

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE: October 25, 2023

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 9:00 A.M./No. 5

Conditional Use Permit #23-0004
PROJECT TYPE: NMH Investments, LLC. (DBA Valley Meds) SUPERVISOR DIST# 4

LOCATION: 2092 Thomas R Cannell Rd. APN: 015-261-020-000

Salton Sea, CA 92274 PARCEL SIZE: 23,855 SF

GENERAL PLAN (existing) Urban Area (West Shores/
Salton City Urban Area Plan) GENERAL PLAN (proposed) N/A

ZONE (existing) C-2 (Medium Commercial) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: 10/25/2023

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/27/2023

INITIAL STUDY: #23-0004

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> ATTACHED
AG / APCD	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> ATTACHED
E.H.S.	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> ATTACHED
FIRE / OES	<input type="checkbox"/> NONE	<input checked="" type="checkbox"/> ATTACHED
OTHER	<u>IID, Quechan Indian Tribe</u>	

REQUESTED ACTION:

IT IS RECOMMENDED THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, THAT YOU HEAR ALL THE OPPONENTS AND PROPONENTS OF THE PROPOSED PROJECT. STAFF WOULD THEN RECOMMEND THAT THE PLANNING COMMISSION TAKE THE FOLLOWING ACTIONS:

1. ADOPT THE NEGATIVE DECLARATION BY FINDING THAT THE PROPOSED PROJECT WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS RECOMMENDED BY THE ENVIRONMENTAL EVALUATION COMMITTEE (EEC) MEETING HELD ON JULY 27, 2023;
2. MAKE THE DE MINIMUS FINDING AS RECOMMENDED AT THE JULY 27, 2023 EEC HEARING THAT THE PROJECT WILL NOT INDIVIDUALLY OR CUMULATIVELY HAVE AN ADVERSE EFFECT ON FISH AND WILDLIFE RESOURCES, AS DEFINED IN SECTION 711.2 OF THE FISH AND GAME CODES;
3. APPROVE THE ATTACHED RESOLUTION, WITH FINDINGS FOR CONDITIONAL USE PERMIT (CUP) #23-0004, SUBJECT TO ALL THE CONDITIONS OF APPROVAL AND AUTHORIZE THE PLANNING & DEVELOPMENT SERVICES DIRECTOR TO SIGN THE CUP UPON RECEIPT FROM THE APPLICANT.

STAFF REPORT
Planning Commission Meeting
October 25, 2023
Conditional Use Permit (CUP) #23-0004

Applicant: NMH Investments, LLC. (DBA Valley Meds)
401 W. State St
El Centro, CA 92243

Project Location:

The proposed project site is on a parcel located at 2092 Thomas R Cannell Road, Salton City, CA 92274. The project is further identified as Assessor's Parcel Number 015-261-020-000 and is legally described as Lot 50, Block 03, Tract 537, FM 4 39, recorded in Book 15, Page 26 of the Final Maps in the office of the County Recorder of Imperial County, State of California, (See Attachment "A" Site Vicinity Map).

Project Summary:

NMH Investments, LLC. (DBA Valley Meds) is proposing a 1,224+/- square foot Adult Use/Medicinal cannabis retail storefront with delivery. Valley Meds expects to hire approximately seven (7+) employees. The customer volume is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 8am-10pm daily, while delivery operations will be from 8am to 10pm based on the volume of orders (projected are 4-8 deliveries per day). Waste cannabis products would be collected and destroyed by a locally licensed waste contractor. Cannabis waste will be made unusable through proper methods and then stored in secure storage bins on site. Bins will be picked up every 4 weeks or as necessary. The parking lot is accessible from Thomas R Cannell Rd and the proposed project site will be provided with water from the Coachella Valley Water District. An approved CCA with conditions, as well as an approved CUP and approved State License are necessary for them to begin operations.

The proposed project is subject to an APCD's Odor Control Plan to mitigate any resultant odor from the facility, the applicant proposes interior carbon filtration units and carbon filtered exhaust fans as a two-pronged solution to achieve indoor air purity and the elimination of noxious odors escaping the site. Carbon filters and Carbon exhaust fans will be featured in odor-emitting areas and a four-stage filtration system to ensure indoor air purity and odor reduction.

The proposed project is also subject to a Security Control Plan under the Commercial Cannabis Activity (CCA) license, which would require approval from the Imperial County Sheriff's Office. The applicant proposes around-the-clock surveillance and security. Facility video monitoring cameras installation services will be provided by Am Tec Security, a licensed and insured alarm company. Prior to operation, the proposed project would be required to secure an approved CCA license to engage in commercial cannabis activity in California.

Land Use Analysis:

The project parcel is designated “General Commercial” under the Imperial County’s West Shores/Salton City Urban Area Plan. The parcel with existing building is zoned C-2 for General Commercial uses. The Imperial County Title 9 Division 5, Chapter 13 (m) allows for Commercial Cannabis Retail Sales/Delivery with an approved Conditional Use Permit. The proposed cannabis project is consistent with the County’s Cannabis Ordinance Title 9, Division 4, Chapter 6.

SURROUNDING LAND USES, ZONING AND GENERAL PLAN DESIGNATIONS:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL PLAN
Project Site	Commercial	C-2 Medium Commercial	Urban/General Commercial
North	Commercial	C-2 Medium Commercial	Urban/General Commercial
South	Undeveloped	C-2 Medium Commercial	Urban/General Commercial
East	Undeveloped	C-2 Medium Commercial	Urban/General Commercial
West	Highway 86	C-2 Medium Commercial	Urban/General Commercial

Environmental Review:

A Negative Declaration (ND) was prepared and certified on July 27, 2023, for this project site in accordance with CEQA Guidelines. The EEC Committee consists of a seven (7) member panel, integrated by the Director of Environmental Health Services, Imperial County Fire Chief, Agricultural Commissioner, Air Pollution Control Officer, Director of Public Works, Imperial County Sheriff, and the Director of Planning and Development Services. The EEC members have the principal responsibility for reviewing CEQA documents for the County of Imperial. After review by the EEC members, the members recommended a Negative Declaration.

The project was publicly posted and circulated from July 28, 2023 thru August 21, 2023, all comments were received, reviewed and made part of this project.

Staff Recommendation:

Staff recommends that the Planning Commission hold a public hearing, hear all the proponents and opponents of the proposed project, and then take the following actions:

1. Adopt the negative declaration by finding that the proposed project would not have a significant effect on the environment as recommended by the environmental evaluation committee (EEC) meeting held on July 27, 2023;
2. Make the De Minimus Finding as recommended at the July 27, 2023 EEC hearing that the project will not individually or cumulatively have an adverse effect on Fish and Wildlife Resources, as defined in Section 711.2 of the Fish and Game Codes;
3. Approve the attached Resolution with findings for Conditional Use Permit (CUP) #23-0004, subject to all the Conditions of Approval and authorize the Planning & Development Services Director to sign the CUP upon receipt from the applicant.

Prepared By: Luis Valenzuela, Planner I
Planning & Development Services



Reviewed By: Michael Abraham, AICP, Assistant Director
Planning & Development Services



Approved By: Jim Minnick, Director
Planning & Development Services

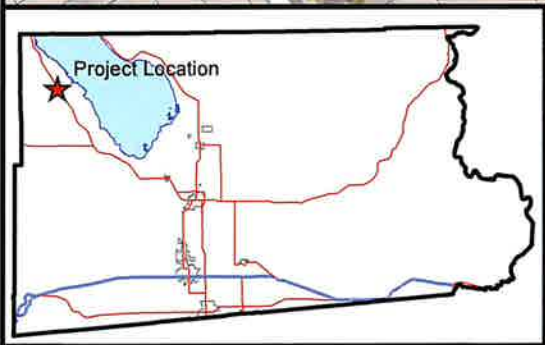
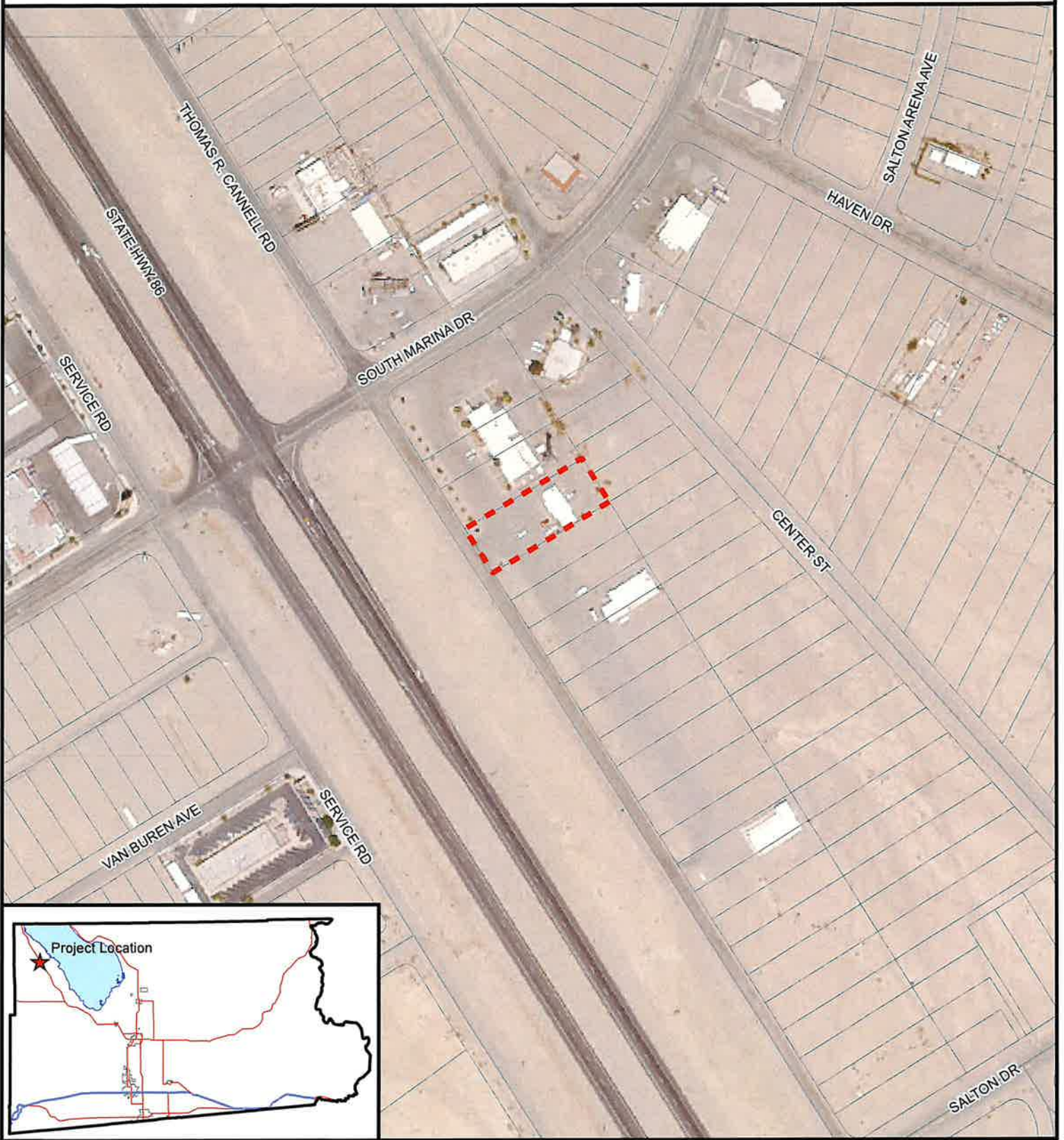


Attachments:


- A. Vicinity Map
- B. Site Plan
- C. CEQA Resolution
- D. Planning Commission Resolution
- E. Conditional Use Permit#23-0004
- F. E.E.C. Package
- G. Applicants Submittal
- H. Comment Letters

ATTACHMENT A.
VICINITY MAP

PROJECT LOCATION MAP



NMH Investments, LLC
CUP #23-0004
APN 015-261-020-000

-  Parcels selection
-  Centerline
-  Parcels



ATTACHMENT B.
SITE PLAN

**ATTACHMENT C.
CEQA RESOLUTIONS**

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION FOR THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE “NEGATIVE DECLARATION” (INITIAL STUDY #23-0004) FOR CONDITIONAL USE PERMIT #23-0004 NMH INVESTMENTS, LLC. (DBA VALLEY MEDS).

WHEREAS, on July 14, 2023, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for July 27, 2023; and

WHEREAS, a Negative Declaration, CEQA findings has been prepared in accordance with the requirements of the California Environmental Quality Act, State Guidelines, and the County’s “Rules and Regulations to Implement CEQA, as Amended”; and,

WHEREAS, the Environmental Evaluation Committee recommended to the Planning Commission of the County of Imperial to adopt the Negative Declaration for Conditional Use Permit # 23-0004; and,

WHEREAS, the Negative Declaration was posted for more than 25 days from July 28, 2023 thru August 21, 2023; and,

WHEREAS, the Planning Commission of the County of Imperial has been designated with the responsibility of adoptions and certifications; and,

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other comments by interested parties at a public hearing held with respect to this item on October 25, 2023.

NOW, THEREFORE, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

The Planning Commission has reviewed the attached Negative Declaration (ND) prior to approval of Conditional Use Permit # 23-0004. The Planning Commission finds and determines that the Negative Declaration (ND) is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), which analyzes the project’s environmental effects, based upon the following findings and determinations:

1. That the recital set forth herein are true, correct, and valid; and,
2. That the Planning Commission has reviewed the attached ND for Conditional Use Permit #23-0004 and considered the information contained in the ND together with all comments received during the public review period and prior to approving the Conditional Use Permit; and,
3. That the Negative Declaration reflects the Planning Commission independent judgment and analysis.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY ADOPT** the Negative Declaration (ND) for Conditional Use Permit #23-0004.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certified that the preceding Resolution was taken by the Planning Commission at a meeting conducted on **October 25, 2023** by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jim Minnick, Director of Planning & Development Services
Secretary to the Imperial County Planning Commission

LV/S:\AllUsers\APN\015\261\020\CUP23-0004 IS23-0004\PC\CEQA Resolution CUP23-0004 (PC).docx

ATTACHMENT D.
PLANNING COMMISSION RESOLUTIONS &
FINDINGS

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, FOR THE APPROVAL ON “CONDITIONAL USE PERMIT #23-0004,” FOR THE NMH INVESTMENTS, LLC. (DBA VALLEY MEDS) ADULT USE AND MEDICINAL STOREFRONT WITH DELIVERY.

WHEREAS, Stewart Namao, on behalf of NMH Investments, has submitted an application for Conditional Use Permit #23-0004, for adult use and medicinal retail with delivery; and,

WHEREAS, an “Negative Declaration (ND)” and CEQA Findings have been prepared in accordance with the requirements of the California Environmental Quality Act, the State Guidelines, and the County’s “Rules and Regulations to Implement CEQA as Amended”; and,

WHEREAS, the Planning Commission of the County of Imperial has been delegated with the responsibility of adoptions and certifications of proposed projects; and,

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at a public hearing held with respect to this item on October 25, 2023; and,

WHEREAS, on July 27, 2023, the proposed Negative Declaration was submitted to the County’s Environmental Evaluation Committee (EEC) and EEC determined the ND to be legally adequate under the California Environmental Quality Act, Section 15070, due to the fact the initial study shows that there is no substantial evidence, in light of the whole record before the EEC that the project would not a significant effect on the environment; and,

NOW, THEREFORE, the Planning Commission of the County of Imperial **DOES HEREBY RESOLVE** as follows:

SECTION 1. The Planning Commission has considered the proposed Conditional Use Permit #23-0004 prior to consideration of approval. The Planning Commission finds and determines that the Conditional Use Permit is adequate and prepared in accordance with the requirements of the Imperial County General Plan and Land Use Ordinance and the California Environmental Quality Act (CEQA) which analyses environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning law and the County of Imperial regulations, the following findings for the approval of Conditional Use Permit #23-0004, has been made as follows:

A. The proposed use is consistent with the goals and policies of the adopted County General Plan.

The Imperial County General Plan & West Shore/Salton City Urban Plan designates the subject site as "Urban Area". The project is consistent with the General Plan & West Shore Salton City Urban Plan goals and policies. Additionally, the proposed projects are consistent with Board of Supervisors Adopted Ordinance dated November 21, 2017 Title 14 permitting the commercial operation of cannabis in Imperial County as described in the Medicinal and Adult-Use Cannabis Regulation and safety Act, as defined in section 14.01.020 of the County of Imperial Codified Ordinances.

B. The proposed use is consistent with the purpose of the zone or sub-zone within which the use will be used.

The Project could be found consistent with the proposed use of the zones it is located within. The purpose of the project is for the operation of an "Adult Use and Medicinal Storefront with Delivery. This use is permitted within the "Medium Commercial" zone. Pursuant to Title 9, Division 4, Chapter 6, 90406.05 (B) Commercial Cannabis Zoning (Conditional Use Permit)," are uses that are permitted in the zones subject to approval of a CUP from the County.

C. The proposed use is listed as a use within the zone or sub-zone or is found to be similar to a listed conditional use according to the procedures of Section 90203.00.

The proposed cannabis use is consistent with the definition of Land Use Ordinance, Section 90406.05 with an approved Conditional Use Permit.

D. The proposed use meets the minimum requirements of this Title applicable to the use and complies with all applicable laws, ordinances and regulations of the County of Imperial and the State of California.

The Conditions of Approval will insure that the project complies with all applicable regulations of the County of Imperial and the State of California. Therefore, the proposed project is subject to meet the minimum requirements of the Land Use Ordinance, Section 90203.00.

E. The proposed use will not be detrimental to the health, safety, and welfare of the public or to the property and residents in the vicinity.

The proposed cannabis storefront will be operated within an existing commercial building and is not in near proximity to large residential areas, and is generally surrounded by other commercial uses to the north, west, east, south. The cannabis storefront is unlikely to result in significant impacts to surrounding properties or residents due to the conditions of approval.

F. The proposed use does not violate any other law or ordinance.

The proposed project is conditioned to be consistent with Imperial County, Title 9, Land Use Ordinance and State laws. The proposed project will be subject to the Conditional Use Permit #23-0004 and current State and Local regulations.

G. The proposed use is not granting a special privilege.

The proposed Cannabis storefront is a permitted use subject to the conditions of approval of Conditional Use Permit #23-0004 (Land Use Ordinance, Section 90406.00) and will not grant any special privileges.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE OF Conditional Use Permits # 23-0004**, subject to the attached Conditions of Approvals.

