative listed below.

**Contact Person: Liz McElligott, Assistant Planning Director**

**Phone Number: (510) 670-5400**

**E-mail Address: [elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org)**

### RESPONSE DUE

by

5:00 p.m.

on

6<sup>th</sup> November 2017

at

**Alameda County, CDA-Planning  
224 West Winton Avenue, Suite 111  
Hayward, CA 94544**



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**COUNTY OF ALAMEDA**  
**REQUEST FOR PROPOSAL**  
**for**  
**Medical Cannabis Cultivation Operator Permits (“MCCOP”)**

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**ATTACHMENTS**

- EXHIBIT A – APPLICATION RESPONSE PACKET
- EXHIBIT B - SITE, APPLICANT AND EMPLOYEE INFORMATION

## **I. CULTIVATION PERMIT PROCESS OVERVIEW**

### **A. INTENT**

Thank you for your interest in applying for a Medical Cannabis Cultivation Operator Permit (“Permit”) to participate in Alameda County’s Medical Cannabis Cultivation Pilot Program (“Pilot Program”) pursuant to Chapter 6.106 of the Alameda County Ordinance Code (“Ordinance Code”).

This Request for Proposals (“RFP”) outlines the process for solicitation of permit applications (“Applications”) and selection of the Applicants who will be granted Permits. The County intends to grant a maximum of four (4) Permits to the Applicants whose responses conform to the RFP, meet the County’s requirements, and are ranked highest in the competitive selection process described below. This Permit is the first of two permits required to commercially cultivate medical cannabis in the Unincorporated Area of Alameda County.

The successful Applicants will be offered a Permit, subject to specified operating conditions and standard conditions. Each Permit shall expire two (2) years after the date of its issuance or upon the sunset and termination of the Pilot Program, whichever is earlier. If the Applicant(s) certify acceptance of the operating conditions and standard conditions of the Permit, the Applicant(s) will be eligible to apply for a Conditional Use Permit (“CUP”) for cannabis cultivation pursuant to Title 17, Section 17.52.585 of the Alameda County General Ordinance Code (“Zoning Ordinance”).

**A Medical Cannabis Cultivation Operator Permit and a Conditional Use Permit (CUP) must be obtained prior to commencement of cannabis cultivation.**

### **B. BACKGROUND**

On September 12, 2017, the Alameda County Board of Supervisors approved an ordinance adding Chapter 6.106 to the Ordinance Code and an ordinance introducing amendments to Sections 17.04.010, 17.52.585, and 17.54.130 of the Zoning Ordinance to implement a Pilot Program authorizing and regulating the cultivation of medical cannabis in the Unincorporated Area of the County.

The Pilot Program allows for the approval of up to four (4) Permits for commercial cultivation of medical cannabis subject to the processes and relevant considerations for application, review, and selection of Permits detailed in Sections 6.106.070 to 6.106.110 of Chapter 6.106.

The purpose of the Pilot Program is to allow for the cultivation of medical cannabis in appropriate locations to help ensure that medical cannabis will be available to patients in need of it while preserving the character, health and safety of the surrounding area. The County intends to proceed with further study and public meetings to consider a permanent ordinance

that effectively regulates and licenses cultivation of medical cannabis, including commercial cultivation.

The adoption of the Pilot Program allowing the short-term, small-scale cultivation of medical cannabis will enable the County to evaluate appropriate districts, performance standards and prohibitions prior to consideration of a permanent, countywide ordinance regulating all aspects of cannabis cultivation and implementing state regulations. Participants in the Pilot Program will be permitted to cultivate medical cannabis through the duration of the Program only and will have no right to continue cultivation beyond the expiration of the Program or the expiration or revocation of the Permit.

Chapter 6.106 of the Ordinance Code identifies several decision-making and administrative processes which are required to be conducted by the Director of the Community Development Agency (“CDA”) or his designee. For the purposes of the Pilot Program, the CDA Director has designated the Planning Director as his designee.

## II. CALENDAR OF EVENTS

EVENT	DATE/LOCATION	
County post <b>Request for Proposals (RFP)</b>	by 6 <sup>th</sup> October 2017	
<b>Applicant Information Session #1</b>	18 <sup>th</sup> October 2017 @ 10:00 a.m	at: Martinelli Center, Executive Conference Room, 3585 Greenville Road, Livermore, CA 94550
<b>Applicant Information Session #2</b>	19 <sup>th</sup> October 2017 @ 2:00 p.m	at: Alameda County Public Works Building Auditorium, First Floor 399 Elmhurst Street, Hayward, CA 94544
Applicants submit <b>Written Questions</b> to the County	by 5:00 p.m. on 23 <sup>rd</sup> October 2017	
Last date for Applicants to submit <b>Exhibit B – Site, Applicant and Employment Information</b> for verification and background checks by the Sheriff	by 5:00 p.m on 27 <sup>th</sup> October 2017	
County post <b>RFP Addendum (Response to Questions)</b>	by 27 <sup>th</sup> October 2017	

**Solicitation of Applications  
for Medical Cannabis Cultivation Operator Permits (MCCOP)**

Applicants submit <b>Application</b> (Exhibit A – Application Response Packet) and pay <b>Application Fee</b>	by 5:00 p.m on 6 <sup>th</sup> November 2017
Initial Evaluation Period	6 <sup>th</sup> November to 17 <sup>th</sup> November 2017
County notify Applicants outcome of Initial Evaluation	by 17 <sup>th</sup> November 2017
Last date for successful Applicants to pay <b>Final Selection Fee</b>	by 5:00 p.m. on 28 <sup>th</sup> November 2017
Last date for Applicants notified of incomplete or incorrect applications to amend and refile Application	by the earlier of 10 days from the date Notice of Rejection issued or by 5:00 p.m on 27 <sup>th</sup> November 2017
Final Evaluation Period	20 <sup>th</sup> November to 14 <sup>th</sup> December 2017
Applicant Interview Period	4 <sup>th</sup> December to 14 <sup>th</sup> December 2017
County issue <b>Notice of Intention to Grant</b> to highest ranked Applicants	15 <sup>th</sup> December 2017
Last date for Applicant to accept or appeal <b>Operating Conditions</b> contained in Notice of Intention to Grant and pay <b>Permit Issuance Fee</b>	by 5:00 p.m. on 28 <sup>th</sup> December 2017
County issue Permits	When Applicant certifies acceptance of Operating Conditions and Permit Issuance Fee has been paid

**Note:** The dates in the above Calendar of Events are subject to amendment by the County if required as the process progresses.

### **III. PRE-APPLICATION PROCESS**

#### **A. APPLICANT INFORMATION SESSIONS**

Applicants are strongly encouraged, but not required, to attend either one of the two Applicant Information Sessions identified in the Calendar of Events. The Applicant Information Sessions will:

- Provide the County with an opportunity to present more detail about the RFP and Selection Process; and
- Provide an opportunity for Applicants to ask specific questions about the permitting process and requirements and request RFP clarification.

If you require further information regarding information session arrangements or have any difficulty locating the meeting room, please contact Maria Palmeri (details below):

Maria Palmeri  
Alameda County Planning Department  
224 W. Winton Avenue, Rm 111, Hayward, CA 94544  
E-Mail: [maria.palmeri@acgov.org](mailto:maria.palmeri@acgov.org)  
PHONE: (510) 670-5421

**B. RFP ADDENDUM (RESPONSE TO QUESTIONS)**

Following the Applicant Information Sessions, Applicants have the opportunity to submit in writing to the County any questions of clarification regarding the RFP. Questions are required to be submitted by email by the due date for Written Questions specified in the Calendar of Events.

The County will issue an RFP Addendum which will be posted on the County website following the Applicant Information Sessions. The RFP Addendum will address all relevant questions:

- Raised in the Application Information Sessions; and
- Submitted in writing, by email to [elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org), by the due date for Written Questions specified in the Calendar of Events.

**C. APPLICANT AND EMPLOYEE INFORMATION**

Prior to submitting the Application, Applicants are required to complete Exhibit B - Site, Applicant and Employee Information and submit this to the County by the date specified in the Calendar of Events. The information in Exhibit B is required to enable the Sheriff's Office to verify the information required under Ordinance Code Section 6.106.080.A.1-10, including the requirements that:

- The Applicant must be eighteen (18) years of age or older;
- A background check is required for every owner, manager, supervisor and employee specified in the Application; and
- No person convicted of a felony within the past three years may be actively engaged in the operation of any cultivation site in the County (Alameda County Ordinance Code Section 6.106.100.A.4). A conviction means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Individuals with a drug violation which was reclassified from a felony to a misdemeanor by Proposition 47 must have taken the necessary action to have their violation reclassified to prevent it from appearing as a felony on the background check.

In addition to submitting Exhibit B - Site, Applicant and Employee Information to CDA-Planning, the specified personnel identified in Exhibit B will be required to attend the County Sheriff's Office to complete a background check. **Applicants should contact the County Sheriff's Office at (510) 667-3620 or by email at [acsopermits@acgov.org](mailto:acsopermits@acgov.org) as soon as possible to schedule an appointment for each person to submit the required information for a background check, to be fingerprinted and to be photographed for identification purposes. A fee of \$57.00 per person must be paid at the time of the appointment to cover the cost of the fingerprinting.**

#### **IV. APPLICATION REVIEW AND EVALUATION PROCESS**

##### **A. INITIAL APPLICATION EVALUATION**

1. **Initial Review:** Applicants are required to complete the Application Response Packet provided in Exhibit A. After the County receives an Application, the Initial Application Evaluation will begin, using the criteria outlined in Table A below. During the Initial Application Evaluation, the following County agencies will review and comment on specific portions of the Application (Ordinance Code Section 6.106.090.A):
  - The Sheriff will be responsible for verifying the factual information in the Application, including names, addresses and other information on the Applicant and any manager, supervisor and employees of the proposed cultivation operation, as required in Ordinance Code Section 6.106.080.A.1-10.
  - The Sheriff will comment on the adequacy of security measures that are described in the application, the security plan, the site plan, and other relevant aspects of the Application.
  - The Community Development Agency will comment on the proposed location's compliance with zoning regulations and conditions that are needed to mitigate adverse impacts on surrounding uses.
  - The Health Care Services Agency will comment on the services to be provided and the mission statement set forth in the Application.
2. **Application Completeness:** After the Initial Application Evaluation, the Planning Director will reject any Application that has been deemed to be improperly completed or incomplete, and will notify the Applicant of the rejection. The Applicant may amend and refile the application within 10 days after receiving notification from the Planning Director. If an Amended Application is not received within 10 days of notification or if the Amended Application is still deemed to be improperly completed or incomplete, the Application will receive no further consideration. (Ordinance Code Section 6.106.090.B)

- 3. Completion of the Initial Review:** Upon completion of the Initial Application Evaluation, the Planning Director will reject any Application that meets any of the following criteria:
- The proposed cultivation operation does not comply with requirements of Chapter 6.106 of the Ordinance Code.
  - The Applicant has knowingly made a false statement of material fact or has knowingly omitted a material fact from the Application.
  - The proposed cultivation operation at the proposed location is prohibited by any state or local law or regulation.
  - Any person who is listed on the Application pursuant to subsection (A)(10) of Section 6.106.080 has been convicted of a felony within the past three (3) years. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
  - The Applicant or the operator listed in the Application is less than eighteen (18) years of age.
  - The Health Care Services Agency has determined that the application for a cannabis cultivation site has failed to state a health care purpose that fulfills the purposes of Section 11362.5 et seq. of the California Health and Safety Code.
  - The Applicant is delinquent in the payment of any applicable state or County taxes and fees.
- 4. Determination of Eligible Applications:** Any Application that is not rejected upon completion of the Initial Application Evaluation will be deemed an Eligible Application and will be submitted to the Final Application Evaluation phase of the solicitation process. At the conclusion of the Initial Application Evaluation, the Planning Director will notify each Applicant of the results of the Initial Application Evaluation of their Application. All Applications that pass the Initial Application Evaluation will be submitted to the County Selection Committee (“CSC”) for Final Application Evaluation.

5. **Initial Evaluation Criteria:** The Initial Evaluation Criteria, which will be determined on a Pass/ Fail basis, are as follows.

<b>TABLE A</b>		
<b>INITIAL EVALUATION CRITERIA</b>		
	<b>Evaluation Criteria</b>	<b>Evaluation Measure</b>
<b>A.</b>	<p><b>Background Check:</b></p> <p>If any person listed on the Application as an owner, manager, supervisor or employee for the proposed cultivation site fails to pass a background check, the Application will be rated a Fail in the Evaluation Criteria and will receive no further consideration.</p>	Pass/ Fail
<b>B.</b>	<p><b>Completeness of Application:</b></p> <p>An Applicant must amend and refile an Application within 10 days after receiving notification that the application has been deemed by the Planning Director to be improperly completed or incomplete (Ordinance Code Section 6.106.090.B). If an Amended Application is not received within 10 days of notification or if the Amended Application is still deemed to be improperly completed or incomplete, the Application will be rated a Fail in the Evaluation Criteria and will receive no further consideration.</p>	Pass/Fail
<b>C.</b>	<p><b>Compliance with General Code Section 6.106.100.A:</b></p> <p>Any Application that meets any of the criteria in Section 6.106.100.A. of the Ordinance Code will be rated a Fail in the Evaluation Criteria and will receive no further consideration.</p>	Pass/Fail



**B. FINAL APPLICATION EVALUATION**

1. **Final Selection Process:** The Final Application Evaluation phase of the solicitation process will include selection from the eligible Applications and the establishment of Operating Conditions for any permits issued to the selected eligible Applicants. The County's goal is to grant Permits to the Applicants that represent the best quality applications as determined by the combined weight of the evaluation criteria.

The County intends to grant up to four (4) Permit(s):

- If the number of eligible applications for cannabis cultivation sites is the same as or less than four (4), then all eligible Applications will be submitted for establishment of Operating Conditions.
- If the number of eligible applications exceeds four (4), then a competitive evaluation process will be conducted in which applicants are scored and ranked with the Planning Director recommending issuance of a permit to the highest ranked, eligible applicants.

(Ordinance Code Section 6.106.110)

2. **County Selection Committee ("CSC"):** If the number of Eligible Applications exceeds four (4), the CSC will evaluate and score each eligible application in accordance with the Final Evaluation Criteria set forth below in Table B. The CSC will be composed of County staff comprising representatives of the Planning Department, the Agricultural/ Weights and Measures Department and the Sheriff's Office. The evaluation of the Applications shall be within the sole judgment and discretion of the CSC.

All contact during the evaluation phase shall be through CDA- Planning staff only. Applicants shall neither contact nor lobby evaluators during the evaluation process. Attempts by any Applicant to contact and/or influence members of the CSC may result in disqualification of the Applicant.

3. **Assessment of Final Evaluation Criteria:** Each of the Final Evaluation Criteria below will be used in ranking and determining the quality of Applications. Applications will be evaluated according to each Final Evaluation Criteria, and scored on the zero to five-point scale outlined below. The scores for all Final Evaluation Criteria will then be added, according to their assigned weight (below), to arrive at a weighted score for each proposal. An Application with a high weighted total will be deemed of higher quality than an Application with a lesser-weighted total. The final maximum score for any project is 550 points, including the local agricultural community commitment points (maximum 10% of final score).

The Final Evaluation Process may include a two-stage approach comprising an evaluation of the written application and preliminary scoring (Stage 1) to develop a short list of

**Applicants that will continue to the final stage of oral interviews and site visits (Stage 2). The preliminary scoring will be based on the total points, excluding points allocated to the oral interview and site visit.**

**If the two-stage approach is used, up to eight Applicants receiving the highest preliminary scores and with at least 200 points will be invited to an oral interview and asked to host a site visit. All other Applicants will be deemed eliminated from the process at this point. All Applicants will be notified of the short list; however, the preliminary scores at that time will not be communicated.**

**The zero to five-point scale range is defined as follows:**

<b>0</b>	<b>Not Acceptable</b>	<b>Non-responsive, fails to meet RFP specification. The application has no probability of success. If a mandatory requirement this score will result in disqualification of proposal.</b>
<b>1</b>	<b>Poor</b>	<b>Below average, falls short of expectations, is substandard to that which is the average or expected norm, has a low probability of success in achieving objectives per RFP.</b>
<b>2</b>	<b>Fair</b>	<b>Has a reasonable probability of success, however, some objectives may not be met.</b>
<b>3</b>	<b>Average</b>	<b>Acceptable, achieves all objectives in a reasonable fashion per RFP specification. This will be the baseline score for each item with adjustments based on interpretation of proposal by Evaluation Committee members.</b>
<b>4</b>	<b>Above Average / Good</b>	<b>Very good probability of success, better than that which is average or expected as the norm. Achieves all objectives per RFP requirements and expectations.</b>
<b>5</b>	<b>Excellent / Exceptional</b>	<b>Exceeds expectations, very innovative, clearly superior to that which is average or expected as the norm. Excellent probability of success and in achieving all objectives and meeting RFP specification.</b>

4. **Final Evaluation Criteria:** The Final Evaluation Criteria and their respective weights are as follows:

<b>TABLE B</b>		
<b>FINAL EVALUATION CRITERIA – STAGE 1</b>		
	<b>Evaluation Criteria</b>	<b>Weight</b>
<b>A.</b>	<p><b>Security Plan (Ordinance Code Section 6.106.080.A.11):</b></p> <p>An adequate Security Plan must contain a detailed description of the proposed security arrangements for ensuring the safety of persons from theft and robbery and protection of the premises from theft and burglary.</p> <p>The Security Plan must:</p> <ul style="list-style-type: none"> <li>• be approved by the Sheriff;</li> <li>• include a lighting plan showing existing and proposed exterior premises and interior lighting levels; and</li> <li>• include alarms and security surveillance cameras.</li> </ul> <p>Security video shall be maintained for 30 business days and shall be made available to the Sheriff upon request. The video system for security cameras must be located in a locked, tamper-proof compartment. A professionally monitored robbery alarm system shall be installed and maintained in good working condition. The Security Plan shall include the provision of a suitable locked safe on the premises for after-hours storage of medical cannabis.</p> <p>In evaluating this criterion, the CSC will have regard to the comments of the Sheriff (Section 6.106.090.A.2).</p>	<b>20 Points</b>
<b>B.</b>	<p><b>Appropriateness of Site and Design of Proposed Facility (Ordinance Code Section 6.106.080.A.12&amp;13, 17.52.585):</b></p> <p>The proposed cultivation site, in either the East County or the Castro Valley Canyonlands:</p> <ul style="list-style-type: none"> <li>• conforms with all applicable zoning requirements,</li> <li>• is consistent with the setbacks required in Section 17.52.585 of the County General Code,</li> </ul>	<b>20 Points</b>