Rudy Schaffner, Chairperson
Imperial County Planning Commission

I hereby certify that the preceding resolution was taken by the Planning Commission at a meeting conducted on **October 25, 2023** by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jim Minnick, Director of Planning & Development Services
Secretary to the Planning Commission

ATTACHMENT E.
CONDITIONAL USE PERMIT #23-0004

1 Recorded Requested by and
When Recorded Return To:

2 _____
3 Imperial County Planning & Development Services Department
801 Main Street
El Centro, California 92243
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6 **AGREEMENT FOR**
7 **CONDITIONAL USE PERMIT #23-0004**
8 (NMH INVESTMENTS, LLC. (DBA VALLEY MEDS)
9 (Cannabis Adult Use & Medicinal Storefront with Delivery)
10 (015-261-020-000)
11 **(October 25, 2023)**

12 This Agreement is made and entered into on this ____ day of ____ 2023, by and between
13 NMH Investments, LLC. (hereinafter referred to as "Permittee" or "Applicant"), and the
14 COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter
15 referred to as "COUNTY").

16 **WHEREAS**, Permittee is the lessee or successor-in-interest of certain land in
17 Imperial County with the proposed Adult Use & Medicinal dispensary facility with delivery at
18 2092 Thomas R. Cannell Road, Salton City, CA, further identified as Assessor Parcel
19 Number 015-261-020-000, and legally described as Lot 50 Block 03 Tract 537 FM 4 39 with
20 approximately 1,224 square feet for the Adult Use/Medicinal storefront with delivery located
21 in the unincorporated Salton City/ West Shores area, directly east along Highway 86, as per
22 map recorded in Book 15 page 26 of Final Maps on file in the Office of the County Recorder
23 of Imperial County.

24 **WHEREAS**, Permittee has applied to the County of Imperial for a Conditional Use
25 Permit #23-0004 (the "Project") for the operation of an Adult Use & Medicinal cannabis
26 dispensary facility with delivery.

27 **WHEREAS**, Permittee for the adult use and medicinal dispensary facility with delivery
28 shall fully comply with all of the terms and conditions of the Project as specified within this
Conditional Use Permit.

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GENERAL CONDITIONS:

The "GENERAL CONDITIONS" are shown by the letter "G". These conditions are conditions that are either routinely and commonly included in all Conditional Use permits as "standardized" conditions and/or are conditions that the Imperial County Planning Commission has established as a requirement on all CUP's for consistent application and enforcement. The Permittee is advised that the General Conditions are as applicable as the SITE SPECIFIC conditions!

G-1 GENERAL LAWS:

The permittee shall comply with any and all local, state, and federal rules laws, rules, regulations, ordinances, and/or standards as they may pertain to this project whether specified herein or not.

G-2 COSTS:

The Permittee shall pay any and all amounts as determined by the County to defray all costs for the review of reports, field inspections, enforcement, monitoring, or other activities related to compliance with this permit, County Ordinances, and/or other laws that apply. Any billing against this project, now or in the future, by the Planning and Development Services Department or any County Department for costs incurred as a result of this permit, shall be billed through the Planning and Development Services Department.

G-3 AUDIT OF BILLS:

The Permittee shall have the right to have any bill audited for clarification or correction. In the event Permittee request an audit or an explanation of any bill, it shall be in writing to the Planning and Development Services Department. Permittee shall bring the account current including any amount due under a "disputed" billing statement, before any audit is performed. If the amount disputed is the result of a Department other than the Planning and Development Services Department the explanation or audit shall be performed by said Department and a report provided to both the Permittee and the Planning and Development Services Department.

G-4 PERMITS/LICENSES:

The Permittee shall obtain any and all local, state and/or federal permits, licenses, and/or other approvals for the construction and/or operation of the Project. This shall

1 include, but not be limited to, local requirements by the Imperial County EHS/Health
2 Department, Planning and Development Services Department, Imperial County Air
3 Pollution Control District (ICAPCD), Imperial Irrigation District (IID), Imperial County
4 Public Works Department, Imperial County Sheriff/Coroner's office, Imperial County Fire
5 Protection/Office of Emergency Services, among others. Permittee shall likewise
6 comply with all such permit requirements. Additionally, Permittee shall submit a copy
7 of such additional permit and/or licenses to the Planning and Development Services
8 Department within thirty (30) days of receipt, including amendments or alternatives
9 thereto, when requested.

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14 **G-5 RECORDATION:**

15 This permit shall **not be effective** until it is recorded at the Imperial County Recorders
16 Office, and payment of the recordation fee shall be the responsibility of the Permittee.
17 If the Permittee fails to pay the recordation fee within six (6) months from the date of
18 approval, and/or this permit is not recorded within 180 days from the date of approval,
19 this permit shall be deemed null and void, without notice having to be provided to
20 Permittee. Permittee may request a written extension by filing such a request with the
21 Planning Director at least sixty (60) days prior to the original 180-day expiration. The
22 Director may approve an extension for a period not to exceed 180 days. An extension
23 may not be granted if the request for an extension is filed after the expiration date.

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28 **G-6 COMPLIANCE/REVOICATION:**

Upon the determination by the Planning and Development Services Department, (if
necessary upon consultation with other Departments or Agency(ies) that the project is
or may not be in full compliance with any one or all of the conditions of this Conditional
Use Permit, or upon the finding that the project is creating a nuisance as defined by law,
the PERMIT and the noted violation(s) shall be brought immediately to the attention of
the appropriate enforcement agency or to the Planning Commission for hearing to
consider appropriate response including but not limited to the revocation of the CUP or
to consider possible amendments to the CUP. The hearing before the Planning
Commission shall be held upon due notice having been provided to the Permittee and
to the public in accordance with established ordinance/policy.

G-7 PROVISION TO RUN WITH LAND:

The provisions of this project are to run with the land/project and shall bind the current
and future owner(s) successor(s) of interest, assignee(s) and/or transferee(s) of said
project. The permittee shall not without prior notification to the Planning and
Development Services Department assign, sell, or transfer, or grant control of this
Permit or any right or privilege herein. The Permittee shall provide a written notice a
minimum of sixty (60) calendar days prior to such proposed transfer becoming effective.

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G-8 RIGHT OF ENTRY:

The County reserves the right to enter the premises to make the appropriate inspection(s) at any time, announced or unannounced, in order to make appropriate inspection(s) and to determine if the condition(s) of this permit are complied with. Access to authorized enforcement agency personnel shall not be denied.

G-9 TIME LIMIT:

Unless otherwise specified within the project specific conditions this project shall be limited to a maximum of (3) three years from the recordation date of the CUP. The CUP may be extended for successive three (3) years by the Planning Director upon a finding by the Planning & Development Services Department that the project is in full and complete compliance with all conditions of the CUP and any applicable land use regulation(s) of the County of Imperial. Unless specified otherwise herein, no conditional use permit shall be extended for more than four (4) consecutive periods. If an extension is necessary or requested beyond fifteen (15) years, the Permittee shall file a written request with the Planning Director for a hearing before the Planning Commission. Such request shall include the appropriate extension fee. An extension shall not be granted if the project is in violation of any one or all of the conditions or if there is a history of non-compliance with the project conditions. This time limit is contingent upon initial and continued compliance with Specific Condition S-15 "State & Local Cannabis Activities License/Permits.

G-10 DEFINITIONS:

In the event of a dispute the meaning(s) or the intent of any word(s), phrase(s), and/or conditions or sections herein shall be determined by the Planning Commission of the County of Imperial. Their determination shall be final unless an appeal is made to the Board of Supervisors within the required time. In this permit, the term Permittee may also apply to any other facility user whether specified by name herein or not. To the extent that this site may be used by more than one service provider other than the applicant (Permittee), all of the conditions of this permit shall be equally applicable to the other "user(s)" as if they were the "Permittee".

G-11 SPECIFICITY:

The issuance of this permit does not authorize the Permittee to construct or operate this project in violation of any state, federal, local law nor beyond the specified boundaries of the project as shown on the application/project description, nor shall this permit allow any accessory or ancillary use not specified herein. This permit does not provide any prescriptive right or use to the Permittee for future addition and/or modification to this project. The site specific use authorized by this permit is listed under the SITE SPECIFIC ("S") conditions, and only the use or uses listed shall be deemed as approved by this permit.

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G-12 HEALTH HAZARD:

If the County Health Officer determines that a significant health hazard exists to the public, the County Health Officer may require appropriate measures and the Permittee shall implement such measures to mitigate the health hazard. If the hazard to the public is determined to be imminent, such measures may be imposed immediately and may include temporary suspension of the subject operations. However, within forty-five (45) days of any such suspension of operations, the measures imposed by the County Health Officer must be submitted to the Planning Commission for review and approval. Nothing shall prohibit Permittee from requesting a special Planning Commission meeting provided Permittee bears all costs.

G-13 REPORT(S):

Permittee shall file an annual report with the Planning and Development Services Department to show that Permittee is in full compliance with this Conditional Use Permit. The report shall be filed within sixty (60) days from the first day of the Calendar year and shall include any problems encountered during the previous year, the name & phone number of the responsible person whom to contact, and a checklist to show the status of each condition herein. It shall be the responsibility of the Permittee to provide all reports. The County may request information at any time from Permittee; however, it shall be the responsibility of the permittee to assure the County that such information is received.

G-14 RESPONSIBLE AGENT:

The permittee shall maintain on file with the Planning and Development Services Department the name and phone number of the responsible agent for the site. A back-up name shall also be provided, and a phone number for twenty-four (24) hour emergency contact shall also be on file. If there are other users, the same information (as applicable) required from the Permittee shall also be made available to the County from such other users.

G-15 INDEMNIFICATION:

As a condition of this Permit, Permittee agrees to defend, indemnify, hold harmless, and release the County, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the Permit or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys fees, or expert witness fees that may be asserted by any person or entity, including the Permittee, arising out of or in connection with the approval of this Permit, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, or employees.

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G-16 CHANGE OF OWNER/OPERATOR:

In the event the ownership of the site or the facilities or the operation of the site transfers from the current Permittee to a new successor Permittee, the successor Permittee shall be bound by all terms and conditions of this permit as if said successor was the original Permittee. The Current Permittee shall inform the County Planning and Development Services Department in writing at least sixty (60) calendar days prior to any such transfer. Failure of a notice of change of ownership or change of operator shall be grounds for the immediate revocation of the CUP. In the event of a change, the new Owner/Operator shall file with the Planning and Development Services Department via Certified Mail, a letter stating that they are fully aware of all conditions and acknowledge that they will adhere to all conditions and/or regulations. If this permit or any subservient or associated permit requires financial surety, the transfer of this permit shall not be effective until the new Permittee has the requisite surety on file. Furthermore, the existing surety shall not be released until a replacement surety is accepted by County Counsel's office.

(Total "G" Conditions are 16)

SPECIFIC PROJECT CONDITIONS:

S-1 PROJECT DESCRIPTION:

The permit authorizes the permittee to operate the following 1,224 square foot Adult Use/Medicinal cannabis retail storefront with delivery. NMH Investments, LLC (DBA Valley Meds) is expecting to hire approximately seven (7+) employees. The customer volume is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation will be from 8am-10pm daily, while delivery operations will be from 8am to 10pm based on the volume of orders (projected are 4-8 deliveries per day). Waste cannabis products would be collected and destroyed by a locally licensed waste contractor. Cannabis waste will be made unusable through proper methods and then stored in secure storage bins on site. Bins will be picked up every 4 weeks or as necessary. NMH Investments, LLC will be doing business as DBA Valley Meds. An approved CCA & conditions are necessary, as well as an approved CUP and approved State License in order for them to begin operations.

S-2 ADULT USE & MEDICINAL CANNABIS FACILITY LOCATION:

1. Commercial cannabis activities shall not be located within 600-foot radius of a school providing instruction in Kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license issued. Horizontal distance

1 measured in a straight line from the property line of the school to the closest property
2 line of the commercial cannabis activities lot.

- 3 2. Commercial cannabis activities shall be conducted only in the interior of fully
4 enclosed structures, facilities, buildings, or other fully enclosed spaces consistent
5 with the purpose and intent of the Count's Land Use Ordinance.

6 **S-3 CANNABIS WASTE DISPOSAL:**

7 The permittee shall not dispose of any cannabis waste on-site and all solid waste shall
8 be removed from the site and deposited in an approved solid waste site.

9 **S-4 LATEST CODES GOVERN:**

10 All on-site structures shall be designed and built to meet the latest edition of the
11 applicable codes.

12 **S-5 FIRE PROTECTION AN SAFETY:**

13 The permittee shall comply with all the Imperial County Fire Department conditions
14 below and the Imperial County Fire Department shall reserve the right to inspect the
15 premises and request additional access and fire protection systems as they deem
16 necessary.

- 17 1. An approved water supply capable of supplying the required fire flow as
18 determined by the California Fire Code Appendix B.
19 2. All cannabis facilities shall have an approved automatic fire suppression
20 system. All fire suppression systems will be installed and maintained to the
21 current adapted fire code and regulations.
22 3. All cannabis facilities shall have an approved automatic fire detection
23 system. All fire detection systems shall be installed and maintained to the
24 current adapted fire code and regulations.
25 4. All cannabis facilities shall have approved smoke removal systems
26 installed and maintained to the current adapted fire code and regulations.
27 5. Gates and fire department access will be in accordance with the current
28 adapted fire code and the facility will maintain a Knox Box for access on
site.
6. Compliance with all required sections of the fire code.
7. Further requirement shall be required for cultivation and manufacturing
process.

S-6 LIGHT & GLARE:

The permittee is allowed to have security as well as operational lighting. Said lighting shall be shielded and directed to on-site areas only to minimize off-site impacts due to unacceptable levels of light or glare.

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S-7 ODOR CONTROL:

The permittee shall comply with an Odor Control Plan providing air treatment/filtration system to eliminating the cannabis operation detection from outside the facility. The facility shall contain at least two Charcoal carbon odor control air filters.

S-8 IMPERIAL COUNTY SHERIFF’S OFFICE CONDITION:

The permittee shall comply with an approved security plan per the Imperial County Sherriff’s office letter dated May 15, 2023. The Imperial County Sheriff’s Office requests that the applicant install license plate reading cameras at all ingress locations at the project site and grant access to the Imperial County Sheriff’s Office to review the data collected. It is requested that information about these cameras be included in the security plan.

The Imperial County Sheriff’s Office will require NMH Investments to contribute its proportionate share associated with the cost of training related to, but not limited to: Driving Under the Influence of Drugs (DUID), California Highway Patrol Drug Recognition Expert (DRE) certification courses. Final cost and conditions shall be reasonable determined by the Sheriff’s Office.

County of Imperial require NMH Investments to enter into a specific cost reimbursement agreement for direct police services, whereas for each made to the project site for such public safety services that the project is responsible for reimbursing the County of Imperial.

The County shall be responsible for managing the reimbursement component of its condition. Such agreement can be created using a “Contract Cities Services Rate” for Imperial County Sherrif’s Office Service.

County of Imperial require NMH Investments to enter into a specific cost reimbursement agreement for direct judicial and prosecutor services, whereas if a person(s) are tried in a court of law for potential crimes at the project site, the project itself is required to reimburse the County for such cost.

S-9 PERMITTED USE OF PROPERTY:

This Permit authorizes the use of the identified project site as an adult use Medicinal Cannabis Dispensary facility. All permitted Cannabis Activities within this project site shall be subject to the provisions of Title 9 Chapter 90406.00 regardless of whether the use existed or occurred prior to adoption of this Chapter. Commercial cannabis activities are allowed on General Commercial zoned lands (C-2) with an approved Conditional Use Permit approved by the Planning Commission.

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S-10 HOURS OF OPERATION:

Permittee shall be allowed to operate the site Monday through Sunday from 8:00 a.m. to 10:00 p.m. seven (7) days a week.

S-11 AIR QUALITY:

The Permittee shall contact the Imperial County Air Pollution Control District's (ICAPCD) to verify the final Odor plan with a site visit prior to the issuance of the Certificate of Occupancy.

S-12 AG COMMISSIONER CONDITIONS:

The permittee shall comply with the Imperial County AG Commissioner regarding the requirements for movement of plant material into Imperial County from other counties or from out of state. The applicant must contact Pest Detection and Eradication Division for procedures regarding the quarantines of movement of plant material, any commercial weighing and measuring devices are required to be type approved for commercial use and must be registered, inspected and sealed by our office on an annual basis. Any point of sales devices or scanners used in retail sale transactions are also required to be registered and inspected.⁴

S-13 PUBLIC HEALTH DEPARTMENT CONDITIONS:

The permittee shall comply with the Imperial County Public Health Department If the cannabis dispensary business is intending to sell eatable products. The applicant will have to undergo the food program application & review process with the Public Health division.

S-14 IMPERIAL IRRIGATION DISTRICT:

The permittee shall contact the Imperial Irrigation District (IID) for any electrical services or permits.

S-15 STATE AND LOCAL CANNABIS ACTIVITIES PERMITS:

This cannabis adult use & medicinal dispensary with delivery facility will require activation of an Imperial County Commercial Cannabis activities permit/license CCA #23-0001 in conjunction with the issuance of a State of California License/Permit for a cannabis medicinal dispensary. These license/permits must be approved before any cannabis dispensary activities and distribution activities are allowed. If the cannabis License/Permits are terminated, suspended or withdrawn, all activities allowed in this

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permit will be suspended and the County will commence revocation process pursuant to General Condition G-6.

(Total "S" Conditions are 15)

- 1. Imperial County Fire Dept. letter dated May 22, 2023
- 2. APCD email dated May 12, 2023 & August 08, 2023
- 3. Public Works letter dated July 11, 2023
- 4. AG Commissioner Office letter dated May 22, 2023
- 5. IID letter dated May 04, 2023
- 6. Imperial County Sheriff's Office letter dated May 15, 2023
- 7. County Executive Office letter dated May 15, 2023
- 8. Public Health letter dated May 02, 2023
- 9. Yuma Quechan Indian Tribe letter dated May 03, 2023

NOW THEREFORE, County hereby approves Conditional Use Permit #23-0004 and Permittee hereby accepts such permit upon the terms and conditions set forth herein.

IN WITNESS THEREOF, the parties hereto have executed this Agreement the day and year first written.

PERMITTEE:

By: _____ Date _____
Stewart Namao, CEO
NMH Investments, LLC. (DBA Valley Meds)

COUNTY OF IMPERIAL, a political subdivision of the STATE OF CALIFORNIA:

By: _____ Date _____
James A. Minnick, Director
Imperial County Planning & Development Services

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FOR PERMITTEES NOTARIZATION

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

Dated _____

STATE OF _____

COUNTY OF _____ } S.S.

On _____ before me,
_____ a Notary Public in and
for said County and State, personally appeared

_____, who proved to on the
basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature _____

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it
could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document _____

Number of Pages _____ Date of Document _____

Signer(s) Other Than Named Above _____

Dated _____

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COUNTY NOTARIZATION

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF IMPERIAL} S.S.

On _____ before me,
_____ a Notary Public in and for
said County and State, personally appeared
_____, who proved to me on the
basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature _____

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it
could prevent fraudulent attachment of this certificate to unauthorized document.