	<ul style="list-style-type: none"> <li>● provides adequate access to a county road,</li> <li>● is consistent with the Floor Area Ratio restrictions in Measure D, included in the land use description section of the East County Area Plan (ECAP), and</li> <li>● minimizes visual impacts with appropriate measures, including fencing and screening.</li> </ul> <p>In evaluating this criterion, the CSC will have regard to the comments of the Community Development Agency in relation to the proposed location's compliance with zoning regulations and conditions that are needed to mitigate adverse impacts on surrounding uses (Section 6.106.090.A.3).</p>	
C.	<p><b>Operating Plan (General Code Section 6.106.080.A.21):</b></p> <p>The Operating Plan must specifically describe how the cannabis cultivation site will operate consistent with state and local law, including but not limited to:</p> <ul style="list-style-type: none"> <li>● the minimum staffing levels for operation of the cannabis cultivation site;</li> <li>● policies and procedures for record keeping;</li> <li>● specific details of the cultivation operation's track and trace program;</li> <li>● specific details regarding product testing;</li> <li>● other relevant information regarding the operation of the proposed cannabis cultivation site; and</li> <li>● a copy of the cultivation operation's labor peace agreement when required by California Business &amp; Professions Code Section 26051.5 to enter into or abide by a labor peace agreement.</li> </ul>	20 Points
D.	<p><b>Mitigation of Potential impacts (General Code Section 6.106.080.A.16):</b></p> <p>The Application must include a description of the methods by which the applicant will mitigate any potentially adverse impacts, such as traffic, light, odors or noise, on surrounding property owners.</p> <p>The cannabis cultivation site shall be designed to provide</p>	10 Points

**Solicitation of Applications  
for Medical Cannabis Cultivation Operator Permits (MCCOP)**

	<p>sufficient odor absorbing ventilation and exhaust systems so that any odor generated on the premises is not detected outside property on which it operates.</p> <p>In evaluating this criterion, the CSC will have regard to the comments of the Community Development Agency in relation to the proposed location's compliance with zoning regulations and conditions that are needed to mitigate adverse impacts on surrounding uses (General Code Section 6.106.090.A.3).</p>	
<b>E.</b>	<p><b>Environmental Considerations</b></p> <p>The Application must describe any proposed "green" business practices relating to energy and climate, water conservation, and materials and waste management.</p> <p>Examples of "green" practices could include energy efficiency and renewable energy, the use of green building measures, and conservation and recycling/re-use programs, among others.</p>	<b>5 Points</b>
<b>F.</b>	<p><b>Community Benefit:</b></p> <p>Applicants must provide a description of a proposed Community Benefits Program.</p> <p>Examples of benefits could include, but are not limited to, supporting or funding community programs, employment and job training programs, local substance abuse, cannabis youth education, or domestic violence programs, or other activities that benefit the County.</p>	<b>5 Points</b>
<b>FINAL EVALUATION CRITERIA – STAGE 2 (OPTIONAL)</b>		
<b>G.</b>	<p><b>Oral Interview:</b></p> <p>The oral interview on the Application shall not exceed 60 minutes. The oral interview may include responding to standard and specific questions from the CSC regarding the Application.</p>	<b>10 Points</b>
<b>H.</b>	<p><b>Site Visit:</b></p> <p>The CSC may arrange an inspection of the site to enable the CSC to review the Application having regard to relevant site features and constraints.</p>	<b>10 Points</b>

<b>LOCAL AGRICULTURAL COMMUNITY COMMITMENT</b>	
<b>I.</b>	<p><b>Local Commitment:</b></p> <p>Points equaling up to ten percent of the Applicant’s total score for the above Final Evaluation Criteria (Stage 1 + Stage 2) will be added based on the extent to which the Applicant(s) demonstrate an historic and/or a long-term commitment to improving the local agricultural community.</p>
	<b>Ten Percent (10%)</b>

**Note:** The assessment based on the Final Selection Criteria will be the Applicant’s final score for the purposes of grant evaluation.

5. **CSC Recommendations:** Applications will be evaluated by the CSC and ranked in accordance with the Final Evaluation Criteria. The CSC will recommend the grant of a Permit to the Applicant(s) who, in its opinion, has submitted the Application that attains the highest overall point score. On receiving the CSC’s recommendations, the Planning Director shall recommend issuance of a Permit(s) to the highest ranked, eligible applicants, subject to Operating Conditions.
  
6. **Operating Conditions:** Prior to issuing Notice of Intention to Grant a Permit(s), the Planning Director shall establish Operating Conditions for each Permit (General Code Section 6.106.110.C). The Operating Conditions for each Permit shall:
  - a. Include a condition requiring compliance with the County of Alameda Community Development Agency Performance Standards and Standard Conditions for Pilot Program Cultivation Sites, established by the Planning Director pursuant to General Code Section 17.52.585.D;
  - b. Be limited to the conditions necessary to carry out the purpose of Chapter 6.106 and to mitigate specific and foreseeable adverse impacts on properties in the vicinity (General Code Section 6.106.110.C);
  - c. Include the requirement for the Applicant to obtain (General Code Section 6.106.110.E):
    - (1) Any required state permits or licenses for the operation of a cultivation operation, if and when applicable; and
    - (2) All land use entitlements required to operate a cultivation operation, if and when applicable.

**C. NOTICE OF INTENTION TO GRANT**

1. At the conclusion of the final selection process, all Applicants will be notified in writing by personal delivery or certified US Mail, postage prepaid, return receipt requested, of the Permit grant recommendations, if any, by CDA-Planning.
2. Successful Applicants will receive a Notice of Intention to Grant, providing the following information:
  - a. Confirmation that the Applicant's Application was successful and is being recommended for grant of a Permit pursuant to this RFP;
  - b. The Operating Conditions that would attach to the Permit; and
  - c. The name of all Applicant(s) who are being recommended for grant of a Permit pursuant to this RFP.
3. Unsuccessful Applicants will receive notice in writing providing the following information:
  - a. Notification that the Applicant's Application was unsuccessful; and
  - b. The name of all Applicant(s) who are being recommended for grant of a Permit pursuant to this RFP.
4. An Applicant who has received a Notice of Intention to Grant shall, within ten (10) days after receiving that notice, either (General Code Section 6.106.110.D):
  - a. Certify acceptance of the Operating Conditions, including the standard conditions, of the Permit; or
  - b. Refuse to certify acceptance of the Operating Conditions.

**D. GRANT OF PERMIT(S)**

1. If the Applicant certifies acceptance of the Operating Conditions within ten (10) days, the Permit shall be issued immediately by CDA-Planning. If the Applicant refuses or fails to certify acceptance of the Operating Conditions within ten (10) days, the Application shall be denied.
2. The County reserves the right to reject any or all responses that materially differ from any terms contained in this RFP or from any Exhibits attached hereto, to waive informalities and minor irregularities in responses received, and to provide an opportunity for Applicants to correct minor and immaterial errors contained in their submissions. The decision as to what constitutes a minor irregularity shall be made solely at the discretion of the County.

3. Any Applications that contain false or misleading information may be disqualified by the County.
4. The County reserves the right to grant the Permit(s) to a single or multiple Applicant(s).
5. The RFP specifications, terms, conditions and Exhibits, RFP Addenda and Applicant's Application, may be incorporated into and made a part of any Permit that may be granted as a result of this RFP.
6. An Applicant may appeal a decision made pursuant to County General Code Section 6.106.110 to the Board of Supervisors. The appeals process is outlined in County General Code Section 6.106.120. The appeal must be filed within 10 days following the issuance of the decision. The Board of Supervisors will consider the appeal at a public hearing at which the Board may sustain, modify, or overrule the decision. The Board may also remand the decision to the Community Development Director for reconsideration based on new information not previously presented to the director.

**E. FEES**

1. Each Applicant progressing through the stages of the evaluation process pursuant to this RFP will be required to pay the following fees, on the dates specified in the Calendar of Events:
  - a. Application Fee: \$8,000;
  - b. Final Selection Fee: \$4,000;
  - c. Permit Issuance Fee: \$2,000.
2. Applicants should also be aware that if they successfully obtain a Permit pursuant to this RFP, they may also incur further fees pursuant to the following processes:
  - a. Any appeal pursuant to Alameda County General Code Section 6.106.120, pursuant to which the appellant will be liable to bear the County's reasonable costs associated with an appeal;
  - b. Obtaining a CUP for cultivation;
  - c. Quarterly monitoring and compliance; and
  - d. A potential future taxation measure, which may be implemented by the County.