Title or Type of Document _____
Number of Pages _____ Date of Document _____
Signer(s) Other Than Named Above _____

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**ATTACHMENT F.
E.E.C PACKAGE**

PROJECT REPORT

**TO: ENVIRONMENTAL EVALUATION
COMMITTEE**

AGENDA DATE: July 27, 2023

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME: 1:30 PM/ No. 2

PROJECT TYPE: Conditional Use Permit #23-0004
NMH Investments, LLC SUPERVISOR DIST #4

LOCATION: 2092 Thomas R Cannell Rd, APN: 015-261-020-000

Salton Sea, CA 92274 PARCEL SIZE: +/- 3.3 AC.

GENERAL PLAN (existing) Urban Area (West Shores/
Salton City Urban Area Plan) GENERAL PLAN (proposed) N/A

ZONE (existing) C-2 (General Commercial) ZONE (proposed) N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION: HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/27/2023

INITIAL STUDY: #23-0004

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG COMMISSIONER	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
DEH/E.H.S.	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
FIRE / OES	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
OTHER		<u>IID, Quechan Indian Tribe</u>		

REQUESTED ACTION:

(See Attached)

Planning & Development Services
801 MAIN ST., EL CENTRO, CA 92243 442-265-4736
(Jim Minnick, Director)

EEC ORIGINAL PKG

- NEGATIVE DECLARATION**
 MITIGATED NEGATIVE DECLARATION

*Initial Study & Environmental Analysis
For:*

**Conditional Use Permit #23-0004
NMH Investments, LLC**



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1736
www.icpds.com

July 2023

EEC ORIGINAL PKG

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INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting from the proposed commercial cannabis retail operation (Adult Use & Medicinal Storefront, with delivery), on APN # 015-261-020-000 see (**Exhibit A**). The legal description for this parcel is the Lot 50, Block 03, Tract 537, FM 4 39, in the unincorporated Town site of Salton Sea, of the County of Imperial. State of California. **Please see (Exhibit "B")**.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's "CEQA Regulations Guidelines for the Implementation of CEQA, as amended", an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study has determined that the proposed applications will not result in any potentially significant environmental impacts and therefore, a Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance as identified hereinafter.

This Initial Study and Negative Declaration are prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's Guidelines for Implementation of the California Environmental Quality Act of 1970 as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.). Applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

This Initial Study and Negative Declaration are informational documents, which are intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study and Negative Declaration, prepared for the project will be circulated for a period of 20 days (*30-days if submitted to the State Clearinghouse for a project of area-wide significance*) for public and agency review and comments. At the conclusion, if comments are received, the County Planning & Development Services Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of

the CEQA Guidelines.

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A “No Impact” response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”.
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study and Negative Declaration will be conducted under a policy-level, project level analysis. Regarding mitigation measures, it is not the intent of this document to “overlap” or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County’s jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. **Tiered Documents**

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents

can be included into this document. Tiering is defined as follows:

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the "Final Environmental Impact Report and Environmental Assessment for the "County of Imperial General Plan EIR" prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning &

Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

II. *Environmental Checklist*

1. **Project Title:** Conditional Use Permit #23-0004; NMH Investments, LLC
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Luis Valenzuela, Planner I, (442) 265-1736
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** luisvalenzuela@co.imperial.ca.us
6. **Project location:** 2092 Thomas R Cannell Rd, Salton Sea, CA. APN 015-261-020-000, Lot 50 Block 03 Tract 537 FM 4 39
7. **Project sponsor's name and address:** Stewart Namao, NMH Investments, LLC, 401 W. State St, El Centro, CA 92243
8. **General Plan designation:** Urban Area per the West Shores / Salton City Urban Area
9. **Zoning:** C-2 (General Commercial)
10. **Description of project:** The Applicant proposes Conditional Use Permits #23-0004 to allow the operation of an Adult Use & Medicinal Storefront, with delivery for the sale of cannabis, on APN #015-261-020-000. The legal description for this parcel is Lot 50, Block 03, Tract 537, FM 4 39, in the unincorporated Townsite of Salton Sea, of the County of Imperial, State of California. The Permittee, will acquire, remodel and repurpose a 1,224+/- square foot building located at 2092 Thomas R. Cannell Rd. Salton City, CA.

NMH Investments, LLC is proposing a 1,224 square foot Adult Use/Medicinal cannabis retail space with delivery. According to their application, the purpose of the dispensary will be to give County customers and medical patients a place where they can find relief and safe access to medicinal cannabis products. NMH Investments, LLC is expecting to hire seven (7+) employees. The customer volume is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 8am-10pm daily, while delivery operations will be from 8am to 10pm based on the volume of orders (projected are 4-8 deliveries per day). Waste cannabis products would be collected and destroyed by a locally licensed waste contractor. Cannabis waste will be made unusable through proper methods and then stored in secure storage bins on site. Bins will be picked up every 4 weeks or as necessary. NMH Investments, LLC will be doing business as Valley Meds. An approved CCA & conditions is necessary, as well as an approved CUP and approved State License in order for them to begin operations.
11. **Surrounding land uses and setting:** The project site is located in the Salton Sea area. Surrounding land uses includes commercial, government special public and open space residential land uses.
12. **Other public agencies whose approval is required:** (e.g., permits, financing approval, or participation agreement.): Planning Commission, Imperial County Air Pollution Control District, Imperial County Environmental Health Services, and Imperial County Fire Department. Salton Sea Community District Office.
13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentially, etc.?** The AB 52 Notice of Opportunity to consult was mailed via certified mail to the Quechan Indian Tribe, Campo Band Tribe, and Torrez-Martinez Tribe on May 01, 2023 for their review and comment. No comments have been received from any for this project.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code, Section 21080.3.2). Information may also be available from

the California Native American Heritage Commission's Sacred Lands File per Public Resources Code, Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code, Section 21082.3 (c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology /Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

Found that the proposed project **COULD NOT** have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

Found that the proposed project **MAY** have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Found that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DE MINIMIS IMPACT FINDING: Yes No

EEC VOTES	YES	NO	ABSENT
PUBLIC WORKS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENVIRONMENTAL HEALTH SVCS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
APCD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Jim Minnick

 Jim Minnick, Director of Planning/EEC Chairman

7-27-2023

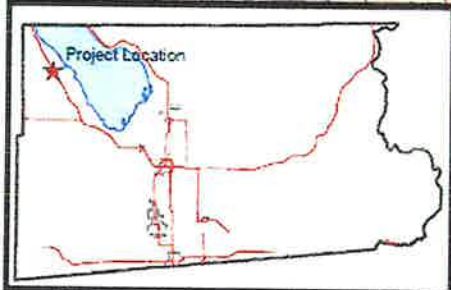
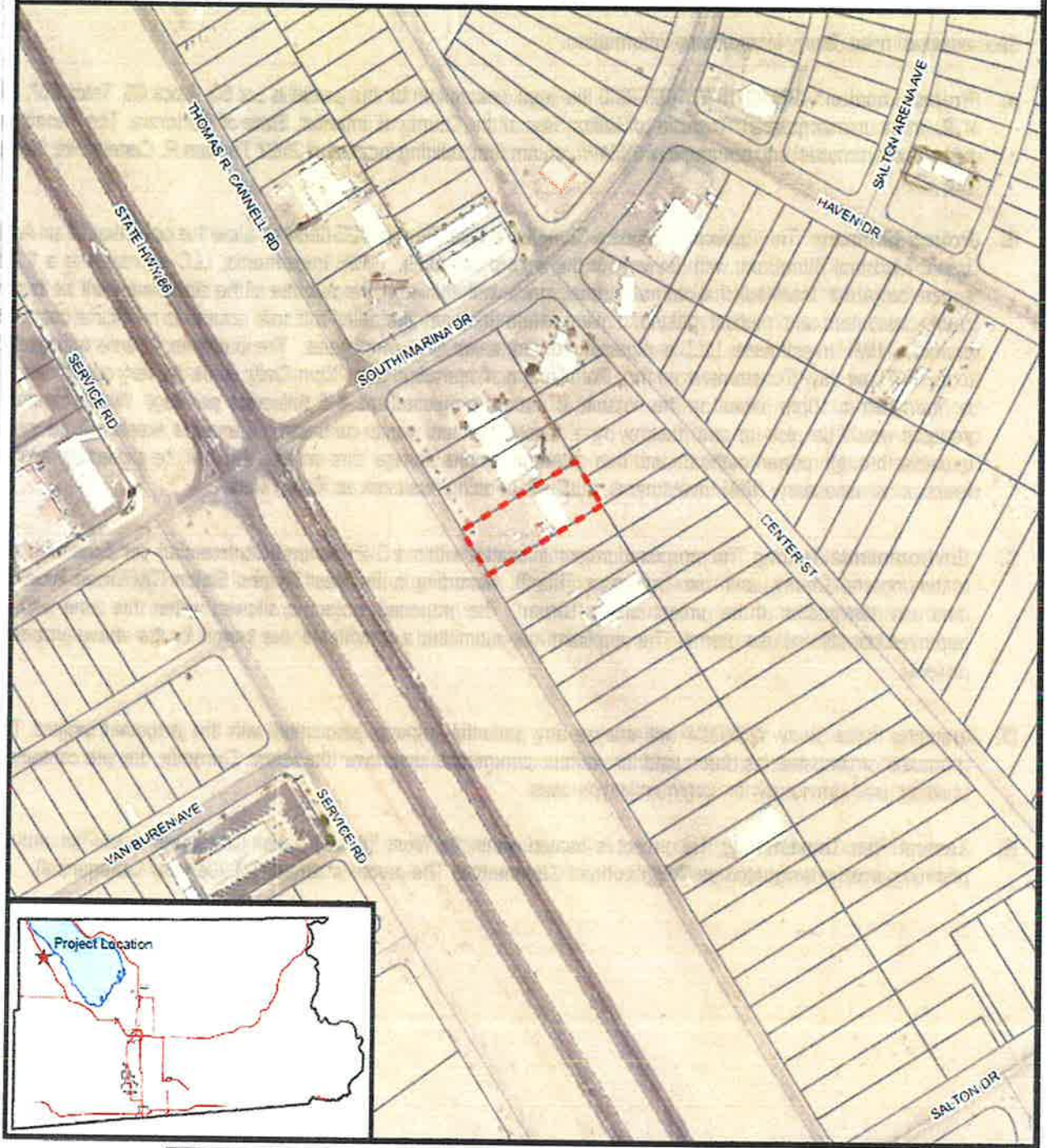
 Date:

PROJECT SUMMARY

See attached Initial Study for additional information.

- A. Project Location:** APN #015-261-020-000; the legal description for this parcel is Lot 50, Block 03, Tract 537, FM 4 39, in the unincorporated Townsite of Salton Sea, of the County of Imperial. State of California. The Permittee, will acquire, remodel and repurpose a 1,224+/- square foot building located at 2092 Thomas R. Cannell Rd, Salton City, CA.
- B. Project Summary:** The Applicant proposes Conditional Use Permits #23-0004 to allow the operation of an Adult Use & Medicinal Storefront, with delivery for the sale of cannabis. NMH Investments, LLC is proposing a 1,224 square foot Adult Use/Medicinal cannabis retail space with delivery. The purpose of the dispensary will be to give county customers and medical patients a place where they can find relief and safe access to medicinal cannabis products. NMH Investments, LLC is expecting to hire seven (7+) employees. The customer volume is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 8am-10pm Daily, while delivery operations will be from 8am to 10pm based on the volume of orders (projected are 4-8 deliveries per day). Waste cannabis products would be pick-up and destroy by a locally licensed waste contractor. Cannabis waste will be made unusable through proper methods and then stored in secure storage bins on site. Bins will be picked up every 4 weeks or as necessary. NMH Investments, LLC will be doing business as Valley Meds.
- C. Environmental Setting:** The proposed project is located within a C-2 (General Commercial) per Zone Map #66 of the Imperial County Land Use Ordinance (Title 9). According to the West Shores/ Salton City Urban Area, the land use designation of the project site is "Urban". The proposed project is allowed within this zone with an approved conditional use permit. The applicant has submitted a conditional use permit for the above-proposed project.
- D. Analysis:** Initial Study #23-0004 will analyze any potential impacts associated with the proposed project. The proposed project site has been used for various commercial uses over the years. Currently, the site contains a building used previously for commercial type uses.
- E. General Plan Consistency:** The project is located within the West Shores/ Salton City Urban Area Plan and the planning area is designated as Neighborhood Commercial. The parcel is zoned C-2 (General Commercial).

PROJECT LOCATION MAP



NMH Investments, LLC
CUP #23-0004
APN 015-261-020-000

-  Parcels selection
-  Centerline
-  Parcels



ABBREVIATIONS

Table with 2 columns: Abbreviation and Full Name. Includes terms like AC, ADU, ADU-2, ADU-3, ADU-4, ADU-5, ADU-6, ADU-7, ADU-8, ADU-9, ADU-10, ADU-11, ADU-12, ADU-13, ADU-14, ADU-15, ADU-16, ADU-17, ADU-18, ADU-19, ADU-20, ADU-21, ADU-22, ADU-23, ADU-24, ADU-25, ADU-26, ADU-27, ADU-28, ADU-29, ADU-30, ADU-31, ADU-32, ADU-33, ADU-34, ADU-35, ADU-36, ADU-37, ADU-38, ADU-39, ADU-40, ADU-41, ADU-42, ADU-43, ADU-44, ADU-45, ADU-46, ADU-47, ADU-48, ADU-49, ADU-50, ADU-51, ADU-52, ADU-53, ADU-54, ADU-55, ADU-56, ADU-57, ADU-58, ADU-59, ADU-60, ADU-61, ADU-62, ADU-63, ADU-64, ADU-65, ADU-66, ADU-67, ADU-68, ADU-69, ADU-70, ADU-71, ADU-72, ADU-73, ADU-74, ADU-75, ADU-76, ADU-77, ADU-78, ADU-79, ADU-80, ADU-81, ADU-82, ADU-83, ADU-84, ADU-85, ADU-86, ADU-87, ADU-88, ADU-89, ADU-90, ADU-91, ADU-92, ADU-93, ADU-94, ADU-95, ADU-96, ADU-97, ADU-98, ADU-99, ADU-100.

GENERAL NOTE

1. THE PROPOSED PROJECT IS A NEW RETAIL STORE BUILDING TO BE CONSTRUCTED ON THE SITE LOCATED AT THE CORNER OF 2092 THOMAS R. CANNELL RD. AND SALTON CITY, CA 92274. THE PROJECT IS A 10,000 SQ. FT. BUILDING WITH A TOTAL OF 10,000 SQ. FT. OF FLOOR SPACE. THE BUILDING IS TO BE CONSTRUCTED ON A 1.56 AC. LOT. THE PROJECT IS A NEW RETAIL STORE BUILDING TO BE CONSTRUCTED ON THE SITE LOCATED AT THE CORNER OF 2092 THOMAS R. CANNELL RD. AND SALTON CITY, CA 92274. THE PROJECT IS A 10,000 SQ. FT. BUILDING WITH A TOTAL OF 10,000 SQ. FT. OF FLOOR SPACE. THE BUILDING IS TO BE CONSTRUCTED ON A 1.56 AC. LOT.

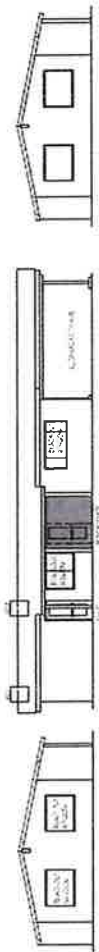
WORD DEFINING NOTES

1. AS PER THE CITY OF SALTON CITY ORDINANCE NO. 10000, THE PROJECT IS A NEW RETAIL STORE BUILDING TO BE CONSTRUCTED ON THE SITE LOCATED AT THE CORNER OF 2092 THOMAS R. CANNELL RD. AND SALTON CITY, CA 92274. THE PROJECT IS A 10,000 SQ. FT. BUILDING WITH A TOTAL OF 10,000 SQ. FT. OF FLOOR SPACE. THE BUILDING IS TO BE CONSTRUCTED ON A 1.56 AC. LOT.

LANDSCAPE CALCULATIONS

1. THE PROJECT IS A NEW RETAIL STORE BUILDING TO BE CONSTRUCTED ON THE SITE LOCATED AT THE CORNER OF 2092 THOMAS R. CANNELL RD. AND SALTON CITY, CA 92274. THE PROJECT IS A 10,000 SQ. FT. BUILDING WITH A TOTAL OF 10,000 SQ. FT. OF FLOOR SPACE. THE BUILDING IS TO BE CONSTRUCTED ON A 1.56 AC. LOT.

RETAIL STORE
2092 THOMAS R. CANNELL RD., SALTON CITY, CA 92274
APN: 015-261-020-000

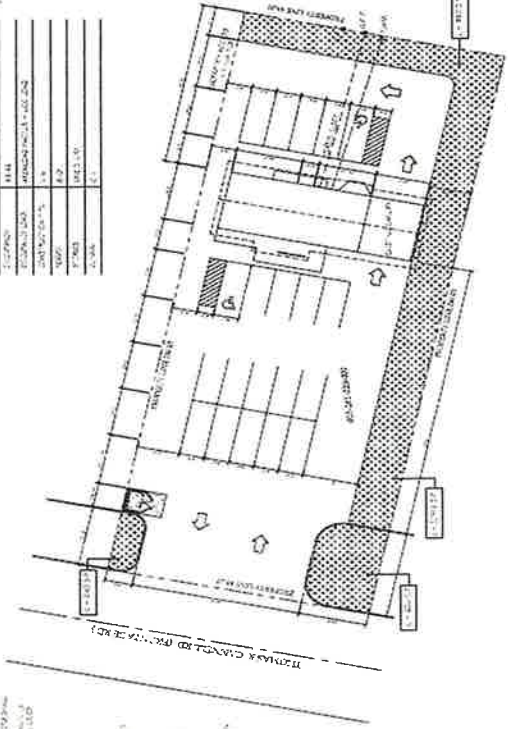


BUILDING CODE

1. THE PROJECT IS A NEW RETAIL STORE BUILDING TO BE CONSTRUCTED ON THE SITE LOCATED AT THE CORNER OF 2092 THOMAS R. CANNELL RD. AND SALTON CITY, CA 92274. THE PROJECT IS A 10,000 SQ. FT. BUILDING WITH A TOTAL OF 10,000 SQ. FT. OF FLOOR SPACE. THE BUILDING IS TO BE CONSTRUCTED ON A 1.56 AC. LOT.

SHEET INDEX

- 1. RETAIL STORE BUILDING ELEVATIONS
- 2. SITE PLAN
- 3. LANDSCAPE CALCULATIONS
- 4. GENERAL NOTES
- 5. BUILDING CODE
- 6. WORD DEFINING NOTES
- 7. LANDSCAPE CALCULATIONS



PROJECT INFORMATION

Table with 2 columns: Item and Description. Includes project name, address, APN, and other project details.