## **V. INSTRUCTIONS TO APPLICANTS**

### **A. COUNTY CONTACTS**

CDA-Planning is managing the competitive process for this RFP on behalf of the County. All contact during the competitive process is to be through the CDA Planning Department only, through the contact persons listed below.

The evaluation phase of the competitive process shall begin upon receipt of Applications until a Permit(s) has been granted. Applicants shall not contact or lobby evaluators during the evaluation process. Attempts by an Applicant to contact evaluators may result in disqualification of the Applicant.

The following website will be the official notification posting place of all Requests for Interest, Proposals, Quotes and Addenda:

<https://www.acgov.org/cda/planning/landuseprojects/medical-cannabis.htm>

**General Questions Regarding the RFP:** Potential Applicants may submit questions regarding ordinance requirements or the contents of this RFP to Planning Department staff by 5:00 p.m. on the due date specified in the Calendar of Events. Responses to all general questions received regarding the RFP or ordinance requirements will be included in the Addendum described above.

Please submit general questions to:

Liz McElligott, Assistant Planning Director  
Alameda County Planning Department  
224 W. Winton Avenue, Rm 111, Hayward, CA 94544  
E-Mail: [elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org)  
PHONE: (510) 670-5400

**Questions Regarding the Zoning of Specific Properties:** If you have a question about the zoning designation of a specific property, please contact the County Permit Center either in person at 399 Elmhurst Street, Hayward; or by phone at: (510) 670-5400.

**Questions Regarding Whether a Specific Property Meets Other Ordinance Requirements:** If you have a question about whether a specific property meets other ordinance requirements, please direct those questions to:

Rodrigo Orduña, Assistant Planning Director  
Alameda County Planning Department  
224 W. Winton Avenue, Rm 111, Hayward, CA 94544  
E-Mail: [rodrigo.orduna@acgov.org](mailto:rodrigo.orduna@acgov.org)  
PHONE: (510) 670-5400

**B. SUBMITTAL OF APPLICATIONS**

1. All applications must be hand delivered and must be received at the CDA Planning Department of Alameda County by 5:00 p.m. on the due date specified in the Calendar of Events.

**NOTE: LATE APPLICATIONS CANNOT BE ACCEPTED. PLEASE ALLOW TIME FOR METERED PARKING OR PARKING IN PUBLIC PARKING LOTS.**

Applications will be received only at the address shown below, and by the time indicated in the Calendar of Events. Any Application received after said time and/or date or at a place other than the stated address cannot be considered and will be returned to the Applicant.

All Applications must be hand delivered and must be received and time stamped by the Planning Department at the stated address prior to the time designated. The timestamp applied by a Planning Department staff member shall be considered the official timepiece for the purpose of establishing the actual receipt of Applications.

2. Applications are to be addressed as follows:

Medical Cannabis Cultivation Operation Permits  
MCCOP RFP 2017  
Alameda County, Planning Department  
224 W. Winton Avenue, Rm 111  
Hayward, CA 94544

**The Applicant's name, return address, and the RFP title ("MCCOP RFP 2017") must also appear on the mailing package.**

3. Applicants are to submit one original hardcopy Application (Exhibit A – Application Response Packet, including additional required documentation), with original ink signatures, plus 6 copies of the Application. The original Application is to be clearly marked "ORIGINAL" with copies to be marked "COPY". All Applications should be printed on plain white paper, and must be in a 3-ring binder (NOT bound). It is preferred that all Applications submitted shall be printed double-sided and on minimum 30% post-consumer recycled content paper. Inability to comply with the 30% post-consumer recycled content recommendation will have no impact on the evaluation and scoring of the Application.

Applicants **must** also submit an electronic copy of their proposal. The electronic copy must be in a single file (PDF with OCR preferred), and shall be an **exact** scanned image of the original hard copy Exhibit A – Application Response Packet, including additional required

documentation. The file must be on disk or USB flash drive and enclosed with the sealed original hardcopy of the bid.

4. All costs required for the preparation and submission of an Application shall be borne by the Applicant.
5. All other information regarding the Application responses will be held as confidential until such time as the County Selection Committee has completed its evaluation and Permit(s) have been granted by the County.
6. Each Application received, with the name of the Applicant, shall be entered on a record, and each record with the successful Application indicated thereon shall, after the grant of the Permit, be open to public inspection.

**C. RESPONSE FORMAT**

1. Application responses are to be straightforward, clear, concise and specific to the information requested.
2. In order for Application to be considered complete, the Applicant must provide responses to all information requested. See Exhibit A – Application Response Packet.
3. Application responses, in whole or in part, are NOT to be marked confidential or proprietary. The County may refuse to consider any Application response or part thereof so marked. Application responses submitted in response to this RFP may be subject to public disclosure. The County shall not be liable in any way for disclosure of any such records.

**THIS IS THE FINAL PAGE OF THE MCCOP RFP 2017**  
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# EXHIBIT A

## APPLICATION RESPONSE PACKET

MCCOP RFP 2017

To: The County of Alameda, Community Development Agency

From: \_\_\_\_\_  
(Official Name of Applicant)

- **AS DESCRIBED IN THE SUBMITTAL OF APPLICATIONS SECTION OF THIS RFP, APPLICANTS ARE TO SUBMIT ONE ORIGINAL HARDCOPY APPLICATION (EXHIBIT A – APPLICATION RESPONSE PACKET), INCLUDING ADDITIONAL REQUIRED DOCUMENTATION), WITH ORIGINAL INK SIGNATURES, PLUS 6 COPIES AND ONE ELECTRONIC COPY OF THE APPLICATION IN PDF**
- **ALL PAGES OF THE APPLICATION RESPONSE PACKET (EXHIBIT A) MUST BE SUBMITTED IN TOTAL WITH ALL REQUIRED DOCUMENTS ATTACHED THERETO; ALL INFORMATION REQUESTED MUST BE SUPPLIED**
- **EACH APPLICANT MUST SIGN AND SUBMIT THE APPLICANT INFORMATION AND ACCEPTANCE FORM BELOW**
- **EACH LANDOWNER MUST SIGN AND SUBMIT THE LANDOWNER INFORMATION AND ACCEPTANCE FORM BELOW**
- **ALL NOTATIONS MUST BE PRINTED IN INK OR TYPEWRITTEN; ERRORS MAY BE CROSSED OUT AND CORRECTIONS PRINTED IN INK OR TYPEWRITTEN ADJACENT, AND MUST BE INITIALED IN INK BY PERSON SIGNING THE APPLICATION**

## **APPLICANT INFORMATION AND ACCEPTANCE**

1. The undersigned Applicant declares that the Application Documents, including, without limitation, the RFP, Addenda, and Exhibits have been read.
2. The undersigned Applicant has reviewed the Application Documents and fully understands the requirements in this RFP.
3. The undersigned Applicant authorizes the County, its agents and employees, to seek verification of the information contained in the Application.
4. The undersigned Applicant agrees to hold harmless and indemnify the County from all costs and expenses including attorney's fees that the County may incur in connection with processing the Applicant's Application.
5. The undersigned Applicant declares, under penalty of perjury, that:
  - a. I am the Applicant or have legal authority to sign on behalf of the Applicant;
  - b. The Applicant has the ability to comply with laws regulating businesses in the state of California and shall maintain compliance with all relevant laws during the term of the permit;
  - c. The Applicant and any person with an ownership interest of more than ten (10) percent in the proposed cultivation operation has not been convicted of a felony within the past three years; and
  - d. The Applicant is at least eighteen (18) years of age.
6. The undersigned Applicant certifies, under penalty of perjury, that:
  - a. All the information contained in this Application is true and correct; and
  - b. The Applicant accepts the Performance Standards and Standard Conditions for Pilot Program Medical Cannabis Cultivation Sites adopted by the Planning Director.

**[SIGNATURE AND ADDITIONAL INFORMATION AND ACCEPTANCE FOLLOW ON NEXT PAGE]**

**APPLICANT INFORMATION AND ACCEPTANCE (CONTINUED)**

Official Name of Applicant: \_\_\_\_\_

Street Address Line 1: \_\_\_\_\_

Street Address Line 2: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Webpage (if applicable): \_\_\_\_\_

Type of Entity / Organizational Structure (check one):

Corporation

Joint Venture

Limited Liability Partnership

Partnership

Limited Liability Corporation

Non-Profit

Other: \_\_\_\_\_

Jurisdiction of Organization Structure: \_\_\_\_\_

Date of Organization Structure: \_\_\_\_\_

Primary Contact Information:

Name / Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

Name and Title of Signer: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2017



## LANDOWNER INFORMATION AND ACCEPTANCE

1. The undersigned Landowner declares, under penalty of perjury, that:
  - a. I am the owner of the proposed cultivation site identified in Exhibit A;
  - b. I consent to the proposed use of the land by the Applicant for the purpose of a medical cannabis cultivation operation.