PREPARED BY

1. THE PROJECT IS A NEW RETAIL STORE BUILDING TO BE CONSTRUCTED ON THE SITE LOCATED AT THE CORNER OF 2092 THOMAS R. CANNELL RD. AND SALTON CITY, CA 92274. THE PROJECT IS A 10,000 SQ. FT. BUILDING WITH A TOTAL OF 10,000 SQ. FT. OF FLOOR SPACE. THE BUILDING IS TO BE CONSTRUCTED ON A 1.56 AC. LOT.

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- a) Have a substantial adverse effect on a scenic vista or scenic highway?
a) The existing structure is in the Townsite of Salton City, on Cannell Rd, east of State highway 86. The proposed facility is not located within the vicinity of a scenic highway. It is not designated as a scenic highway in the Imperial County General Plan Circulation and Scenic Highways Element (Imperial County 2008a) nor is it identified on the California Scenic Highway Mapping System (Caltrans 2016). No scenic vistas or areas with high visual quality would be adversely affected by development of the proposed project. Any potential impacts would appear to less than significant.

- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?
b) The proposed project is not near a state scenic highway; therefore, it will not damage scenic resources including trees, outcropping, and historical buildings within a state scenic highway. Therefore, no impact is expected.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
c) The proposed use is consistent with current zoning and land uses in the surrounding parcels, and is subject to an approved Conditional Use Permit. The site is zoned for commercial uses and has been previously impacted by those uses. Therefore, less than significant impact are expected.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
d) All on-site lighting will be required to be shielded from adjacent properties and roads. The proposed site would continue to be zoned as (C-2) General Commercial. A less than significant impact is projected.

II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
a) The proposed project is currently zoned for commercial uses. The proposed uses appear consistent with general commercial type uses and would not appear to further impacts on this parcel of land. Previously, the parcel has been impacted by commercial uses over a number of years. Therefore, no impact is expected.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
b) There are no Williamson Act contract lands on this parcel. Therefore, no impact is expected.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?
c) No Impact. The Project site is not zoned for, nor does it contain forest land or timber land. As such, the Project would

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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not impact forest or timberlands.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?

d) No Impact. The Project site does not contain any forest land and would not convert any forest lands; therefore, the Project would not impact forest lands.

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

e) The proposed site is zoned for General Commercial uses and the Salton Sea Community Area Plan designates the site as Neighborhood Commercial. There are no existing forestlands on or in the immediate vicinity of the Project site. Development of the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. There are adjacent commercial zoned parcels currently vacant. This use would appear to have No Impacts on expansion or conversion of any forest land.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to the following determinations. Would the Project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

a) Less Than Significant. The permittee is proposing a 1,224 square feet space for cannabis for retail sales and delivery. The project will include an odor abatement plan for cannabis, which may include carbon control air filtration system. The project does not appear to conflict with any air quality plan or violate any air quality standard, nor will it expose sensitive receptors to pollutants or create objectionable odors. The project will adhere to the Air District's Fugitive Dust Rules (Regulation VIII-Fugitive Dust Rules).

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

b) Less Than Significant. The proposed project is not expected to result in a cumulatively considerable net increase of any criteria pollutant since, as mentioned above under item a), it would be require to adhere to the Air District's Regulation VIII. It is expected that compliance with ICACPD requirements would bring any impact to less than significant.

- c) Expose sensitive receptors to substantial pollutants concentrations?

c) The proposed project will be entirely enclosed inside existing structure on site and is not expected to expose sensitive receptors to substantial pollutants concentrations. Furthermore, with the continued adherence to the ICACPD requirements as shown above, any impacts would remain at a level less than significant.

- d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?

d) The proposed project will be entirely enclosed inside an existing structure and project will abide with all state and local regulations for proposed cannabis operations on site. The operation of the proposed project is not expected to result in other emissions that would adversely affect a substantial number of people. Furthermore, with the continued adherence to the ICACPD requirements as shown above, any impacts would remain at a level less than significant.

IV. BIOLOGICAL RESOURCES *Would the project:*

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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and Wildlife or U.S. Fish and Wildlife Service?

a) Less than significant impacts. The majority of the proposed project area is currently impacted by past general commercial uses. The proposed uses are confined inside any existing industrial structure. The parcel appears to have minimal impacts to any biological resources.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

b) Previously, the proposed site has been used for general commercial uses and the project area will not appear to further impact the site. Less than significant impacts are projected.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

c) No impact. No wetlands or water resources are present on the Project Site; therefore, no impacts to wetland, riparian resources, or jurisdictional waters would occur as result of the Project.

- d) Would the project interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

d) There are no federally protected wetlands, resident or migratory fish or wildlife species or corridors for wildlife on the existing site. The proposed project will not have an adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Therefore, less than significant impacts are projected.

- e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?

e) The proposed project is zoned for commercial type uses and not subject to and does not conflict with any local policy or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, no impact is expected.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

f) The proposed project site is not part of any adopted Habitat Conservation Plan, Natural Community Conservation Plan or local Plans would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, therefore, no impacts are expected.

V. CULTURAL RESOURCES Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

a) The proposed project site was previously used for general commercial uses, which is located within disturbed land. The project will not have no earthwork; therefore, any impacts are considered less than significant

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

b) As mentioned under Item a) above, the proposed project site is located on previously disturbed land and it is not likely that any historical, archaeological or human remains will be discovered. Therefore, any impacts would be less than significant.

- c) Disturb any human remains, including those interred outside

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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of dedicated cemeteries?

c) **Less Than Significant.** As mentioned under Item a) above, the proposed project and facility is located on disturbed land zoned for commercial type uses and is not expected to directly or indirectly destroy a unique paleontological resource or unique geologic feature.

VI. **ENERGY** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed cannabis operations will be located in an existing commercial structure. No expansion is planned. The project will be designed in accordance with the California Energy Commission's latest Building Energy Efficiency Standards for Residential and Nonresidential Buildings and the California Green Building Standards (CCR, Title 24, and Part 11). Additionally, an energy analysis will be prepared for the Project to quantify energy consumption. Further analysis of the Project's energy consumption and consistency with applicable plans, policies, and regulations for reducing wasteful, inefficient, and unnecessary energy usage. Less than significant impacts are anticipated. | | | | |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) The proposed cannabis operations will be located in an existing commercial structure. No expansion is planned. Further analysis of the Project's energy consumption and consistency with applicable plans, policies, and regulations for reducing wasteful, inefficient and unnecessary energy usage. Less than significant impacts are anticipated. | | | | |

VII. **GEOLOGY AND SOILS** *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The proposed cannabis operations will be located in an existing commercial structure. No expansion is planned. The project does not appear to conflict with the geology and soils of adjacent properties. Therefore, any impact would appear be less than significant. | | | | |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) The proposed projects are planned to be located in an existing General Commercial structure on site, which has been located on the property site over the past years. The Quadrangle Official Map Effective January 1, 1990 does not indicate any active faults in or near the project area. Impacts appear to be less than significant. | | | | |
| 2) Strong Seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2) The proposed project is not located in a "Special Studies Zone"; however, the site would still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone D by the California Building Code Section 1613 et seq. (CBC 2022) which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures. The impact would be considered less than significant. | | | | |
| 3) Seismic-related ground failure, including liquefaction and seiche/tsunami? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3) The proposed project is not located in a "Special Studies Zone"; however, the site could still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone D by the California Building Code Section 1613 et seq. (CBC 2022), which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures. Detailed soil investigations shall be conducted prior to issuance of the initial building permits to assure that the proposed building is designed to withstand potential problems related to geology/soils/seismicity. Impact is considered less than significant. | | | | |
| 4) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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4) The project site topography is generally flat and according to the Imperial County General Plan Landslide Activity Map, Figure 2¹, Seismic and Public Safety Element, the project site is not located within a landslide activity area; therefore, no impacts are expected to occur related to landslide.

b) Result in substantial soil erosion or the loss of topsoil?

b) The project site is not located within an erosion susceptible area according to the Imperial County, Seismic and Public Safety Element, Figure 3; therefore, less than significant impact is expected.

c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?

c) Less than Significant Impacts. The project is not expected to have a significant adverse environmental impact on the existing geology and soils, nor would it result in any direct geology/soils/seismicity impacts. According to the State of California's Revised January 1, 1990, Special Studies Map, the proposed project is not located in a "Special Studies Zone"; however, the site would still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone D by the California Building Code Section 1613 et sq. (CBC 2022), which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures.

d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial direct or indirect risk to life or property?

d) The project as proposed does not appear to be located on expansive soil as defined in the latest Uniform Building Code, creating substantial risk to life or property. A less than Significant Impact is anticipated.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

e) No Impact. The Project does not propose any septic tanks or wastewater disposal systems; thus, no impact to soils from wastewater systems/management would occur as a result of the Project.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

f) The project site is located on disturbed land and therefore, it is not expected to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. No impacts are expected.

VIII. **GREENHOUSE GAS EMISSION** *Would the project:*

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

a) Less Than Significant Impacts. The applicant is proposing an Adult Use/Medicinal Dispensary space for retail cannabis sales. The site will require and approved odor abatement plan with APCD for cannabis operations. The project does not appear to conflict with any air quality plan or violate any air quality standard, nor will it expose sensitive receptors to pollutants or create objectionable odors. The applicant will not have open products inside the structure. The proposed project is not proposing any additional expansion of structures and construction activities would appear to be for remodel inside current structure. The project does not appear to significantly impact greenhouse gas emissions.

b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

¹ <http://www.icpds.com/CMS/Media/Seismic-and-Public-Safety-Element.pdf>

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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b) Less Than Significant Impacts. The proposed project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The facility site was previously utilized for commercial uses. The site will require and approved odor abatement plan with APCD for cannabis operations.

IX. HAZARDS AND HAZARDOUS MATERIALS *Would the project:*

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

a) Less Than Significant Impacts. The proposed project would not appear to generate any significant hazards to the public or the environment, nor is it located near or adjacent to any site that uses hazardous materials or hazardous waste.

b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

b) All future development shall provide proof of a hazardous materials business plan and that appropriate permits have been obtained for any hazardous materials to be hauled. A less than significant impacts is projected.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

c) No Impact. The proposed project will not handle hazardous materials or waste. Additionally, the project site is not located within a one-quarter mile of any schools.

d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

d) No Impact. The proposed project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, therefore, would not create a significant hazard to the public or environment.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

e) The project site is not within two miles of the Imperial County Airport or the NAF Air Station; No impact is expected. The closest airport is the Salton Sea Airport located approximately 2.7 miles west.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

f) The proposed project would not interfere with any adopted emergency response plan or emergency evacuation plan; therefore, no impact is expected. The permittee will meet any requirements requested by the Fire/OES Department for emergency responses and plans. No impacts are anticipated.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

g) The proposed project site is located within an unincorporated Local Responsibility Area classified as LRA "Unzoned" per Cal Fire Draft Fire Hazard Severity Zones in LRA for Imperial County. Therefore, it is not expected that it would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. No impacts are anticipated

X. HYDROLOGY AND WATER QUALITY *Would the project:*

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

a) The project does not appear to violate any water quality standards or waste discharge orders nor degrade water quality, and is not within a flood zone. Less than significant impact is anticipated.

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

b) Less Than Significant Impacts. The proposed project will not substantially decrease groundwater supplies or interfere with groundwater recharge, as the project is within the Salton Community Service District for water and wastewater services.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

c) Future development within the proposed project would not result in significant impacts to hydrology and water quality. Surface runoff quantities are a function of the impermeable surface area and land use types that will be created by development. The project site will not alter the course of a stream or river or create any substantial erosion or siltation on or off site. The projects will be using an existing building on site and no additional structures are anticipated. Any proposed grading will require drainage reviews and approval with Public Works. Less than significant impact is anticipated.

- (i) result in substantial erosion or siltation on- or off-site;

i) Less than Significant Impacts. The proposed project will not alter existing drainage on site, including the alterations of a stream or river, which would result in substantial erosion or siltation on or off-site as it is not located near a stream or river. According to the Imperial County General Plan Erosion Activity Map, Figure 3, Seismic and Public Safety Element, the area is designated nil activity. Therefore, less than significant impacts are anticipated.

- (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

ii) Less than Significant Impacts. As previously stated, the proposed project would not appear to substantially increase the rate or amount of surface runoff resulting in flooding; the site is used for commercial uses and no additional structures are being proposed. Any drainage patterns shall comply with all the State and Local Codes, including Public Works Department regulations.

- (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or;

iii) Less than Significant Impacts. The project does not appear to create or contribute to runoff water; the project has been previously used commercially and site has been impacted for a number of years.

- (iv) impede or redirect flood flows?

iv) The Project does not appear to impede or redirect flood floods; the project has been previously used commercially and the project site is located on a Zone X, which is "Area of Minimal Flood Hazard" under the FEMA Flood Map Community Panel Number 06025C0339C; therefore, no impacts are expected.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

d) No Impact. The Project site is not located in a potential seiche, tsunami, or mudflow zone.

- e) Conflict with or obstruct implementation of a water quality

control plan or sustainable groundwater management plan?

e) **The proposed project would not result in significant impacts to hydrology and water quality. Surface runoff quantities are a function of the impermeable surface area. The project will be using an existing building on site and no additional structures are anticipated. The current site has as existing structure on site and no additional structures are planned. Less than significant impact is anticipated.**

XI. LAND USE AND PLANNING *Would the project:*

- a) Physically divide an established community?

a) The proposed project will not physically divide an established community; the proposed project is consistent with the intent of the County General Plan. Cannabis operations are allowed with an approved Conditional Use Permit in a C-2 Commercial zone, therefore once approved, less than significant impact is anticipated

- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

b) The proposed project is consistent with the intent of the County General Plan, and the County's Land Use Ordinance. The project is not located in or conflict with habitat conservation or natural community conservations area or plans. The proposed project is located in the West Shores/ Salton City Urban Area designed for commercial uses and will not physically divide an established community. Therefore, less than significant impact is anticipated.

XII. MINERAL RESOURCES *Would the project:*

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

a) In accordance with the California of Conservation- Mineral Land Classification Map (13), the project site is not located within an area known to be underlain by regionally important mineral resources or within an area that has the potential to be underlain by regionally mineral resources. Accordingly, implementation of the proposed project would not result in the loss of availability of a known mineral resource that would be a value to the region of the residents of the State of California; therefore, no impact is expected.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

b) In accordance with the Imperial County General Plan-Conservation and Open Space Element- Figure 8- Existing Mineral Resources, the project site is not located within an area known to be underlain by regionally important mineral resources or within an area that has the potential to be underlain by regionally mineral resources. Accordingly, implementation of the proposed project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on the local general plan, specific plan or other land use plans; therefore, no impacts are expected.

XIII NOISE *Would the project result in:*

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

a) The proposed operation is not expected to exceed applicable noise standards on local landowners. The facilities will be within an area currently in a semi-developed commercial area. Less than significant impacts are expected.

- b) Generation of excessive ground-borne vibration or ground-borne noise levels?

b) The proposed project is not expected to exceed noise levels, and the proposed activities does not appear to generate any excessive ground-borne vibration or noise. No impact is expected.

- c) For a project located within the vicinity of a private airstrip or

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an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

c) No Impact is expected: The proposed activities would not appear to expose people to significant ambient noise levels in the vicinity of a private airstrip or airport.

XIV. POPULATION AND HOUSING *Would the project:*

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?

a) The proposed facility does not appear to induce substantial population growth in the area, either directly or indirectly; therefore, no impact is expected.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

b) The proposed facility will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; therefore, no impact is expected. Previously, the parcel and existing structure was used for general commercial uses and surrounding lots are zoned for commercial uses. No Impact is anticipated.

XV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Less than significant impact. The proposed project will not physically impact any local government facilities or require for a new or altered government facility for any possible required service for the proposed cannabis use. The site has a pre-existing building and the proposed use appears not to have greater impacts to government services than previous uses on site.

1) Fire Protection?

1) The proposed project is not expected to result in substantial impacts on fire protection. A stated on comment letter received from the Imperial County Fire Department on May 22, 2023:

- An approved water supply capable of supplying the required fire flow consisting of underground pressure main(s) and hydrant(s) will be provided for the project.
- All cannabis facilities will have an approved automatic fire suppression system.
- The facilities will have an approved automatic fire detection system.
- All fire detection systems will be installed and maintained to the current adapted fire code and regulations. Gates and fire department access will be in accordance with the current adapted fire code and the facility will maintain a Knox Box for access on site. Please reference fire dept. letter for details.
- All cannabis facilities will have an approved smoke removal system installed and maintained to the current adapted fire code and regulation any impacts are considered to be less than significant.

2) Police Protection?

2) The project site will have 24 hour security. The site will be lighted for security safety purposes. The CHP and Sheriff's office have active patrolling activities within the Salton City sector area. The facilities will have a security plan approved by the County. A security safety plan shall be submitted providing insight for The Sheriff's Office to review and approve as to the security safety, please see Sheriff's reference letter for details. Less than significant impacts are anticipated.

3) Schools?

3) No Impact. The Project would not result in an increase in population or housing and would not require additional school services. The project site is not near any schools.

4) Parks?

4) No Impact. The Project would not result in an increase in population or housing and would not increase demand/use for

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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local parks.