*If the site has more than one landowner, the signature of each landowner is required. Provide a completed Landowner Information and Acceptance for each landowner and clearly identify the total number and names of all relevant Landowners.*

Official Name of Landowner: \_\_\_\_\_

Street Address Line 1: \_\_\_\_\_

Street Address Line 2: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Type of Entity / Organizational Structure (check one):

- |  |  |
|--|--|
| <input type="checkbox"/> Corporation                   | <input type="checkbox"/> Joint Venture |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Partnership   |
| <input type="checkbox"/> Limited Liability Corporation | <input type="checkbox"/> Non-Profit    |
| <input type="checkbox"/> Other: _____                  |  |

Jurisdiction of Organization Structure: \_\_\_\_\_

Date of Organization Structure: \_\_\_\_\_

Primary Contact Information:

Name / Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

Name and Title of Signer: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2017

## REQUIRED DOCUMENTATION AND SUBMITTALS

All of the documentation listed below is required. Applicants shall submit all documentation, in the order listed below and clearly label each section with the appropriate title (i.e. Table of Contents).

- 1. **Table of Contents:** Application responses shall include a table of contents listing the individual sections of the Application and their corresponding page numbers. Tabs should separate each of the individual sections.
- 2. **Letter of Transmittal:** Application responses shall include a description of Applicant's capabilities and approach and provide a brief synopsis of the highlights of the Application and overall benefits of the Application to the County. This synopsis should not exceed three pages in length and should be easily understood.
- 3. **Exhibit A – Application Response Packet:** Every Applicant must complete and submit the complete Exhibit A – Application Response Packet, which includes the following components:
  - (a) **Applicant Information and Acceptance** (signed pages 2 to 3 of Exhibit A)
  - (b) **Landowner Information and Acceptance** (signed page 4 of Exhibit A)
  - (c) **Applicant and Employee Information** (Exhibit B, as signed and submitted)
  - (d) **Security Plan**
  - (e) **Site Plan**
  - (f) **Description of External Appearance**
  - (g) **Description of Products**
  - (h) **Mission Statement**
  - (i) **Mitigation Measures**
  - (j) **Operating Plan**
  - (k) **Environmental Considerations**
  - (l) **Community Benefit**
  - (m) **Local Commitment** (if applicable – if not applicable, state "Not Applicable")



# EXHIBIT B

## SITE, APPLICANT AND EMPLOYEE INFORMATION

### MCCOP RFP 2017

The following information is required to enable the Sheriff's Office to verify the information required to be included in the Application pursuant to Alameda County Ordinance Code 6.106.080.A.1-10.

In addition to submitting this Exhibit B to CDA-Planning, the Applicant will also be required to arrange all specified personnel to attend an appointment at the Sheriff's Office as detailed in Section F below.

#### A. Proposed Medical Cannabis Cultivation Site

If you need more space to provide site or landowner details, please provide this on a separate sheet marked "Attachment A".

<b>Site</b>	Street Address:	
	Suite/ Apt:	
	City:	
	State:	
	Zip code:	
<b>Assessor's Parcel Number(s) (APN)</b>		
<b>Landowner #1</b>	Name:	
	<b>Primary contact person:</b> (if the Landowner is a business)	
	Street address:	
	Suite/ Apt:	
	City:	
	State:	
	Zip code:	



<b>Personal details</b> (Of Applicant, or; Primary Contact Person if Applicant is a business)	Date of birth:			
	Social security number:			
	Street address: (If different from above)			
	Suite/ Apt:			
	State:			
	Zip code:			
	Phone:			
	Email address:			
<b>Residential addresses in previous 5 years</b> (Of Applicant, or; Primary Contact Person if Applicant is a business)	<u>Previous Address 1:</u>			
	Dates occupied:	From: ..... / ..... / ..... MM / DD / YY	To: ..... / ..... / ..... MM / DD / YY	
	Street address:			
	Suite/ Apt:			
	State:			
	Zip code:			
	<u>Previous Address 2:</u>			
	Dates occupied:	From: ..... / ..... / ..... MM / DD / YY	To: ..... / ..... / ..... MM / DD / YY	
	Street address:			
	Suite/ Apt:			
	State:			
	Zip code:			

**C. Applicant's previous businesses and employment**

If you need more space to provide the Applicant's previous business and employment details, please provide this on a separate sheet marked "Attachment C".

<p><b>Businesses operated by and employment of the Applicant in previous 5 years</b></p> <p>(Of Applicant, or; Primary Contact Person if Applicant is a business)</p>	<b>Previous Business Operated By/ Employer #1:</b>	
	<p>Business operated or employer (Please check one only)</p>	<p><input type="checkbox"/> business operated by Applicant;      or      <input type="checkbox"/> employment of the Applicant.</p>
	<p>Dates operated or employed by:</p>	<p>From: ..... / ..... / ..... MM / DD / YY</p> <p>To: ..... / ..... / ..... MM / DD / YY</p>
	Street address:	
	Suite/ Apt:	
	State:	
	Zip code:	
	<b>Previous Business Operated By/ Employer #2:</b>	
	<p>Business operated or employer (Please check one only)</p>	<p><input type="checkbox"/> business operated by Applicant;      or      <input type="checkbox"/> employment of the Applicant.</p>
	<p>Dates operated or employed by:</p>	<p>From: ..... / ..... / ..... MM / DD / YY</p> <p>To: ..... / ..... / ..... MM / DD / YY</p>
	Street address:	
	Suite/ Apt:	
	State:	
	Zip code:	

**D. Applicant's other cannabis cultivation sites or dispensaries (if applicable)**

- If the Applicant has **not** previously operated any other cannabis cultivation site or dispensary, please check this box.
- If the Applicant has previously operated any other cannabis cultivation sites or dispensaries, please check this box, and please provide the following information on a separate sheet marked "Attachment D":
  - The address of any cannabis cultivation sites or dispensaries that are currently or have previously been operated by the Applicant;
  - A statement of whether the authorization for any such operation had been revoked or suspended; and
  - If so, the reason for the revocation or suspension.

**E. Employees**

Please provide on a separate sheet marked "Attachment E" the details of all persons who will be regularly engaged in the operation of the proposed cannabis cultivation site, including all:

- Owners. This includes each person with an ownership interest of 10 percent or more in the proposed cannabis cultivation operation;
- Employees;
- Volunteers; and
- Contractors.

The following details should be provided for each person named:

- Name;
- Telephone number;
- Capacity in which the person is or will be engaged (e.g. owner, employee, volunteer, contractor or other);
- Whether the person has or is proposed to have any management or supervisory responsibilities for the proposed cannabis cultivation site.



**F. Background checks and fingerprinting**

Every person identified in Section E above as an owner, manager, supervisor or employee must:

- Submit fingerprints and other necessary information to the County Sheriff's Office for a background check; and
- Be photographed for identification purposes.

The Applicant will also be required to attend the Sheriff's Office to:

- Provide written proof that the Applicant is eighteen (18) years of age or older (i.e. California driver's license, California identification card or birth certificate);
- Provide details of the height, weight, eye color and hair color of the Applicant; and
- Be photographed for identification purposes.

The Applicant should contact the County Sheriff's Office at (510) 667-3620 or by email at [acsopermits@acgov.org](mailto:acsopermits@acgov.org) as soon as possible to schedule an appointment for each specified person to submit the required information.

AN ORDINANCE ADDING CHAPTER 6.106 TO THE ALAMEDA COUNTY GENERAL  
ORDINANCE CODE TO IMPLEMENT A PILOT PROGRAM AUTHORIZING AND  
REGULATING THE CULTIVATION OF MEDICAL CANNABIS IN THE  
UNINCORPORATED AREA OF THE COUNTY OF ALAMEDA

SECTION 1

The Board of Supervisors makes the following findings of fact in support of this ordinance:

1. In 1996, the voters of the State of California approved Proposition 215 (codified as California Health and Safety Code section 11362.5 and titled the "Compassionate Use Act of 1996"); and
2. The intent of Proposition 215 was to enable persons who are in need of cannabis for medical purposes to be able to obtain and use it without fear of criminal prosecution under limited, specified circumstances; and
3. In 2004, Senate Bill 420 was enacted (codified as California Health and Safety Code section 11362.7 *et seq.* and titled the "Medical Marijuana Program Act") to clarify the scope of the Compassionate Use Act of 1996. The Medical Marijuana Program Act allows counties to adopt and enforce rules and regulations consistent with its provisions; and
4. In 2011, Assembly Bill 2650 was enacted (codified as California Health and Safety Code section 11362.768). This law affirms that counties can adopt ordinances that restrict the location and establishment of medical cannabis collectives and cooperatives; and
5. Pursuant to the Medical Marijuana Program Act, patients and caregivers may provide and acquire medical cannabis in a cooperative or collective manner wherein caregiver members may cultivate cannabis for the use of patient members, with costs and revenues of the cooperative or collective allocated accordingly; and
6. In 2015, Assembly Bill 243, Assembly Bill 266, Senate Bill 643 were enacted and were subsequently revised by Assembly Bill 21 in 2016 (codified, in part, as California Business and Professions Code section 19300 *et seq.* and titled the "Medical Marijuana Regulation and Safety Act"). These bills also amended provisions of the Medical Marijuana Program Act related to the cultivation of medical cannabis; and
7. In 2016, Senate Bill 837 was enacted to change all references to medical marijuana or marijuana to medical cannabis or cannabis, including changing the name of the Medical Marijuana Regulation and Safety Act to the Medical Cannabis Regulation and Safety Act; and