- 5) Other Public Facilities?
- 5) The Project would not appear to put an increased burden on other public services, including existing fire, police, school and other governmental services. Therefore, less than significant impacts would occur.**

XVI. RECREATION

- a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- a) The proposed project would not increase the use of the existing neighborhood and regional parks or other recreational facilities; therefore, no impact is expected.**
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?
- b) The proposed project would not appear to include or require the construction of recreational facilities; therefore, no impact are expected.**

XVII. TRANSPORTATION *Would the project:*

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- a) The Permittee for the Conditional Use Permit CUP #23-0004 shall comply with all applicable conditions and regulations with the County's circulation plan, land use ordinance, and transportation planning. A less than significant impact anticipated.**
- b) Would the project conflict or be inconsistent with the CEQA Guidelines section 15064.3, subdivision (b)?
- b) The project would not appear to impact any public transit, bicycle or pedestrian facility. The parcel has an enclosed commercial type structure on site. Less than significant impacts are anticipated.**
- c) Substantially increases hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- c) No Impact. The project site is on previously constructed site. No additional development is being proposed.**
- d) Result in inadequate emergency access?
- d) All on-site traffic area shall be hard surfaced to provide all weather access for fire protection vehicles. The surfacing shall meet the Department of Public Works and Fire/OES Standards as well as those of the Air Pollution Control District (APCD). (Per Imperial County Code of Ordinances, Chapter 12.10.020(A). Less than significant impacts are anticipated.**

XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:
- Less than significant impacts. The proposed cannabis retail and medicinal store is being proposed in an existing commercial structure built decades ago and with no proposed expansion of this existing building on property there would appear to be no impacts to tribal cultural resources as defined in Public Resources Code Section 21074. Any proposed site improvements will take into consideration surrounding cultural landscape**

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or (i) The project would not appear to cause an adverse change in the significance of a tribal cultural resource, any impacts are considered less than significant. The property site has previously been impacted by general commercial uses allowed in the current zone. AB-52 letters have been sent out to the Quechan Tribe, Campo Band Tribe, and Torrez-Martinez Tribes for consultations. No comments at this time have been received.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe. (ii) The project site is zoned for general commercial uses and over the past decade was used for a number of these commercial uses. The parcel has an existing structure on site and to date no evidence of cultural resources have been seen on site. Therefore, no resources as defined in the Public Resources Code Section 5024.1 appears to be impacted. No impacts are expected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIX. UTILITIES AND SERVICE SYSTEMS *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?
a) Based on the size of the proposed operation, i.e. the number of employees and truck/automobile drivers utilizing the project site, no additional expansion is required for the existing structure on site and no additional impacts are anticipated. The structure is serviced by the Coachella Valley Water District for water and sewer. Less than significant impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?
b) Based on the size of the proposed operation, i.e. the number of employees and customers utilizing the project site, no additional expansion is required for the existing structure on site and no additional impact are anticipated. The structure will utilize the existing public water system for water and sewer. Less than expected impacts are expected. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
c) The proposed project will be using the existing structure on site for all of its operations. No expansion of the building is proposed. Less than significant impacts are anticipated | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
d) Based on the size of the proposed operation, i.e. the number of employees and persons at the project site, the property owners shall be required to pay all applicable fees and improvements associated with developing their project. The level of impacts appear to a less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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reduction statutes and regulations related to solid waste?

e) All proposed projects within the County shall contract with a licensed waste hauler for waste generated by the facility. A waste management plan shall be submitted providing insight for EHS to review and approve as to the waste deposition. The level of impacts appear to be less than significant.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

a) NMH Investments, LLC site is not located on or near state responsibility, areas or lands classified as very high, high or moderate fire hazard severity zones. The project site is located in the community of Salton Sea and access to proposed project is on the townsite's major highway. Less than significant impact is anticipated.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

b) The project site, NMH Investments, LLC project is not located or near state responsibility, areas or lands classified as very high, high or moderate fire hazard severity zones. The project appears to be surrounded by commercial related land. Although the County has experienced damage from heavy winds in the past, hazards in the County are managed by the MJHMP, which is reviewed and updated every 5 years (County 2021). Less than Significant Impacts are anticipated.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

c) As previously stated under item (XV)(a)(1)- "Public Services" above, per comment letter received from the Imperial County Fire Department on May 22, 2023:

- An approved water supply capable of supplying the required fire flow consisting of underground pressure main(s) and hydrant(s) will be provided for the project.
- All cannabis facilities will have an approved automatic fire suppression system.
- The facilities will have an approved automatic fire detection system.
- All fire detection systems will be installed and maintained to the current adapted fire code and regulations. Gates and fire department access will be in accordance with the current adapted fire code and the facility will maintain a Knox Box for access on site. Please see reference letter for details.
- All cannabis facilities will have an approved smoke removal system installed and maintained to the current adapted fire code and regulation.
- The project will be located at an existing structure previously used for commercial uses. Impacts are considered to be less than significant.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

d) The project is located on relatively flat terrain. The existing structure was constructed decades ago and there would appear to be less than significant from landslides, runoff or drainage changes.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA
 Revised 2011- ICPDS
 Revised 2016 – ICPDS
 Revised 2017 – ICPDS
 Revised 2019 – ICPDS

Potentially Significant Impact (PSI)	Less Than Significant with Mitigation Incorporated (LTSWMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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SECTION 3
III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| <p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Luis Valenzuela, Project Planner
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

(Written or oral comments received on the checklist prior to circulation)

V. REFERENCES

- 1) "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; & as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.
- 2) Bryant, William A. and Earl W. Hart. 2007. Fault-Rupture Hazard Zones in California, Alquist-Priolo Earthquake Studies Zoning Act with Index to Earthquake Fault Zones Maps, Department of Conservation, California Geological Survey, Special Publication 42.
- 3) California Department of Transportation. 2017. California Scenic Highway Mapping System. Web site available at: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm.
- 4) California Native Plant Society (CNPS). 2019. Inventory of Rare and Endangered Plants of California. Website available online at: <http://www.rareplants.cnps.org/>.
- 5) California Office of Planning and Research. 2003. General Plan Guidelines. Web site (accessed on March 2020) available at: http://opr.ca.gov/docs/General_Plan_Guidelines_2003.pdf.
- 6) California State Geological Survey (CGS). 2015. Regulatory Maps. Web site (accessed on March 2020) available at: <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>.
- 7) Federal Highway Administration (FHWA). 2006. Construction Noise Handbook. Web site available at: http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/.
- 8) Federal Highway Administration (FHWA). 2011. Highway Traffic Noise: Analysis and Abatement. Web site available at: http://www.fhwa.dot.gov/environment/noise/regulations_and_guidance/analysis_and_abatement_guidance/revguidance.pdf.
- 9) <https://www.icpds.com/assets/planning/conservation-open-space-element-2016.pdf>
- 10) Federal Highway Administration (FHWA). 2017. California State Byways List. Web site (accessed on May 10, 2017) available at: <https://www.fhwa.dot.gov/byways/states/CA>.
- 11) Imperial County. 1998. General Plan. Website available online at: [http://www.icpds.com/CMS/Media/GENERAL-PLAN--\(OVERVIEW\).pdf](http://www.icpds.com/CMS/Media/GENERAL-PLAN--(OVERVIEW).pdf).
- 12) Imperial County Planning and Development Services. 2015. Maps. Website available online at: <http://www.icpds.com/?pid=577>.
- 13) Imperial IRWMP. 2012. Integrated Regional Water Management Plan – Groundwater Management Planning Elements Guidance Document. Website available line at: <https://www.iid.com/home/showdocument?id=9546>.
- 14) National Resource Conservation Service. 2019. Web Soil Survey GIS Portal. Available online at: <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.
- 15) Office of the State Fire Marshall (CalFire). 2007. Fire Hazard Severity Zones Map. Website available online at: <https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazardsbuilding-codes/fire-hazard-severity-zones-maps/>.
- 16) United States Fish and Wildlife Service. 2019. Information for Planning and Consultation (IPaC). Website available online at: <https://ecos.fws.gov/ipac/>.
- 17) United States Fish and Wildlife Service. 2019. National Wetlands Inventory – Wetlands Mapper. Website available online at: <https://www.fws.gov/wetlands/data/Mapper.html>.
- 18) United States Geological Survey (USGS). 1990. The San Andreas Fault System, California, Robert E. Wallace, editor, U.S. Geological Survey Professional Paper 1515.
- 19) Imperial County Division of Environmental Health letter dated 5/5/23
- 20) Imperial Irrigation District Letter dated 5/4/23
- 21) Imperial County Fire Department letter dated 05/22/23
- 22) Imperial County Air pollution control district letter dated 05/12/23
- 23) Imperial County Sheriff's Office letter dated 05/15/23
- 24) Office of the Agriculture Commissioner Sealer of Weights and Measures Letter dated 05/22/23

25) NEGATIVE DECLARATION – County of Imperial

The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project Name: NMH Investments, LLC Project, Conditional Use Permit CUP #23-0004

Project Applicant: NMH Investments, LLC, 401 W. State St, El Centro, CA 92243

Project Location: 2092 Thomas R. Cannell Rd, Salton Sea, CA

Description of Project: The Applicant proposes Conditional Use Permits #23-0004 to allow the operation of an Adult Use & Medicinal Storefront, with delivery for the sale of cannabis, on APN #015-261-020-000. The legal description for this parcel is Lot 50, Block 03, Tract 537, FM 4-39, in the unincorporated Townsite of Salton Sea, of the County of Imperial, State of California. The Permittee, will acquire, remodel and repurpose a 1,224+/- square foot building located at 2092 Thomas R. Cannell Rd, Salton Sea, CA.

NMH Investments, LLC is proposing a 1,224 square foot Adult Use/Medicinal cannabis retail space with delivery. The purpose of the dispensary will be to give county customers and medical patients a place where they can find relief and safe access to medicinal cannabis products. NMH Investments, LLC is expecting to hire seven (7+) employees. The customer volume is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 8am-10pm Daily, while delivery operations will be from 8am to 10pm based on the volume of orders (projected are 4-8 deliveries per day). Waste cannabis products would be pick-up and destroy by a locally licensed waste contractor. Cannabis waste will be made unusable through proper methods and then stored in secure storage bins on site. Bins will be picked up every 4 weeks or as necessary. NMH Investments, LLC will be doing business as Valley Meds.

VI. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Negative Declaration based upon the following findings:



The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.



The Initial Study identifies potentially significant effects but:

- (1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
- (2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.
- (3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

NOTICE

The public are invited to comment on the proposed Negative Declaration during the review period.

7-27-2023
Date of Determination Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.


Applicant Signature

7-27-2023
Date

ATTACHMENT G.
APPLICANT SUBMITTAL

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME <u>Heot David Sim and Wesley Ji</u>	EMAIL ADDRESS <u>ca4557600@gmail.com</u>	
2. MAILING ADDRESS (Street / P O Box, City, State) <u>1148 Paseo de Su Majestad</u>	ZIP CODE <u>92231</u>	PHONE NUMBER <u>760-554-0472</u>
3. APPLICANT'S NAME <u>NMI Investments Stewart Namao</u>	EMAIL ADDRESS <u>stewart_namao@rocketmail.com</u>	
4. MAILING ADDRESS (Street / P O Box, City, State) <u>401 W. State St. El Centro, CA</u>	ZIP CODE <u>92243</u>	PHONE NUMBER <u>691-694-6556</u>
4. ENGINEER'S NAME <u>Kesri S. Sekhon</u>	CA. LICENSE NO. <u>78573</u>	EMAIL ADDRESS <u>kesisekhona@yahoo.com</u>
5. MAILING ADDRESS (Street / P O Box, City, State) <u>7072 Cordgrass Ct. Carlsbad CA.</u>	ZIP CODE <u>92011</u>	PHONE NUMBER <u>858-395-1143</u>
6. ASSESSOR'S PARCEL NO. <u>05-261-080-000</u>	SIZE OF PROPERTY (in acres or square foot) <u>95x240 = 22,800 SF</u>	ZONING (existing) <u>C2</u>
7. PROPERTY (site) ADDRESS <u>2092 Thomas R. Cannell Rd. Salton Sea, CA. 92273</u>		
8. GENERAL LOCATION (i.e. city, town, cross street) <u>South Marina Dr. & Hwy 86</u>		
9. LEGAL DESCRIPTION <u>Lot 50 Block 03 Tract 537 Fm 4 39</u>		

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) <u>Retail Cannabis Sales with Delivery</u>	
11. DESCRIBE CURRENT USE OF PROPERTY <u>Vacant Lease Space</u>	
12. DESCRIBE PROPOSED SEWER SYSTEM <u>Salton City Services SCSD</u>	
13. DESCRIBE PROPOSED WATER SYSTEM <u>City water</u>	
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM <u>new Fire Sprinklers</u>	
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? <u>3</u>

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Stewart Namao 2.17.23
Print Name Date
[Signature]
Signature

Print Name Date

Signature

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	_____
B. FEE	_____
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY: <u>[Signature]</u>	DATE: <u>2/17/23</u>	REVIEW / APPROVAL BY OTHER DEPT'S required <input type="checkbox"/> P.W. <input type="checkbox"/> E.H.S. <input type="checkbox"/> A.P.C.D. <input type="checkbox"/> O.E.S. <input type="checkbox"/> _____ <input type="checkbox"/> _____
APPLICATION DEEMED COMPLETE BY: _____	DATE: _____	
APPLICATION REJECTED BY: _____	DATE: _____	
TENTATIVE HEARING BY: _____	DATE: _____	
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE: _____	

CUP #
23-0004

EEC ORIGINAL PKG

PROJECT DESCRIPTION

NMH INVESTMENTS LLC

SUMMARIZE THE PROPOSED USE

The project consists of a cannabis dispensary with delivery services. NMH Investments, LLC is committed to community improvement; the operating plan demonstrates serious measures to mitigate any potential nuisances, the security plan suggests the immediate neighborhood will benefit from an increased security presence, the site plan shows compliant parking and ingress and egress, and the overall proposal constitutes a pledge to site clean-up and neighborhood revitalization.

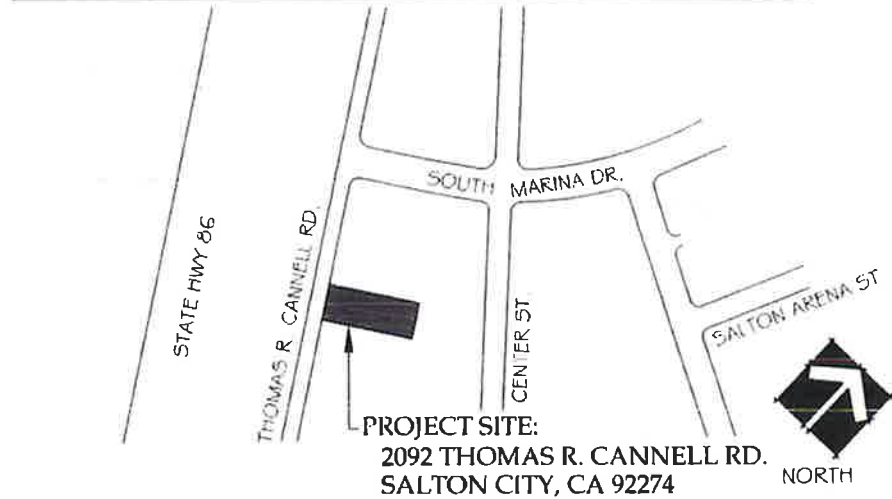
NMH Investments, LLC has secured the property zoned C-1 at APN: 015-261-020-000. NMH Investments, LLC is committed to community improvement; the operating plan demonstrates serious measures to mitigate any potential nuisances, the security plan suggests the immediate neighborhood will benefit from an increased security presence, the site plans show compliant parking and ingress and egress, and the overall proposal constitutes a pledge to site clean-up and neighborhood revitalization.

NMH Investments, LLC's proposed location is well over 600 ft from any sensitive uses as proposed by Imperial County. The closest school is West Shore High School, which is more than 4,700 feet from the proposed location. Salton City Park, the closest park to the facility, is over 2,900 feet away. NMH Investments, LLC's site is 1,438 feet from the nearest youth center and day care center, United Families Preschool.

Site Address: 2092 Thomas R Cannell Rd, Salton City, CA 92274

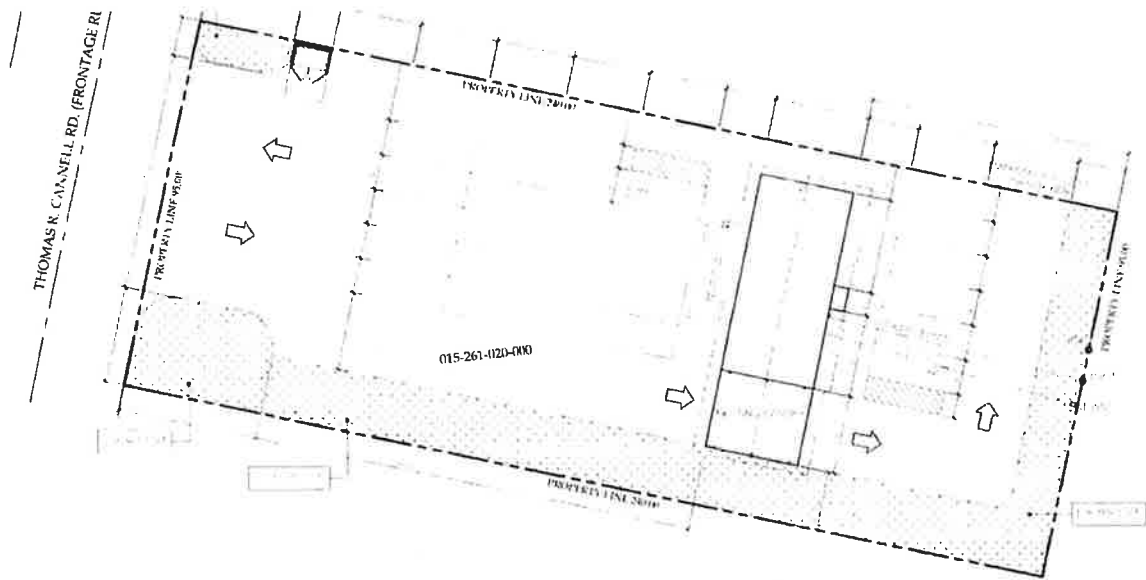
- Closest Park:** Salton City Park (2,988 feet)
2208 Iridescent Ave, Therma, CA 92274
- Closest Youth Center:** United Families Preschool (1,438 ft)
1219 Center St, Salton City, CA 92275
- Closest School:** West Shores High School (4,744 feet)
2381 Shore Hawk Ave, Salton City, CA 92275
- Closest Day Care:** United Families Preschool (1,438 ft)
1219 Center St, Salton City, CA 92275

VICINITY MAP



APN: 015-261-020-000

PARKING AND LANDSCAPING



Parking: NMH Investments LLC's proposed dispensary location located at 2092 Thomas R Cannell Rd, Salton City, CA 92274 features ample off-street parking for customers and employees. The roughly 2,400ft² facility conveniently located off Thomas R Cannell Rd and features 20 parking spaces, or 1 parking space per 122.1ft², which exceeds Imperial County's parking rate requirement of 1 space per 250ft² of the

PROJECT DESCRIPTION**NMH INVESTMENTS LLC**

gross building area for retail facilities (ICCO §90402.01(G)(1)). The parking lot is accessible from Thomas R Cannell Rd and has been designed in a way to restrict traffic congestion. Handicap parking and ADA compliant walkways will permit all patrons accessibility to the facility.

Traffic: We have based our customer-related traffic projections on our estimated transactions per day, which is 55 daily transactions in Year One and 100 daily transactions in Year 2. Our Delivery-related traffic projections are based on an estimated 30 daily deliveries in Year One and 75 daily deliveries in Year Two. We have based our staff-related traffic projections on four (4) day-to-day employees, including one (1) Cannabis Specialists, one (1) Screeners, one (1) Delivery Drivers, one (1) Dispatcher. We have anticipated our Distributor-related traffic projections on the expectation that we will have at least one (1) incoming delivery per day. We anticipate the following trips generated by each respective group on daily basis:

Customers (passenger vehicles)

Year One: ~22 trips per day

Year Two: ~40 trips per day

Staff/employees (passenger vehicles):

Year One: ~6 trips per day

Year Two: ~11 trips per day

Delivery Vehicles (commercial vehicles)

Year One: ~4 trips per day

Year Two: ~8 trips per day

Distribution (commercial vehicles)

Year One: ~1 trips per day

Year Two: ~1 trips per day

Landscaping will be employed to the fullest extent permitted by our location. The County of Imperial requires that landscaping consist of a minimum of 10% of the total developed lot or parcel (ICCO §90302.04(A)). California's temperate environment can sustain a wide variety of landscaping, but California natives will be emphasized in order to reduce watering needs and reflect the area's natural flora. The Landscaping plan will incorporate xeriscaping for the selected drought tolerant local species. Landscaping will be extended throughout the parking area to create a cohesive exterior theme.

FEC ORIGINAL PKG

PROJECT DESCRIPTION

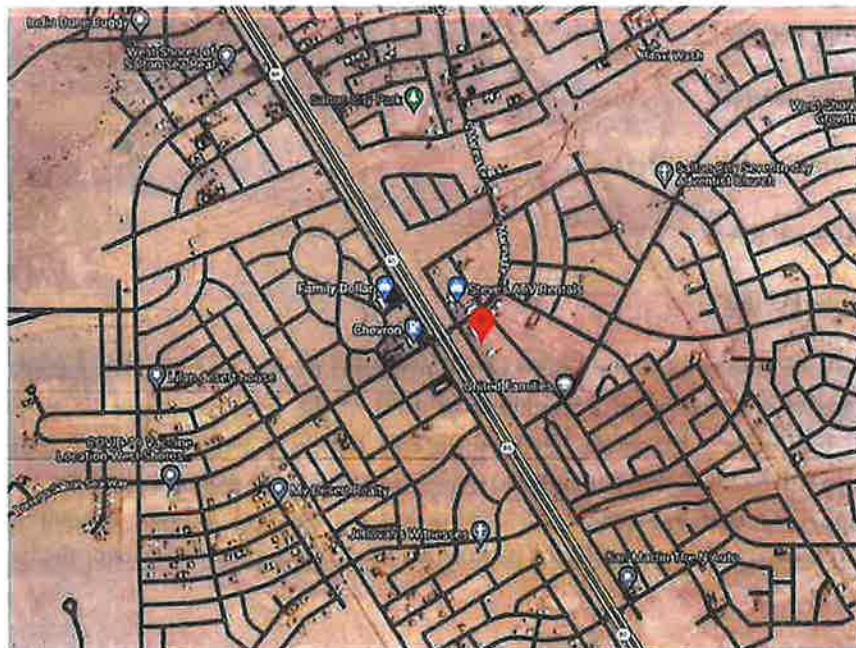
NMH INVESTMENTS LLC

Both entrances and exits to the parking area will be adorned with shrubs and trees which will also line the perimeter of the parking lot and extend to the property line. Every portion of the lot, with the exception of the immediate parking area and the facility, will incorporate landscaping to the fullest extent possible. The facility's entry way will feature a concrete pathway covered by a large canopy with trees and shrubs lining the pathway up to the facility. There will be planters interspersed beneath the canopy featuring smaller shrubs and flowers. Planters will also be placed in front of the facilities windows which will limit visibility into the facility. A portion of the exterior landscaping has been designed to add an esthetic touch while providing a natural screen for the facility.

NEIGHBORHOOD COMPATIBILITY

The proposed location is in the C1 Commercial Zoning District. The immediate neighborhood consists of other commercial activities including retailers and residential uses. Nonetheless, frosted privacy glass that meets all relevant security standards will prevent public sight lines from the exterior of the entire property. The property will blend in with the surrounding neighborhood, and its overall appearance will provide an improved aesthetic within the general vicinity and to the current state of the nearby area. Further, NMH Investments LLC's security plans include round the clock surveillance and security, which will help maintain and increase the safety of the nearby area. The dispensing operations will comply with all setback requirements and building regulations, and accordingly NMH Investments, LLC will comply with all Imperial County zoning and buffer requirements.

The following screenshots indicate high neighborhood compatibility: APN: 015-261-020



FEC ORIGINAL PKG

PROJECT DESCRIPTION

NMH INVESTMENTS LLC

NMH Investments, LLC's proposed location is well over 600 ft from any sensitive uses as proposed by Imperial County. The closest school is West Shore High School, which is more than 4,700 feet from the proposed location. Salton City Park, the closest park to the facility, is over 2,900 feet away. NMH Investments, LLC's site is 1,438 feet from the nearest youth center and day care center, United Families Preschool.

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HOURS OF OPERATION

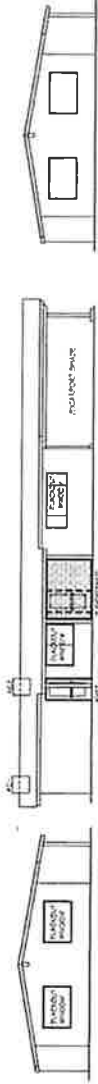
Monday: 8:00AM – 10:00PM (14 hours)
Tuesday: 8:00AM – 10:00PM (14 hours)
Wednesday: 8:00AM – 10:00PM (14 hours)
Thursday: 8:00AM – 10:00PM (14 hours)
Friday: 8:00AM – 10:00PM (14 hours)
Saturday: 8:00AM – 10:00PM (14 hours)
Sunday: 8:00AM – 10:00PM (14 hours)

ABBREVIATIONS

Table of abbreviations including terms like AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ.

RETAIL STORE

2092 THOMAS R. CANNELL RD., SALTON CITY, CA 92274
APN: 015-261-020-000



GENERAL NOTES

- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF SALTON CITY SPECIFICATIONS AND THE CALIFORNIA BUILDING CODE.
- 2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS.
- 3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL JURISDICTIONS.
- 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
- 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES ON THE SITE.
- 6. ALL CONSTRUCTION SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
- 7. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORKING SITE AT ALL TIMES.
- 8. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL JURISDICTIONS.
- 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS.
- 10. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL JURISDICTIONS.

WALLS FINISHING NOTES

- 1. ALL WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" SHEETROCK ON STUDS.
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LANDSCAPE CALCULATIONS

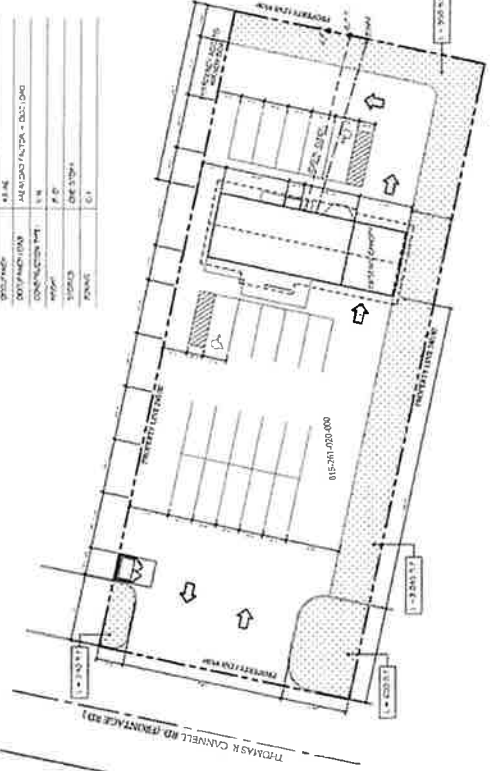
ITEM	QUANTITY	UNIT	TOTAL
GRASS	1000	SQ. YD.	1000
FLORAL	500	SQ. YD.	500
SHRUBS	10	PLANTS	10
TOTAL			1510

BUILDING CODE

THE PROJECT SHALL COMPLY WITH THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES. THE PROJECT SHALL ALSO COMPLY WITH THE CALIFORNIA ELECTRICAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.

SHEET INDEX

- 1. SITE PLAN
- 2. FLOOR PLAN
- 3. ELEVATIONS
- 4. SECTION
- 5. DETAILS
- 6. LANDSCAPE



VICINITY MAP



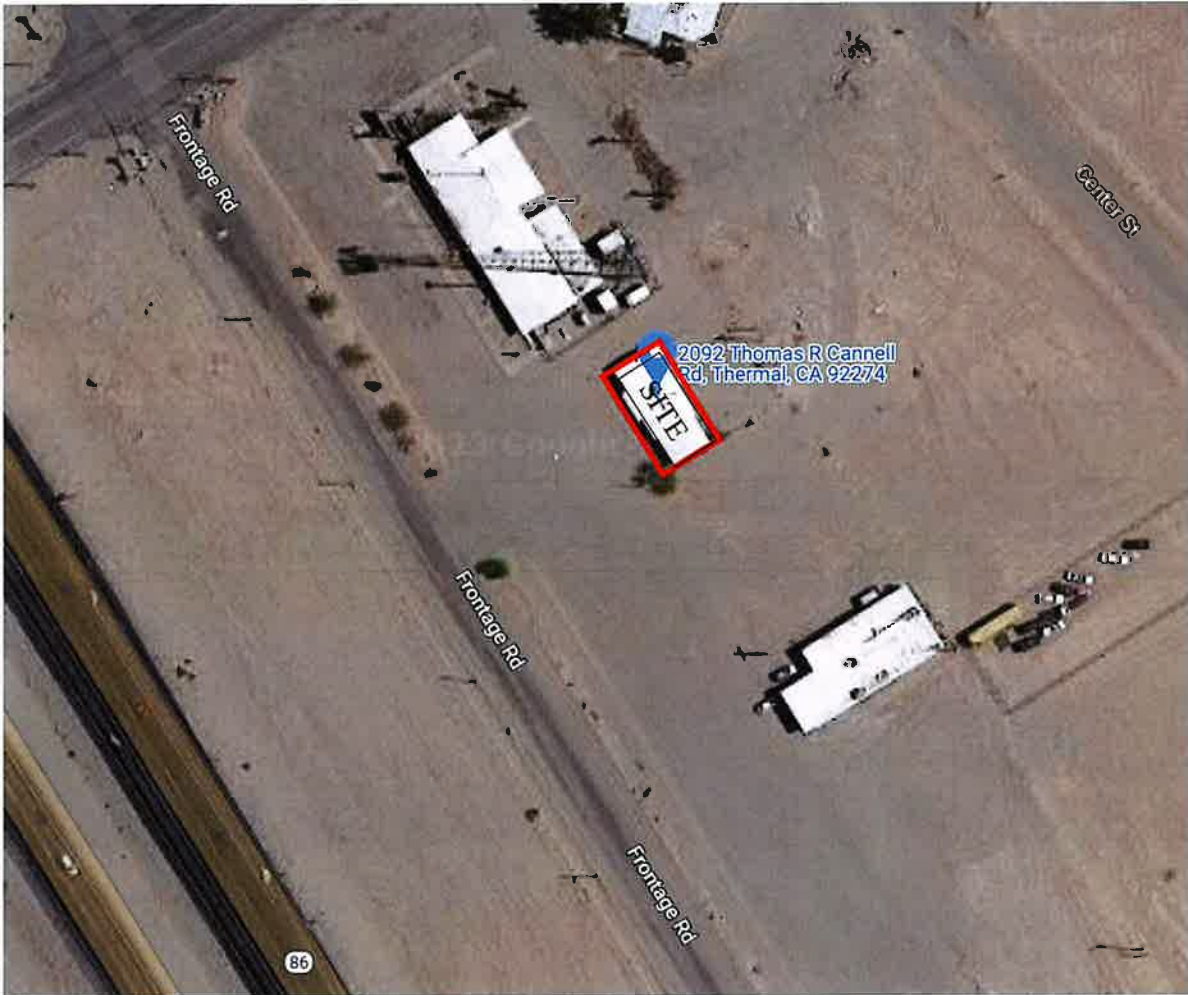
PROJECT INFORMATION

PROJECT NO.	APN: 015-261-020-000
PROJECT NAME	RETAIL STORE
OWNER	MR. & MRS. J. SMITH
DESIGNER	ABC ARCHITECTS
DATE	10/20/2023
SCALE	AS SHOWN
PROJECT LOCATION	2092 THOMAS R. CANNELL RD., SALTON CITY, CA 92274
PROJECT CONTACT	JOHN SMITH, 555-555-1234
DESIGNER CONTACT	JOHN DOE, 555-555-5678
PROJECT STATUS	PERMITS OBTAINED
PROJECT PHASE	CONSTRUCTION
PROJECT BUDGET	\$1,000,000
PROJECT START DATE	01/01/2024
PROJECT END DATE	03/31/2024
PROJECT DESCRIPTION	RETAIL STORE WITH 5000 SQ. FT. OF FLOOR AREA, 2000 SQ. YD. OF PAVEMENT, AND 1000 SQ. YD. OF LANDSCAPE.
PROJECT NOTES	SEE SHEET 01 FOR SITE PLAN AND SPECIFICATIONS.

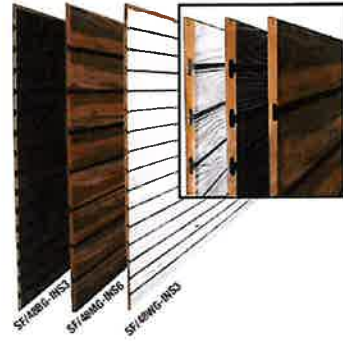
VICINITY MAP



APN: 015-261-020-000







PRODUCT DESIGN

SAFETY & SECURITY PLAN

SECURITY EXPERIENCE

Yador Enterprises (BSIS PPO 119899) is a California-based, licensed, bonded and insured risk mitigation firm currently serving San Diego, Long Beach, Los Angeles, Maywood, and Kern County. Services provided include security guard and patrol, security officer training, private investigations, live-scan, notary and consultation services for state, federal, and cannabis-based entities. Established in 2011, sub-companies include Spartan Transport Systems; providing covert transport and driver safety training, Focal Point Academy (BSIS License TFF 1512 and TFB 1273); providing security officer baton and firearm training services and ATS Investigations (BSIS PI 28168); a private investigations firm specializing in background and workplace investigations.

Yador Enterprises is a registered Small Business under the Small Business Association (SBA) with additional certifications as a Minority and Service Disabled Veteran-Owned Small Business (SDVOSB). Past and current performance experiences include, but are not limited to the following:

- Customs Drug Interdiction and Consulting- Accra, Ghana- West Africa
- High-Value Transport and Security Detail- Jade Buddha for World Peace- San Diego, CA
- On-Site Security Detail- David and Sons Jewelers- La Jolla, CA
- MMJ Security Planning and Security Detail- GRDTC- Long Beach, CA
- MMJ Dispensary Security Planning- Yezi, LLC- Long Beach, CA
- Dispensary Security – Cali Green World – Moreno Valley, CA
- Dispensary and Lounge Security Plan – PleasureMed, LLC – West Hollywood, CA
- On-Site Protection Detail- Westime La Jolla- La Jolla, CA

Samuel Yador, CEO of Yador Enterprises, is a US Military veteran with an extensive background in military logistics, law enforcement, special operations support and multi-branch operations. Educational Background includes a B.S. degree in International Security and Conflict Resolution with a specialty in Global Systems from San Diego State University; International Relations from the University of St. Petersburg, Russia; Certification as a Conflict Mediator from the National Conflict Resolution Center in collaboration with the University of Bologna in Rimini, Italy and International Politics from the University of Tartu, Estonia. With current services as a Private Investigator (PI 28168), National Conflict Mediator, BSIS Firearm (TIF 2241), Baton (TIB 1847), NRA Firearm (NRA #187173998), UCSD Low Voltage Data Technician, Department of Justice Firearm Safety Instructor, Risk Management Instructor, and San Diego Sheriff Concealed Carry Weapon Instructor, we are confident his input will be invaluable to our security operations. Yador Enterprises has proven experience in developing and implementing Dispensary and general commercial cannabis Security Plans and has been contracted to develop NMH Investments, LLC's Security Plan in conjunction with Solid Security. Armortech will be responsible for the establishment of necessary security infrastructure and facility-specific training of security guards.

BACKGROUND CHECKS

A pre-employment suitability investigation will be conducted for each individual prior to employment and orientation. All employees will be U.S. citizens and may be required to successfully pass a DOJ live-scan and/or DMV H-6 background check. The investigation will include the following:

- Search of police files in the area of residence, including previous addresses.
- Inquiries of former employers for a period of five (5) years.
- Information that may reflect on the suitability of the security guard to perform security duties under this operation security plan.
- Search of available Federal and State Sex Offender registries.

With the exception of cannabis, NMH Investments, LLC will perform drug testing on all potential candidates for schedule I narcotics. Candidates will be informed of NMH Investments, LLC's zero tolerance policies for drugs and alcohol. NMH Investments, LLC will provide the results of the investigation to employees no later than fifteen (15) days afterwards. Persons convicted of or under indictment for a misdemeanor crime of domestic violence under 18 U.S.C. § 922 will be prohibited from employment with NMH Investments, LLC.

Equal Opportunity Employer: NMH Investments, LLC is an Equal Opportunity and will coordinate with both Armortech and Solid Security to ensure non-discriminatory employment and personnel practices on the basis of race, sex, age, handicap, religion, national origin or any other basis prohibited by applicable law. Hiring, transferring and promotion practices shall be performed without regard to the above listed items.

EMPLOYEE SAFETY EDUCATION

Safety Training: Safety Training is essential to prepare employees for potential dangers that may occur in the work place. All employees undergo a one-week orientation and training seminar, supplemented with additional monthly training. In addition, semi-annual scripted training courses will be provided with group and individual evaluations. Each employee will be evaluated on several objectives, including their understanding and execution of required protocols, attention to detail, verbal communication and ability to demonstrate restraint and control in complex and ever-changing circumstances.

Given the amount of cash involved within the cannabis industry due to unresolved banking issues, dispensary owners and employees must be prepared for a wide array of circumstances. Safety Training focuses on the following areas: Cash Handling, Robbery/Burglary Protocol, General Safety Protocol, Product Handling, Driver Safety, OSHA, Customer Service, and Confidentiality training. Random training evaluations will be implemented with training records kept on-site. In conjunction with the training syllabus below, additional topics include Sexual Harassment, Workplace Injury, Hygiene Practices, Site-Security and Personal Safety. We invite local law enforcement and Fire Rescue to offer feedback and guidance.

Cash Handling: training instructs employees on how to handle cash transactions and when to coordinate register exchanges. Register exchanges are coordinated by managers and register attendants based on time and need to ensure cash drawers are emptied into the vault on a routine basis. Keeping register cash volume low will provide added security to the business and deter burglary by maintaining the appearance of low cash volume. Employees will be trained on cash pick-up procedures, which will involve daily cash pick-ups from the vault by contracted cash-handling, armored transport services.