8. The Medical Cannabis Regulation and Safety Act established a comprehensive framework to license and regulate commercial medical cannabis cultivation, manufacturing, distribution, transportation, sales, and testing; and
9. On November 8, 2016, the voters of the State of California approved Proposition 64 (codified, in part, as California Business and Professions Code sections 26000 *et seq.* and titled the "Control, Regulate and Tax Adult Use of Marijuana Act"), which decriminalized the adult use of cannabis for non-medical purposes and established a regulatory scheme at the state level; and
10. On June 27, 2017, Senate Bill 94 (codified, in part, as California Business and Professions Code sections 26000 *et seq.* and titled the "Medicinal and Adult-Use Cannabis Regulation and Safety Act", or, "MAUCRSA") repealed and replaced MCRSA. MAUCRSA consolidates the medical and non-medical cannabis statutes (MCRSA and Proposition 64).
11. Pursuant to California Business and Professions Code section 26200, nothing in the Medicinal and Adult-Use Cannabis Regulation and Safety Act shall be interpreted to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local permit or licensing requirements; and
12. The County adopted an ordinance prohibiting delivery and cultivation of cannabis on January 16, 2016 (Ordinance No. 2016-6, codified as Chapter 6.106 of the County General Ordinance Code) in response to a provision of the Medical Cannabis Regulation and Safety Act that included a March 1, 2016 deadline for local jurisdictions to act, which provision was repealed by Assembly Bill 21 on February 3, 2016; and
13. Ordinance No. 2016-6 provided, "This Ordinance shall be repealed by its own terms upon the adoption of state legislation repealing or eliminating the March 1, 2016 deadline in Health and Safety Code section 11362.777(c)(4)" and accordingly, Chapter 6.106 of the Alameda County General Ordinance Code was repealed on February 3, 2016.
14. This Ordinance is enacted, consistent with the Compassionate Use Act of 1996, the Medical Marijuana Program Act, and the Medicinal and Adult-Use Cannabis Regulation and Safety Act, to protect the public health, safety, and welfare of residents of the County of Alameda in relation to the cultivation of medical cannabis; and
15. The cultivation of medical cannabis in appropriate locations will help ensure that medical cannabis will be available to the patients in need of it while preserving the character, health and safety of the surrounding area; and

16. Absent appropriate regulation, the cultivation of medical cannabis in the unincorporated area of the County poses a potential threat to public peace, health, and safety; and
17. The County of Alameda intends to proceed with further study and public meetings to consider a permanent, countywide ordinance that effectively regulates and licenses cultivation of medical cannabis, including commercial cultivation; and
18. The County has a compelling interest in protecting the public health, safety, and welfare of its citizens, residents, visitors and businesses, in preserving the safety, peace and quiet of the neighborhoods and agricultural districts within the unincorporated areas of the County by regulating the cultivation of medical cannabis; and
19. Pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act, the California Department of Food and Agriculture is responsible for promulgating regulations governing commercial cannabis cultivation and issuing cultivation licenses, which are anticipated to become effective in or around the year 2018; and
20. The adoption of a pilot program allowing the short-term, small-scale cultivation of medical cannabis will allow the County to evaluate appropriate districts, performance standards and prohibitions prior to consideration of a permanent, countywide ordinance regulating all aspects of cannabis cultivation and implementing state regulations; and
21. Participants in the pilot cultivation program would be permitted to cultivate medical cannabis through the duration of the pilot program only and would have no right to continue cultivation beyond the expiration of the pilot program or the expiration or revocation of the permit; and
22. The existing dispensaries operating in the County have demonstrated an ability to operate secure and responsible medical cannabis dispensary establishments and to comply with existing county and state laws concerning the dispensing of medical cannabis; and
23. Allowing these dispensaries to expand operations to limited cultivation in an approved location will allow the County to study cultivation-specific issues, including any effects on neighboring uses and mechanisms to track the product from cultivation through ultimate sale with a consistent, responsible entity at both the beginning and end of the supply in a vertically integrated structure; and
24. Allowing limited additional cultivation operations during this pilot program will allow the County to study cultivation-specific issues, including any effects on neighboring uses and mechanisms to track the product from cultivation through ultimate sale with multiple parties participating in the supply chain outside of a vertically integrated structure; and
25. During the term of the pilot program, the County will retain the authority to modify the terms, duration or requirements of the pilot program, including the authority to cancel the

pilot program, revoke or modify permits issued, adopt a moratorium on cultivation, and take any other actions within its power to protect the health, safety and welfare of County residents.

26. This Ordinance regulates the cultivation of medical cannabis in the unincorporated areas of the County and does not address the cultivation of cannabis for non-medical use under Proposition 64, MAUCRSA or otherwise;
27. The Board of Supervisors acknowledges that regulation of cannabis activities is an evolving field at the state level, as evidenced by the recent adoption of the Medicinal and Adult-Use Cannabis Regulation and Safety Act, passage of Proposition 64 and the related regulations being drafted by various state agencies that are not expected to be finalized and implemented until 2018. As a result, the field of local regulation is also expected to continue to evolve over the next several years including possible further revisions to the County ordinances, policies and performance standards; and
28. Nothing in this Ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. §§ 801 *et seq.* or to license any activity that is prohibited under said Act except as mandated by state law; and
29. Nothing in this Ordinance shall be construed to: (1) allow persons to engage in conduct that endangers others or causes a public nuisance; (2) allow the cultivation of cannabis for non-medical purposes; (3) exempt cultivation operations from compliance with zoning and land use regulations, or, (4) allow any activity relating to the manufacturing, distribution, or consumption of cannabis that is illegal under state or federal law.

## SECTION 2

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of Alameda, as follows:

Chapter 6.106 is hereby added to the Alameda County General Ordinance Code and reads as follows:

### **Chapter 6.106 – Medical Cannabis Cultivation Pilot Program**

#### **6.106.010 Purpose.**

The purpose and intent of this chapter is to provide a means for permitting and regulating the operation of a limited number of medical cannabis cultivation sites on a pilot basis in a manner that is consistent with state law and which promotes the health, safety and general welfare of the residents and businesses within the unincorporated areas of the County of Alameda.

**6.106.020 Definitions.**

The following words and phrases shall have the following meanings when used in this chapter:

- A. "Applicant" means a person who shall seek a permit under this chapter by filing an application as provided for in this chapter.
- B. "Application" means that form provided by the Director in accordance with this chapter for the purpose of seeking a permit.
- C. "Cannabis" shall have the same definition as in Business and Professions Code section 26001(f), which defines "cannabis" as all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For purposes of this chapter, "cannabis" does not mean "industrial hemp" as defined by Section 11018.5 of the California Health and Safety Code.
- D. "Cannabis cultivation" or, as used in this chapter, "Cultivation" or "Cultivate", means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming, including any associated storage, of medical cannabis. Cannabis cultivation includes the operations of a cannabis nursery. Cannabis cultivation does not mean the temporary maintenance and selling of clones from a permitted dispensary, where such activities are incidental and subordinate to the primary dispensary operation.
- E. "Cannabis cultivation area" means the portion of the premises used for cultivation activities including all buildings, accessory structures, storage and parking areas, other than as may be required for security purposes.
- F. "Cannabis nursery" means an operation that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of medical cannabis.
- G. "Cannabis Operator" or "operator" as used in this chapter means the natural person or designated officer responsible for the operation of any permitted cannabis operation.

- H. "Clone" means the cutting of a cannabis plant that has been re-planted and is non-flowering.
- I. "Community Development Agency" means the community development agency of the County of Alameda.
- J. "County" means the County of Alameda.
- K. "Director" means the director of the Community Development Agency or his designee.
- L. "Indoor cannabis cultivation" means the cultivation of medical cannabis within an enclosed structure using artificial light, at a rate of or greater than 25 watts per square foot or such other threshold for indoor cultivation as may be established by the California Department of Food and Agriculture.
- M. "Manufacture" means the process by which the raw agricultural cannabis product is transformed into a concentrate, an edible product, or a topical product. Manufacturing includes producing, preparing, propagating, or compounding manufactured cannabis or cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis.
- N. "Medical cannabis," "medical cannabis product," or "cannabis product" means a product containing cannabis, including, but not limited to, concentrates and extractions, intended to be sold for use by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code. For the purposes of this chapter, "medical cannabis" does not include "industrial hemp" as defined by Section 11018.5 of the Health and Safety Code.
- O. "Mixed-light cannabis cultivation" means the cultivation of medical cannabis using light deprivation and/or artificial lighting below 25 watts per square foot or such other maximum threshold for mixed-light cultivation as may be established by the California Department of Food and Agriculture.
- P. "Permit" means a cannabis cultivation permit issued by the county to operate a cannabis cultivation site under this chapter.
- Q. "Permitted cannabis dispensary" or "cannabis dispensary" means a facility in possession of a permit issued pursuant to Chapter 6.108 where medical cannabis, medical cannabis products, or devices for the use of medical cannabis or medical cannabis products are offered, either individually or in any combination, for retail sale, under the authority of the California Compassionate Use Act, the Medical Marijuana Program Act, and/or the California Medicinal and Adult-Use Cannabis Regulation and Safety Act and as regulated by chapter 6.108.

- R. "Permittee" means a person who holds an effective and current permit under this chapter.
- S. "Person" means any human being or an incorporated or unincorporated business entity or association established under the laws of the state.
- T. "Premises" means the parcel or parcels containing a medical cannabis cultivation site, including any buildings, greenhouses, accessory structures and appurtenant areas.
- U. "Sheriff" means the sheriff of the County of Alameda and his or her authorized representatives.
- V. "State" means the State of California.

**6.106.030 General requirements and program terms.**

- A. It is unlawful for any person to conduct, engage in or allow to be conducted or engaged in, cannabis cultivation in the unincorporated portion of the County of Alameda, unless such cannabis cultivation operation has been granted a legally effective permit issued under this chapter. Permits to cultivate medical cannabis under this chapter shall be issued on a temporary basis until such time as the county adopts a permanent ordinance regulating or banning cannabis cultivation in the unincorporated area of the county. Notwithstanding the above, the permits issued under this chapter do not provide any protection or immunity for any person from state or federal laws, or from prosecution pursuant to any applicable state or federal laws.
- B. The county shall have in effect no more than six cannabis cultivation permits throughout the duration of the pilot program, to be selected pursuant to sections 6.106.050 through 6.106.110 herein. A maximum of two permits will be available for indoor cannabis cultivation operations. A maximum of four permits will be available for mixed-light cannabis cultivation operations.
- C. Each cannabis cultivation permit shall expire two years after the date of its issuance or upon the sunset and termination of this pilot program pursuant to section 6.106.190 herein, whichever is earlier.
- D. The fact that an applicant possesses other types of state or local permits or licenses shall not exempt the applicant from obtaining a cannabis cultivation permit under this chapter.
- E. A permittee may cultivate medical cannabis during the term of the permit only. A permittee shall have no right to cultivate medical cannabis before or after the expiration of the permit.



F. Each medical cannabis cultivation site shall comply with all requirements in the Alameda County General Plan, including Measure D (Save Agriculture and Open Space Lands), any applicable specific plans, and Title 17 of the Alameda County General Ordinance Code.

**6.106.040** Land use approval.

Prior to commencement of cannabis cultivation activities, a permittee must obtain a conditional use permit pursuant to Section 17.52.585 of the Alameda County Zoning Ordinance for operation of a cannabis cultivation site.

**6.106.050** Cannabis cultivation permit application procedures – vertically integrated operations.

- A. Each application for a cultivation permit by a permitted cannabis dispensary in the unincorporated area of the county shall set forth or incorporate by reference the following information:
1. The full name, date of birth, social security number, present address and telephone number of the applicant.
  2. Name and location of applicant's permitted cannabis dispensary.
  3. The address to which notice of action on the application is to be mailed.
  4. A statement by the applicant that it has the ability to comply with all laws regulating businesses in the state of California and that it shall maintain compliance during the term of the permit.
  5. The names of each person with an ownership interest of more than 10 percent in the proposed cultivation operation.
  6. Certification, under penalty of perjury, that all the information contained in the application is true and correct.
  7. Authorization for the county, its agents and employees to seek verification of the information contained in the application.
  8. The applicant's agreement to hold harmless and indemnify the county from all costs and expenses, including attorney's fees, that the county incurs or that is held to be the liability of the county in connection with the county's defense of its actions in any proceeding challenging the county's actions with respect to the permit or cultivation project.
- B. The filing of an application shall be deemed complete upon the submission of an application in conformance with this section and payment of the application fees required by Section 6.106.130 and any fee schedule adopted by the County.

**6.106.060** Application review and action – vertically integrated operations.

- A. The director shall commence review of any application upon its filing. Within thirty business days after the filing of an application, the director shall reject any

application and so notify the applicant if the application has been improperly completed or if it is incomplete. The applicant may amend and refile the application within thirty days after such rejection.

- B. Upon receipt of a complete application, the director shall approve the application and grant the cultivation permit if each of the following conditions are met:
1. The applicant operates a permitted cannabis dispensary;
  2. The applicant's permitted cannabis dispensary has a record of good standing with the county for at least one year. For the purposes of this section, "good standing" means that the cannabis dispensary permit has not been suspended or revoked and that there are no pending proceedings for the suspension or revocation of the cannabis dispensary permit.
  3. No person who is listed on the application pursuant to subsection (1) or (5) of Section 6.106.050(A) has been convicted of a felony within the past three years. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
  4. The applicant or the operator listed in the application is at least eighteen (18) years of age.
- C. Upon receipt of a complete application, the director shall deny the application if one or more of the conditions set forth in subsection (B) above are not met.

**6.106.070 Cannabis cultivation permit application procedures – cultivation only.**

- A. The director will initiate a process to solicit applications for the establishment of one or more cannabis cultivation sites that need not be affiliated with a permitted cannabis dispensary.
- B. Each application for the establishment of a cannabis cultivation site pursuant to this section shall be filed with the director and the director shall be responsible for administering the application solicitation and renewal application processes as set forth in this chapter.
- C. The director shall adopt such forms and procedures as are necessary to implement this chapter with respect to the selection, revocation and suspension of permits.
- D. Wherever this chapter requires the county to give notice to an applicant, appellant or permittee, such notice shall be given by the director, in writing, and shall be delivered either by personal delivery or by certified U.S. mail, postage prepaid, return receipt requested.
- E. No person or facility that purports to have cultivated cannabis prior to the enactment of this chapter shall be deemed to have been a legally established cultivation

operation under the provisions of this chapter, and such person or facility shall not be entitled to claim a legal nonconforming status.

**6.106.080 Contents of cannabis cultivation permit application – cultivation only.**

A. In response to a solicitation for applications initiated by the director, each application for a cultivation permit pursuant to section 6.106.070 shall set forth or incorporate by reference the following information in a standard form adopted by the director:

1. Address of the proposed cannabis cultivation site and the name and address of the owner of the premises.
2. The full name, date of birth, social security number, present address and telephone number of the applicant.
3. The address to which notice of action on the application is to be mailed.
4. All residential addresses of the applicant for the five years immediately prior to the date of the application.
5. Written proof that the applicant is eighteen (18) years of age or older (i.e., California driver's license, California identification card or birth certificate).
6. The height and weight and the color of eyes and hair of the applicant.
7. Photographs of the applicant for identification purposes to be taken by the sheriff.
8. The names and addresses of all businesses operated by and the employment of the applicant for the five years immediately prior to the date of the application.
9. The address of any cannabis cultivation sites or dispensaries that currently is or previously had been operated by the applicant and a statement of whether the authorization for any such operation had been revoked or suspended and, if so, the reason therefor.
10. The names and telephone numbers of the person or persons to be regularly engaged in the operation of the proposed cannabis cultivation site, whether an employee, volunteer or contractor. The application shall also identify those persons, including telephone numbers (i.e., emergency contact), having management and supervisory responsibilities for the proposed cannabis cultivation site. Every person listed as owner, manager, supervisor or employee must submit fingerprints and other necessary information for a background check to the Alameda County sheriff's office, and be photographed for identification purposes. In addition, any new employees, independent contractors, other persons and/or volunteers who will be regularly engaged at the proposed cannabis cultivation site must submit their information to the sheriff's office within five days prior to their employment.
11. A security plan containing a detailed description of the proposed security arrangements for ensuring the safety of persons from theft and robbery and protection of the premises from theft and burglary. The security plan shall be approved by the Sheriff, and shall include a lighting plan showing existing and proposed exterior premises and interior lighting levels, alarms and security surveillance cameras. Security video shall be maintained for 30 business days and shall be made available to the Sheriff upon request. The video system for security

cameras must be located in a locked, tamper-proof compartment. A professionally monitored robbery alarm system shall be installed and maintained in good working condition. The security plan shall include the provision of a suitable locked safe on the premises for after-hours storage of medical cannabis.

12. A site plan, consisting of a sketch or diagram showing the entire parcel and the cannabis cultivation area designated for cultivation activities, including the interior configuration of the greenhouse or other structure housing cultivation activities, including a statement of the floor area occupied by each structure at the cannabis cultivation site. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus twelve (12) inches.

13. A description of the external appearance of the cannabis cultivation site, including a precise depiction of any signage and access roads. All signage shall comply with the County Zoning Ordinance.

14. A description of products to be cultivated on the premises.

15. The mission statement of the cannabis cultivation site with respect to meeting the medical needs of patients.

16. A description of the methods by which the applicant will mitigate any potentially adverse impacts, such as traffic, light, odors or noise, on surrounding property owners. The cannabis cultivation site shall be designed to provide sufficient odor absorbing ventilation and exhaust systems so that any odor generated on the premises is not detected outside property on which it operates.