Robbery/Burglary Protocols: Burglary training provided to employees and security staff is designed to eliminate direct conflict with suspects, making various mental notes and observations while facilitating a rapid suspect departure. Mental notes include descriptive features and distinguishing marks on suspect(s) including clothing, hair color, eye color, scars, tattoos, etc. Employees will be trained to handle high stress situations by prioritizing staff and customer safety over money and merchandise. Employees will be shown the locations of silent alarms and panic buttons but will always be instructed to comply with demands and alert robbers/burglars of potential escalation factors. NMH Investments, LLC employs a no chase policy and trains employees to enforce a minimum contact protocol with robbers. Robbery management training is aimed at teaching de-escalation techniques and emphasizing customer and staff safety. Staff must remain as calm as possible – refraining from spreading panic and following direction as swiftly as possible. Crime scene preservation (such as items, entryways and control systems accessed and utilized by suspects), cooperation with law enforcement, alarm system activation and maintaining confidentiality of occurrences are additional training concepts. Such protocols will be in effect to protect the staff, security, and general public from harm including bodily injury or death.

General Safety Protocol: is to include earthquake, fire and evacuation safety that teach employees how to manage varying circumstances. All employees will be made aware of exits and standard safety protocol. The location of fire hydrants and manual fire sprinkler valves will be addressed in training as well as how to properly coordinate evacuation efforts relating to second story access and elevator use. General safety training will include chemical safety, office furniture and equipment safety, and safe work practices. This training will be supplemented by the employee handbook safety rules and safe work practices maintained at NMH Investments, LLC. Finally, a list of safety rules will be provided to all employees and posted on the premises.

Product Handling: To prevent product contamination, employees are required to maintain proper handling of all cannabis products, packaging supplies and materials at all times. Handwashing techniques include proper handling of the sink faucet, soap use and friction, proper hand drying techniques (Paper Towel vs. air dry) and bathroom door and knob handling. Employee hair will be secured or covered with a hair net or tie prior to product packaging and nails must be neatly trimmed and maintained. Workspace sanitation procedures and time-frames (using disinfecting wipes and sprays) and proper evaluation and packaging of all cannabis products prior to sale are also instructed and evaluated.

Driver Safety: NMH Investments, LLC's no chase policy and robbery management training are aimed at teaching de-escalation techniques and emphasizing employee safety. Our security contractor will continue

to provide guidance and feedback on all safety related matters. Delivery employees will be instructed to comply with the state's regulations involving safety; delivery drivers shall not travel with cannabis goods worth an excess of \$5,000 at any time, for deliveries in which an order was not received the value of cannabis goods shall not exceed \$3,000, and cannabis goods in the delivery vehicle shall not be visible to the public (16 CCR §§ 5418; 5417(b)). Prior to conducting a delivery, the delivery driver must check in with the inventory manager to acquire the cannabis goods that will be packaged in opaque packaging to preclude visibility of the contents inside. When leaving the premises the delivery driver is instructed to make sure there is a security guard at the entrance of the facility that can supervise the movement of cannabis goods from the premises to the delivery vehicle. Cannabis goods meant for delivery must be locked in the Tuffy lockbox that is located in the trunk of the vehicle. At no time will a delivery employee leave cannabis goods in an unattended delivery vehicle unless the vehicle is locked and equipped with an active vehicle alarm system (16 CCR § 5417(c)). Delivery vehicles will be outfitted with a digital panic button, which can be employed by driver's in the event the driver feels their safety is being threatened. This function notifies the Manager and local authorities of the driver's location. Delivery vehicles will also be outfitted with a dash camera to record any potential incidents and acts as a deterrent to potential theft. NMH Investments, LLC will adhere to a strict no tolerance policy with respect to the non-consumption rule for delivery drivers, and each delivery employee will be made duly aware of the provision and provide a signed acknowledgement (16 CCR § 5419). Delivery drivers will be instructed to utilize hands free calling via voice command technology and to obey California traffic regulations – always maintaining awareness of road and traffic conditions.

Delivery Vehicles: NMH Investments, LLC has carefully selected safe and efficient equipment for delivery operations. We plan to purchase 2 delivery vehicles and to outfit each to meet Local and State specifications. NMH Investments, LLC's fleet features the Toyota Prius, which provides benefits to drivers and supports our environmental pledge. The Prius has state-of-the-art standard safety mechanisms, including integrated sensors for pre-collision and pedestrian detection, a vehicle proximity notification system, and an advanced airbag system. NMH Investments, LLC will only purchase vehicles equipped with a built-in alarm system. We will have our fleet regularly serviced and will immediately resolve any mechanical or technical issues. There will be no exterior signage that identifies NMH Investments, LLC's vehicles as cannabis delivery vehicles. Only the delivery employee, NMH Investments, LLC, and local and state agencies shall have knowledge that our vehicles are used for the transportation and delivery of cannabis products.

Each delivery vehicle is outfitted with a Global Positioning System. NMH Investments, LLC uses GPS Fleet Tracking by Samsara. Samsara's program and equipment provide real-time location monitoring, electronic logging capabilities, and reports fuel consumption and driver route performance. Any information requested by the DCC or County regarding location and delivery routes is immediately accessed through the system and dutifully supplied. NMH Investments, LLC utilizes the equipment solely to carry out delivery operations and comply with record-keeping and logistics regulations– the equipment is not to be used for any other purpose. The Delivery Vehicles are outfitted with Tuffy Security Lockboxes for added security. The lockboxes are installed and locked in the trunk of each Prius precluding public visibility of product and cash. Drivers are required to put all product and cash from transactions in the

lockbox while driving. Cannabis products are only approved to leave the safe when a driver performs a delivery at a verified private location or when a driver needs to restock. All cash remains in the lockbox until the driver gets back to the facility and is ready for transfer. Pursuant to California Law, NMH Investments, LLC will not use unmanned vehicles “self-driving cars”. Each delivery vehicle is equipped with hands free “Bluetooth” calling and integrated voice command technology.

Occupational Safety and Health Agency (OSHA) Training: Operational procedures and standards for site maintenance and discrepancy reporting will follow Occupational Safety and Health guidelines. Concepts instructed include Hazardous Materials, Personal Protective Equipment (PPE), Medical/First Aid, Hygiene/Sanitary Practices and reporting procedures. NMH Investments, LLC will require at least one employee and supervisor to complete a 30-hour Cal-OSHA general industry training course offered by an authorized OSHA training institute within one year of obtaining the dispensary license (BPC §26051.5(a)(11)).

NMH Investments, LLC is familiar with and will be fully compliant with Cal OSHA and its mandates. California is a “labor-friendly” state, and NMH Investments, LLC acknowledges the myriad rules and regulations involved in establishing a compliant workplace. NMH Investments, LLC aims to be fully compliant with Title 8 Regulations of Cal OSHA – we believe we have taken into account, and will continue to develop procedures in light of, Title 8 regulations, including, but not limited to:

- Employer must provide work and workplaces that are safe and healthful. In other words, as an employer, you must follow state laws governing job safety and health. Failure to do so can result in a threat to the life or health of workers, and substantial monetary penalties.
- Employer must display this poster in a conspicuous place where notices to employees are customarily posted so everyone on the job can be aware of basic rights and responsibilities.¹
- Employer must be aware of hazards its employees face on the job and keep records showing that each employee has been trained in the hazards unique to each job assignment.
- Employer must correct any hazardous condition that it knows may result in injury to employees. Failure to do so could result in criminal charges, monetary penalties, and even incarceration.
- Employer must notify a local Cal/OSHA district office of any serious injury or illness, or death, occurring on the job.
- Employers who use any substance that is listed as a hazardous substance in California Code of Regulations, title 8, section 339, or is covered by the Hazard Communication standard must provide employees information on the hazardous chemicals in their work areas, access to safety data sheets, and training on how to use hazardous chemicals safely.
- Employers shall make available on a timely and reasonable basis a safety data sheet on each hazardous substance in the workplace upon request of an employee, an employee’s collective bargaining representative, or an employee’s physician.

¹ http://www.dir.ca.gov/dosh/dosh_publications/shpstreng012000.pdf

- Employees have the right to see and copy their medical records and records of exposure to potentially toxic materials or harmful physical agents.
- Employees have the right to see and copy their medical records and records of exposure to potentially toxic materials or harmful physical agents.
- Employers must allow access by employees or their representatives to accurate records of employee exposures to potentially toxic materials or harmful physical agents, and notify employees of any exposures in concentration or levels exceeding the exposure limits allowed by Cal/OSHA standards.
- Any employee or their representative has the right to observe monitoring or measuring of employee exposure to hazards conducted to comply with Cal/OSHA regulations.

Customer Service: Employees are required to maintain a concierge-level mindset in relation to customer service satisfaction and experience. Training concepts addressed include conflict/dispute resolution, service and workplace etiquette, physical appearance and organization. Scheduled and random evaluations will be conducted in group and individual setting. Complaints received will be reviewed and addressed by Human Resources, site supervisor and Facility Management following employee policy and guidelines.

Site and Personnel Confidentiality: All security and NMH Investments, LLC employees will be provided HIPAA-compliant confidentiality training and will be responsible for exercising care and caution when addressing client medical conditions and personal information. Confidentiality training also includes methods and concepts designed to protect employees and security staff (such as work schedule, phone number, home addresses, vehicle information and other personal information) in addition to facility information (Operational procedures, response protocols, primary network passcodes and other restricted information).

Ongoing Management Training: NMH Investments, LLC will also have staff attend regular meetings with Imperial County staff to review public safety issues associated with the operations. All public safety issues and associated solutions will be incorporated into NMH Investments, LLC Operating and Training Plans.

EMPLOYEE THEFT REDUCTION MEASURES

Commercial Cannabis business must be vigilant with respect to potential theft and diversion by employees given the cash-intensive nature of the industry and the valuable product dispensed at retail premises. Employee theft reduction and anti-diversion measures must include thorough check-in/out procedures as well as continual cash and inventory auditing to identify potential incidents before they escalate. Limited access protocols and employee specific registers and Point of Sales log-ins will also be used to monitor cash and/or inventory discrepancies related to employee activities.

Check In/Out Protocols: Employees are required to surrender access and ID badges upon exiting NMH Investments, LLC. Large bags and/or purses are subject to inspections upon entering and/or exiting; security guards will also implement pat-downs to prevent potential theft and product diversion. All inspections will

be conducted with a site supervisor present. Supervisor inspections are conducted under strict supervision. All employee check-in/outs will be conducted in accordance to the Identification Badge procedures within NMH Investments, LLC's Product Access Protocols. Employees unwilling to cooperate will be documented and reported to immediate supervisor or manager. Sensors shall be installed at all secure access points to detect any entry or exit that occurs.

Anti-Diversion: The facility is equipped with a remote panic alarm to be engaged in the event of medical emergency, fire or attempted robbery. Persons not authorized to be on premises will be denied any access to facility, which reduces the risk of product theft or diversion. Separate video-monitored limited access areas for cash and product will be maintained to monitor staff access to areas where theft and diversion are most likely to occur. Further, 24-hour video surveillance signage will be posted in secured areas as well as at the entrances to the site and around the facility perimeter to deter potential theft. In order to prevent diversion of cannabis products, measures include, but are not limited to, the following:

- . Any personnel that is aware of any such theft or diversion and refrains from reporting such breach will result in immediate termination and criminal prosecution
- . Cannabis products will be maintained in secured storage areas accessible only to authorized persons
- . Employee-specific Track-and-trace and Point of Sale software will be utilized to continuously monitor inventory levels for ongoing detection of theft/diversion
- . Securing, weighing, and tracking all disposed of cannabis waste
- . No persons not authorized to be on premises will be granted any access to facility
- . Restrooms shall remain locked and under managerial control
- . Maintain facility and staff records on site in a secure filing cabinet
- . Monitor transactions and program controls for suspicious purchase amounts

Since regular inventory and supply chain tracking is crucial to preventing diversion, inventory will be manually performed weekly by a designated on-site manager to verify product count accuracy. Inventory log will be completed and signed by a manager at the completion of inventory check.

Auditing: The cash register of the POS will never be open unless a transaction is being processed. Cashier register totals will be balanced at the end of the day and prior to shift changes. Any overages or shortages must be fully explained by cashiers. The overage and shortage dollar limits and the frequency of occurrences will be documented with corrective action per site policy. All transaction corrections will be approved by management and marked on the journal tape of the cash register. NMH Investments, LLC will perform periodic cash register audits randomly and unannounced. Management shall be responsible for shift and end-day reconciliation reports and shall immediately report any suspect cash or product diversion.

Additional Measures: In addition to periodic audits, anti-diversion matters, and check in/check out procedures, additional measures include, but are not limited to the following:

- Positions that provide access to accounting and financial records will be subject to high-level background checks, covering credit history and all encounters with local, state and federal law enforcement. Cash-handling assignments will be given to established employees instead of new hires. Applicants with inconsistencies in resumes or interviews will be considered of expressing questionable character and will no longer be provided further consideration.
- NMH Investments, LLC utilizes a system of checks and balances with additional monitoring for employees in sensitive positions regarding access to cash and financial records. A buddy system involving at least two employees is required for such access. Personnel involved in two-person systems will be rotated periodically. Procedures that call for voiding sales and issuing customer refunds require approval by a supervisor or manager. Bookkeeping and accounting ledgers will be maintained by a team of employees instead of one and subject to unannounced audits.
- Trash removal routines and responsibilities will be designed to eliminate theft via disposal and recycling systems. Such process includes disassembling and flattening all boxes, using clear garbage bags and securing dumpster location where employees have one-way entry/exit.
- In addition to providing constant reminders to employees on policies regarding theft, an anonymous reporting system will be provided for suspicious movements or actions by fellow employees.

CASH MANAGEMENT PLAN

In addition to the following cash management plan, NMH Investments, LLC will feature credit card processing to cut down on the amount of cash the dispensary carries at any given time. Despite Credit Card acceptance, the cannabis industry is still subject to a high-volume of cash transactions. Accordingly, the following cash management procedures shall be implemented, and employees shall all be responsible to complete training relating to their position.

Cash Counting / Reconciliation: NMH Investments, LLC will utilize computerized Point of Sale (POS) systems equipped with cash registers and receipt producing equipment for all purchase transactions. A facility manager will assist in the development, execution and auditing of all cash balancing procedures. Data from registers will be stored and maintained via cloud storage. Total deposits and account balances will be verified against totals on record. Outstanding deposits will be recorded and analyzed for further disposition. Revenue budgets will provide a basis for variance analysis on a monthly basis. NMH Investments, LLC will periodically compare the reconciliation of budget to actual activity. Cash reconciliements will be reviewed by a Certified Internal Auditor (CIA) annually. Bank statements, checks issued, and checks received in addition to ledgers for accounts payable and accounts receivable will be verified by the third party. All sales will be recorded through the POS which will provide:

- A printed ticket or other visible record of the amount registered for the customer's review.
- A safe place for holding a change fund and un-deposited receipts.
- A journal tape to record all transactions.
- A key or supervisor passcode which enables readings or totals to be taken. Cashiers will not have access to any POS passcode or key.

- Tamper-proof grand totals. Cashiers will not have the ability to void and issue refunds without a supervisor's approval and documentation.

Cash Storage: Cash will be stored separately from cannabis products utilizing a UL listed, TL-15 rated vault. The 90-minute fire-rated vault is comprised of a 1-inch laminated, interlocked and double-welded door jamb, ball bearing hard plate, UL listed Group 2 lock, 1-inch thick hardened chrome locking bolts with four, 5/8-inch base anchor holes and five active and passive relocking devices. A ½ inch solid steel door provides access into the ¼ inch solid steel body. The vault will be bolted to the ground with access provided solely to facility managers. The secure room housing the vault is comprised of grouted and filled CMU walling with rebar reinforcements; it is accessed using a biometric reader equipped with a duress feature. Cash storage will be limited to a safe within a limited access area that can only be accessed by approved managers with the proper clearance. Cash removed from each register will be individually bundled for tracking purposes and collected by a facility manager and/or facility supervisor. During hours of operation, a cash drop safe will be utilized – temporarily holding excess cash from employee registers and providing a secure means for a facility manager to audit transaction amounts.

Cash Transport: All transport activity will be conducted by a licensed, bonded and insured armored courier. Transport services will not conform to any regular time or day of the week schedule. Such transfers should be irregular, with times known only to both facility and security managers. Transport logs will be retained for a minimum of 3 years and will include the name of the parties involved in the transport, the date, time, and amount of cash released. All logs will be maintained to provide a suitable audit trail for any and all transactions. All cash deposits will be secured using a Tamper-Evident Deposit bag such as “FraudStopper” by MMF Industries. All information on the deposit bag will be completed using permanent marker only.

Deposit System: Daily armored car pick-up of cash deposits will be routed directly to the selected branch office immediately. Confirmation of completed cash deposits will be conducted prior to close of business or based upon bank processing timetables. Managers shall be required to record photographic proof of all drop-safe envelopes prior to deposit into the on-site safe.

Counterfeit Detection Systems: Staff and security guards will be proficient in the use of on-site anti-counterfeiting and cash counting devices. All currency is subject to note verification prior to finalizing the transaction. Employees will be proficient in the use of counterfeit marker pens, UV-lighting systems for ID cards and cash counting systems.

Counterfeit Prevention: Designated cashiers are responsible for exercising reasonable care in screening cash transactions for counterfeit currency. If a questionable bill is received, the cashier will retain possession of the bill and contact a facility manager immediately. Documentation of counterfeit currency will include the date and time of the transaction, the cashier name, the member name, member license number and state, and a detailed description of the counterfeit bill. A time-stamped photo of the counterfeit bill(s) and member ID will be taken, and upon advanced approval and direction from local law enforcement, appropriate agencies may be contacted. To ensure the efficiency of addressing staff members without

drawing attention from attending members, all responses to counterfeit currency will be managed by the on-site security supervisor and facility manager. Under no circumstances will counterfeit bill(s) be returned to the member. Checks and Money Orders will not be accepted at NMH Investments, LLC.

PRODUCT ACCESS PROTOCOLS

Limited Access Areas with video-monitoring are the most efficient way to limit access to product. NMH Investments, LLC will employ a two-tier limited access plan that limits access to both cash storage/handling areas and product storage areas. Upper management will be the only staff provided with access to cash handling areas, while management level employees and inventory specialists will be granted access codes to product access area. Following receipt of inventory all product will be deposited into the appropriate limited access area, after which appropriate staff must use personal access codes or RFID tags to gain entry. Any inventory withdrawals or submissions will be recorded in a log-book kept in the limited access with a copy being retained in the company's electronic and hard file storage.

Compartmented Access: Dependent upon the individual role and responsibility of the employee, the level of access to cannabis products and cash will be determined by facility management and controlled via employee RFID access cards. An electronic record of all successful and failed access attempts will be maintained for a period of 2 years. Access record will contain information including the occurrence date, time, access location, employee ID name and facility manager on duty. Utilizing security escort, authorized contractors will be issued serialized, temporary and access restrictive badges while within NMH Investments, LLC. All badges must be visible at all times and worn at chest height. All badges will be protected via clear plastic ID holders with breakaway style lanyards affixed.