17. Authorization for the county, its agents and employees to seek verification of the information contained in the application.

18. Written certification that the applicant has reviewed and understands and accepts any performance standards for cannabis cultivation that may be adopted by the director.

19. Certification, under penalty of perjury, that all the information contained in the application is true and correct.

20. A statement by the applicant that it has the ability to comply with all laws regulating businesses in the state of California and that it shall maintain compliance during the term of the permit.

21. An operating plan specifically describing how the cannabis cultivation site will operate consistent with state and local law, including but not limited to: the minimum staffing levels for operation of the cannabis cultivation site, policies and procedures for record keeping, specific details of the cultivation operation's track and trace program, specific details regarding product testing, and other relevant information regarding the operation of the proposed cannabis cultivation site and including a copy of the cultivation operation's labor peace agreement when required by California Business & Professions Code Section 26051.5 to enter into or abide by a labor peace agreement.

B. The filing of an application shall be deemed complete upon the submission of an application in conformance with this section and payment of the application fees required by Section 6.106.130.

**6.106.090 Initial review of application – cultivation only.**

A. The director shall commence review of any application received pursuant to section 6.106.080 immediately upon its filing and shall complete such initial review within the time period established in the solicitation process for cannabis cultivation permits, but in no event shall the initial review exceed sixty (60) days. In conducting this review, the following county agencies shall comment on specific portions of the application:

1. The sheriff shall be responsible for verifying factual information in the application, including names, addresses and other information on the applicant operator and its employees of the proposed cultivation operation.
2. The sheriff shall comment upon the adequacy of security measures that are described in the application, the security plan, the site plan, and other relevant aspects of the application.
3. The community development agency shall comment upon the proposed location's compliance with zoning regulations and conditions that are needed to mitigate adverse impacts on surrounding uses.
4. The health care services agency shall comment upon the services to be provided and the mission statement set forth in the application.

B. Within twenty (20) business days after the filing of an application, the director shall reject any application and so notify the applicant, if the application has been improperly completed or if it is incomplete. The applicant may amend and refile the application within ten days after such rejection.

C. At the conclusion of the initial review, the director shall notify the applicant of the results of the initial review of the application.

**6.106.100 - Action upon completion of initial review – cultivation only.**

A. Upon completion of the initial review, the director shall reject any permit application that meets any of the following criteria:

1. The proposed cultivation operation does not comply with requirements of this chapter.
2. The applicant has knowingly made a false statement of material fact or has knowingly omitted a material fact from the application.
3. The proposed cultivation operation at the proposed location is prohibited by any state or local law or regulation.
4. Any person who is listed on the application pursuant to subsection (A)(10) of Section 6.106.080 has been convicted of a felony within the past three (3) years. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
5. The applicant or the operator listed in the application is less than eighteen (18) years of age.
6. The health care services agency has determined that the application for a cannabis cultivation site has failed to state a health care purpose that fulfills

the purposes of Section 11362.5 *et seq.* of the California Health and Safety Code.

7. The applicant is delinquent in the payment of any applicable state or County taxes and fees.

B. Any application that is not rejected upon completion of the initial review shall be deemed an eligible application and submitted to the final selection phase of the solicitation process.

**6.106.110 - Final selection of medical cannabis cultivation sites – cultivation only.**

A. The final selection phase of the solicitation process shall include selection from the eligible applications and the establishment of operating conditions for any permits issued under this chapter to the selected eligible applicants. The final selection process shall not exceed sixty (60) days in the absence of an appeal.

B. If the number of eligible applications is the same as or less than the allowable number of cannabis cultivation sites allowed pursuant to section 6.106.030, then all applications shall be submitted for establishment of operating conditions as set forth in subsection C of this section. If the number of eligible applications exceeds the maximum number of cannabis cultivation sites pursuant to 6.106.030, then a competitive evaluation process shall be conducted in which applicants are scored and ranked with the director recommending issuance of a permit to the highest ranked, eligible applicants.

C. The director shall establish operating conditions for cannabis cultivation sites for each eligible application that has been submitted for final selection. The operating conditions shall be limited to those that are necessary to carry out the purposes of this chapter and to mitigate specific and foreseeable adverse impacts on properties in the vicinity.

D. At the conclusion of the final selection process outlined above, the director shall give notice to the cultivation permit applicant of the operating conditions that would attach to the permit. Within ten days after notice, the applicant shall either:

1. Certify acceptance of the operating conditions and the standard conditions of the permit, and the permit shall thereupon issue immediately.
2. If the applicant refuses or fails to certify agreement with any operating condition, the application shall be denied. The applicant may appeal any condition within ten days after notice of the conditions. Upon either the failure to file a timely appeal or the rejection of the appeal, the application shall be deemed denied.

E. The operating conditions established by the director shall include the requirement for each eligible applicant to obtain (1) any required state permits or licenses for the operation of a cultivation operation, if and when applicable, and (2) all land use entitlements required to operate a cultivation operation, if and when applicable. No cultivation permit shall be effective unless and until these conditions of approval are satisfied.

#### **6.106.120 Appeal.**

- A. An applicant aggrieved by the decisions described in Section 6.106.060 or Section 6.106.110 may appeal that decision to the board of supervisors within ten (10) days following the date of issuance of that decision by filing with the clerk of the board of supervisors or the director a notice of appeal specifying the grounds for such appeal. Filing such notice shall stay all proceedings in furtherance of the decision appealed from. The director is designated as an agent of the clerk of the board for purposes of receiving a notice of appeal.
- B. The board of supervisors shall give written notice of the time and place for hearing any appeal filed pursuant this section. Such notice shall be given to the applicant and to the agency which made the order appealed, and to any other person requesting such notice and depositing with the clerk of the board a self-addressed, stamped envelope to be used for that purpose.
- C. The board of supervisors may hear additional evidence and may sustain, modify, or overrule any order brought before it on appeal, and may make such findings and decisions as are not inconsistent with state law and county ordinances. The board of supervisors may also remand the decision to the director for reconsideration of his or her decision in light of new information not previously presented to the director. If no motion relative to the order appealed attains a majority vote of the board of supervisors within thirty (30) days from the date of the hearing by said board thereon, said order of the director shall stand sustained and be final.

#### **6.106.130 Fees.**

Each applicant shall reimburse the county for all staff costs, any consultant costs and any direct costs attributable to reviewing the application, conducting any required studies, acting upon the application, and verifying and enforcing compliance. The board of supervisors may establish a nonrefundable fee in order to reimburse the county for such costs.

#### **6.106.140 Prohibited operations.**

A permittee shall not conduct any manufacturing of cannabis on the premises. A permittee shall not dispense or deliver cannabis from the premises unless separately permitted by a cannabis dispensary or delivery permit pursuant to Chapter 6.108 of this code.

#### **6.106.150 Violations**

Any person violating any of the provisions of this chapter is guilty of a misdemeanor. Each person is guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter or the permit is committed, continued or allowed in conjunction with the operation of a cannabis cultivation site and is

punishable accordingly. For purposes of this section, each and every day of violation includes each day on which a failure to comply with this chapter or any conditions of a permit issued pursuant to this chapter continues.

**6.106.160** Limitations.

Nothing in this Ordinance shall be construed to: (1) allow persons to engage in conduct that endangers others or causes a public nuisance; (2) allow the cultivation of cannabis or cannabis for non-medical purposes; (3) exempt cannabis cultivation operations from compliance with zoning and land use regulations, or, (4) allow any activity relating to the manufacturing, distribution, or consumption of cannabis that is illegal under state or federal law.

**6.106.170** Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, word, sentence or paragraph of this chapter or the application thereof to any person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

**6.106.180** Judicial review.

Judicial review of a final decision made under this chapter may be had by filing a petition for a writ of mandate with the Superior Court in accordance with the provisions of Section 1094.5 of the California Code of Civil Procedure. Any such petition or any other action seeking judicial review shall be filed within ninety (90) days after the day the decision becomes final.

**6.106.190** Sunset and termination.

The pilot program for cultivation of cannabis shall terminate two years from the effective date of this ordinance. Any rights or privileges granted to a permittee pursuant to this Chapter existing on that date shall also terminate on that date. Unless an ordinance is adopted to amend this provision, this Chapter shall be repealed automatically on the second anniversary of the effective date of this ordinance.

**SECTION 3**

This ordinance shall take effect and be in force thirty (30) days from and after the date of passage and before the expiration of fifteen (15) days after its passage it shall be published once with the names of the members voting for and against the same in the Inter-City Express, a newspaper published in the County of Alameda.

Adopted by the Board of Supervisors of the County of Alameda, State of California, on the 12 day of Sep, 2017, by the following called vote:



AYES: Supervisors Haggerty, Miley, Valle & President Chan  
NOES: None  
EXCUSED: Supervisor Carson



\_\_\_\_\_  
WILMA CHAN  
President of the Board of Supervisors


ATTEST:

Clerk of the Board of Supervisors,

By:   
\_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

DONNA R. ZIEGLER, COUNTY COUNSEL

By:   
\_\_\_\_\_  
Heather Littlejohn  
Deputy County Counsel