Identification Badges: All employees will be issued serialized photo ID badges and are kept on-site and issued via assigned security officer via a separate, employee only check-in area. Such ID's are required to be worn at all times for access to premises, including restricted areas. Identification badges will be laminated or plastic-coated and are required to be worn by employees at all times while engaging in commercial cannabis activity. In addition, the identification badge will include the Facility's "doing business as" name and license number, employee first and last name, employee ID number, a passport compliant photograph of employee with a minimum of 1-inch width by 1.5-inch height and the ID expiration date. Badges will be secured and issued by designated on-duty security personnel utilizing the electronic log-in/log-out system. The log-In/log-out system will include: (1) Date; (2) time of Badge receipt/return; (3) employee supervisor badge number; (4) badge type issued and badge number; (5) name of non-staff member; (6) company of non-staff member; (7) CA or State ID number.

Secure Storage: NMH Investments, LLC will secure cannabis and cannabis products in a limited access area accessible only to authorized personnel. A limited access area outfitted with commercial grade locks and RFID access cards, as well as managerial oversight and thorough records keeping, will prevent theft, diversion, and loss of cannabis and/or cannabis products.

PRODUCT DELIVERIES

NMH Investments, LLC will only receive product shipments during the hours approved by the State of California and from Imperial County and state approved licensees. While carrying cannabis goods into NMH Investments, LLC for delivery, the employee will take every reasonable measure to prevent the cannabis goods from being visible to the public. In addition, the following measures will take place:

Verifying Product Source & Incoming Delivery: Metrc's track-and-trace software assists with verification of product source by requiring transfer manifests anytime a package moves from facility to facility. Transfer manifests must be made prior to any transport and can only be generated between licensed Distributors and annual licensees granted access to the state's Metrc database. All product received through a Metrc verified transfer necessarily involves a licensed product source delivered by a licensed Distributor.

Metrc's transfer manifest includes: (1) name/type of cannabis goods; (2) unique identifier of cannabis goods; (3) amount of cannabis goods, by weight or count; (4) date/time of transaction; (5) name and license number of licensees involved in the transaction. Confirmed receipt by a licensee results in the product details being assigned to the receiving party's inventory in Metrc's database; this will be reflected in NMH Investments, LLC's Metrc account and our GreenBits database, which links to Metrc in real time. NMH Investments, LLC will inspect all incoming shipments to ensure deliveries match the transfer manifest. Any received package that does not match the weight, volume or count on the manifest will be adjusted and reported in our Retailer Inventory to match actual adjusted weight, volume or count (MAUCRSA §26070(h)). Upon inventory verification, confirmed shipments will be documented in recorded sales invoices between licensees that specify: (1) name/address of purchaser; (2) date of sale and invoice number; (3) kind, quantity, size and capacity of packages; (4) cost to purchase; and (5) place from which transport was made (MAUCRSA §26161). Rejected shipments will be documented and recorded in Metrc to reflect the reason for rejection.

Receiving Deliveries: Distributors shall coordinate a proposed transaction time for anticipated product. All Distributors with incoming product deliveries will be required to communicate their estimated time of delivery once they are within 30 minutes of the premises. Communicating ETD will allow the NMH Investments, LLC security and inventory staff to adequately prepare for the incoming delivery. Efforts will be made to coordinate deliveries during off-hours (if permitted) or during hours of low-traffic to avoid complications with incoming product shipments. Distributing deliverers will report to security upon arrival and provide a copy of the Shipping Manifest to be given to the Inventory Specialist.

Upon receipt and verification of the shipping manifest, the Distribution delivery driver will be given instruction as to where to unload. All incoming deliveries will be received through the northernmost entrance/exit. Deliveries will be scheduled for low-traffic hours and attempts will be made to coordinate deliveries prior to opening. All cannabis products and packaging will be visually inspected prior to off-loading. NMH Investments, LLC will verify that the material documented on the shipping manifest matches the purchase order and upon passing inspection, sign the Shipping Manifest. Once all inspection and administrative requirements are met, the received product is inventoried in the limited access area dedicated to product inventory while automatically being entered into the computer database as inventory received

once the shipping manifest has been confirmed. Manual entry will be required in cases when the Metrc system is offline. The delivery driver will be given a copy of the approved or rejected shipping manifest, indicating the date, time, receiver's name, delivery facilities name and license number, and any discrepancies in delivery. If delivery fails inspection or lacks proper administrative documents, NMH Investments, LLC will reject acceptance of the product(s); sending back to vendor. No products will be accepted, if there are any major discrepancies with the Shipping Manifest.

Track and Trace System: Designed to provide complete integration with Metrc, NMH Investments, LLC will utilize GreenBits Point of Sale software to meet state track and trace regulations. GreenBits assists with Shipping Manifest and coordinating Product Deliveries, in addition to facilitating inventory management and point of sale functions. GreenBits and Metrc integrate and sync with one another, automating many processes that would otherwise need to be performed manually. GreenBits is automated to update when Metrc confirms shipping fulfillment, receives new inventory, sets a package's unit of measure prior to acceptance; it also creates transfer manifests for vendor returns, customer deliveries, or transfer to another retail location.

SECURITY GUARDS

Number of Guards/ Hours of Details: NMH Investments, LLC will feature on-site and roving patrol officers during business hours. Video monitoring will occur 24 hours a day, 7 days a week. Hours of operation are set at 8-hour intervals with documented meal and break periods. NMH Investments, LLC employs at least three part-time and two full-time security officers. At least one guard is onsite during hours of operation with a roving security patrol scheduled to drive by at least once every 60 minutes during hours the business is not operational. Guards will be armed during hours of operation.

Protocols: Our Security contractor will provide NMH Investments, LLC with a copy of the Facility Post Orders and Security Officer Manual prior to commencement of performance on the awarded security agreement. Instructions in the Facility Post Orders are specific to NMH Investments, LLC and will be in the form of general, special, and/or temporary orders. These orders describe the duties and actions that the security guard is to carry out under specified conditions at all individual posts/patrols as required by the security agreement.

- **General Orders.** Instructions that concern the security guards as a whole and are applicable at all posts and patrols. They also cover items such as: performance of security agreement, security guard duties and responsibilities, facility access procedures, notification requirements, etc.
- **Special Orders.** Instructions that prescribe the responsibilities of a particular post or patrol. Each post or patrol will have special orders issued concerning the location, duties, and hours staffed.
- **Temporary Orders.** Instructions that are issued for a short period covering a special or temporary situation and including emergencies.

NMH Investments, LLC Security Officer Manual (SOM) and Post Orders include, but are not limited to the following:

- Chain of command.
 - Legal aspects of facility protection.
 - Communication.
 - Standards of conduct and discipline.
 - Interaction with visitors and employees.
 - Emergency Procedures and Responsibilities.
 - Handling of safety hazards and bomb threats.
 - NMH Investments, LLC policies, rules and regulations.
- Concepts of facility protection.
 - Fire prevention and protection.
 - Report writing.
 - First aid.
 - Courtesy and professionalism.

No Security Guard will be assigned to duty unless he/she is thoroughly knowledgeable of and understands the SOM. The SOM may be modified to reflect required changes to NMH Investments, LLC's Security requirements.

Day to Day Operations: In addition to utilizing assigned post orders for day to day operations, the following daily activities will be conducted:

- Guard and protecting all public/private property within NMH Investments, LLC guard jurisdiction, to include: material, equipment and supplies from fire, accident, theft, sabotage, trespass. Guards will conduct constant random patrols.
- Safeguard and protect all facility information, documents, material, and equipment entrusted to the care of the NMH Investments, LLC contract guards.
- Operate to the extent prescribed by established orders, policies and procedures, operate, maintain, and enforce system of personnel identification and access controls for employees and visitors.
- Remain consistent with authority, apprehend and detain suspicious person(s), or those who attempt or do gain unauthorized access to the facility, for release to local law enforcement authorities.
- Maintain law and order and prevent illegal acts within jurisdiction, which jeopardizes the safety or security of this facility and its personnel.
- Conduct constant patrols of the facility grounds and surrounding areas within a two-block radius during all hours of operation. Provide all security deficiencies and discrepancies via radio dispatch and providing written reports to Shift Supervisor prior to shift completion.
- Make appropriate station checks using a watch clock and electronic tour system. Particular emphasis will be placed on the following:
 - Any open, unattended exterior doors after normal working hours.
 - Any person inside the facility fence without a visible badge or visitors' pass.
 - Any unattended vehicle parked outside either gate or along the fence.
 - Any work being conducted outside the fence, adjacent to the property line
- Utilizing tact and a client relations mindset, professionally enforce the facility rules and regulations governing control of all vehicular and personnel traffic entering the facility.
- Maintain control of keys and pass codes to facility locks.
- Report all violations of security to the NMH Investments, LLC point of contact and shift supervisor.

- In the event of an emergency, follow existing emergency and contingency operating procedures.
- Utilizing tact and a client relations mindset, professionally enforce established policies and procedures for controlling removal of property and documents from the facility.
- Monitor, assess, and respond to alarms. Monitor CCTV cameras. Investigate and report any suspicious activity in accordance with established security policies and procedures.
- Perform escort duties as required by security policies and procedures for the facility.
- Utilizing tact and a client relations mindset, professionally conduct random personnel/vehicle inspections as directed by a facility manager, point of contact and Site Supervisor.
- Maintain a written duty and activity event log for review by NMH Investments, LLC. Events to be reported include, but are not limited to, the following:
 - Investigation of any alarm generated by the electronic security system.
 - Investigation of any observed incident, i.e. people on the facility without proper ID.
 - Visits by local law enforcement personnel.
 - Any inspection of the guards by the Site Supervisor.
 - Any emergency vehicles accessing the facility.
 - Any doors, gates, windows, etc. found open during the guards roving patrols.
 - Completion of multiple daily patrol.

VIDEO SURVEILLANCE

Camera Devices and Resolution: Facility video monitoring and camera installation services will be provided by AmTec Security, a licensed and insured alarm company. AmTec cameras exceeds facial identification requirements set forth by the DCC. AmTec security, in conjunction with Imperial County Sheriff's Department have access to the surveillance system 24 hours a day, seven days a week. AmTec will be utilized for the installation of the burglary/intrusion detection system, system maintenance, and professional alarm monitoring under the following guidelines:

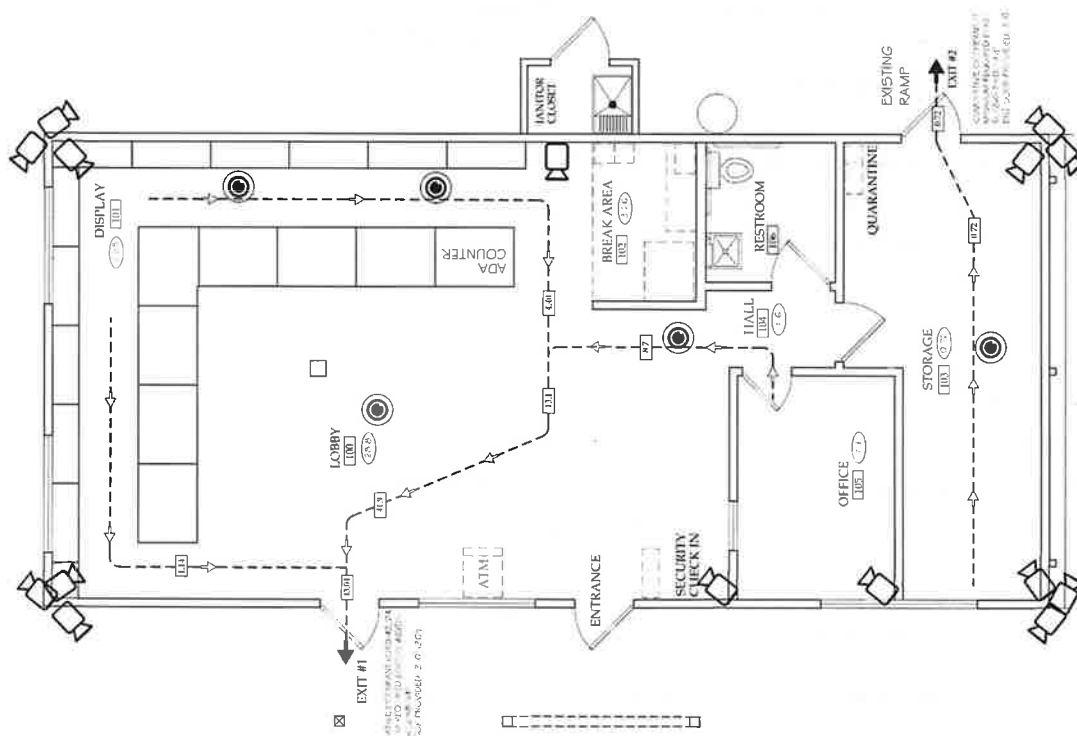
- The control panel will be a UL listed burglar alarm control panel;
- The system will report to a UL listed central monitoring station;
- A test signal will be transmitted to the central station every twenty-four hours;
- At minimum, electronic system provide coverage for facility entrance/exits and restricted spaces;
- The system will include several remote and fixed panic/duress buttons for staff use; and
- The electronic security system and all devices will be inspected and tested annually.

External video surveillance will cover driveways, parking lot, points of ingress and egress and a 360-degree field of view around site perimeter. AmTec Security will monitor and record external and internal activities 24 hours a day; seven days a week at a minimum of 30 frames per second. Video records will be kept for a period of 90 days utilizing a DirectIP 8300 Series H.265 4K Network Video Recorder (NVR). Emergency backup power will be provided by an on-site backup battery to the NVR and security camera systems. A failure notification will provide both audible and visible notifications of recording discrepancies. Primary camera systems on-site include 5-megapixel 360-degree cameras to be installed and maintained by AmTec

Security: exceeding the minimum camera resolution of 1280 * 720 pixels with 1920 * 1080 and 2560 * 2048 pixels respectively. Each camera will be permanently mounted and placed in a location that allows the camera to clearly record activity within 20-feet of all points of entry and exits of the facility; allowing for the clear identification of anyone on premises.

CAMERA LOCATIONS

Cameras will be located onsite to monitor all activity. A total of 18 cameras are installed at the location with: (5) 4 360 degree fish eye camera in the sales area; (2) 4 directional cameras in the sales area; (3) 5 cameras that monitor the point of sales areas; and (4) 9 directional camera that monitors the office, product storage vault and other areas of the facility. A diagram with camera locations is provided below:



INTRUSION DETECTION SYSTEM

Company has a two-prong Intrusion Detection System, which includes: (1) onsite guards; and (2) burglary/intrusion alarm system.

Company's Security and Safety Plan includes 24 hour monitoring, with guards during hours of operation. Onsite guards are the first layer of our intrusion detection system. Guards shall be posted throughout the day and are trained to call management and local law enforcement when any unauthorized intrusion attempts occur.

Next, Company has a Security Alarm system that includes: (1) limited access door contacts; (2) burglary detection; and (3) alarm monitoring. The system has door contact and motion sensors on areas where attempted intrusion and theft are likely to occur. Onsite sensors as well as video surveillance are monitored by onsite guards as well as an off-site monitoring company. The system also has the ability to send a distress signal to local law enforcement if the alarm is not responded to in a timely matter.

ARMORED CAR SERVICES

A comprehensive cash in transit security protocol requires the following: a fully secured safe with only upper management access, up-to-date with zero exposure; thorough CCTV coverage at every critical point; regular trips to avoid cash on site exposure; transport routes and times will not be anticipatable; armored vehicles must be properly outfitted and functional, including lock checks; and well-trained transport personnel utilizing proven safety procedures and emergency response protocol. During cash transfers, safety takes priority to cash recovery. Clear and effective communication is necessary between the parties' management. Cash-in-transit company and NMH Investments, LLC's Security and Management will formalize operating procedures upon receipt of final premises floor/site plans.

NMH Investments, LLC will require daily armored cash transport services for the dispensary. Fortress Armored Services Company, Dunbar Armored Inc., Loomis, or a comparably accredited and insured cash transporter, will provide armored cash logistics transport services and operate in accordance with the Department of Transportation, California State and California Highway Patrol regulations. Cash in-transit company will be licensed, bonded and insured with NMH Investments, LLC registered as an additional insured party. All license and insurance records will be kept on file with NMH Investments, LLC. Cash pick-up times will be coordinated between the on-site security supervisor, facility management and armored service dispatch. Cash pick-up times will vary and will be known only to NMH Investments, LLC's Security Supervisor, Management, and Transport unit.

MISCELLANEOUS SECURITY REQUIREMENTS

Power Outage Backup: Power shortages will be supported by backup generator with uninterruptible power sources (UPS) stationed at a critical location within the facility. Immediate response is to contact designated electrician(s) for emergency support. Any on duty employee will contact the General Manager to report incidence of outage and to provide additional information, as applicable. During off-hours, our contracted security monitoring company will alert the General Manager of any detected power outages or security breaches. Portable generators will be stored on-site to provide continued support of operations until power outage is resolved.

Signage Plan: NMH Investments, LLC's signage plan has been developed pursuant to MAUCRSA and Imperial County Codified Ordinances (ICCO). Accordingly, NMH Investments, LLC will obtain any County signage permits necessary for the cannabis business. "No Smoking or Ingesting Cannabis on or Adjacent to the Dispensary Premises" and "No Loitering" signs will be posted about the perimeter of the facility to try and avoid any potential nuisances on the neighboring businesses and community. No signs will be displayed in areas that obstruct the entrances and exits to the building as well as any windows. All

signage will be solely used for business identification and will not exhibit any logos or information that identifies, advertises, or lists the services or products offered at the cannabis dispensary.

NMH Investments, LLC will ensure that signage depicting the name and address of the facility will only be illuminated at night. The company will not use banners, flags, billboards or other prohibited advertisements. Accordingly, NMH Investments, LLC will not deploy employees to hold or display advertisements to passersby anywhere in the state of California. Finally, the front of the dispensary will display a copy of NMH Investments, LLC's cannabis business license and a sign with the company's community liaison name and contact information; individuals are encouraged to contact NMH Investments, LLC's community liaison with any comments or complaints regarding the business' operations.

In addition to the signage procedures above, NMH Investments, LLC will post signage in front of limited access areas stating, "Only Authorized Personnel Allowed Beyond This Point". Authorized personnel will be granted access to the limited access areas with an authorized Employee badge, which will only be given to employees with proper authorization. Non-Authorized employees may be allowed in to limited access area only when accompanied by an Employee authorized to access such areas. By limiting access to these areas, NMH Investments, LLC will be able to effectively handle any misappropriated products or cash, as necessary.

A. INVENTORY, STORAGE & PRODUCT HANDLING

NMH Investments, LLC will only receive inventory from licensed suppliers and will track all received inventory through GreenBits and Metrc. Once Metrc is integrated between all licensees, the procedures for receiving inventory through GreenBits and Metrc will be streamlined into the following steps:

- (1) Accept new manifests in Metrc;
- (2) Navigate to Incoming Inventory on GreenBits to ensure transferring manifest was synced;
- (3) Assign each package to a pre-programmed product name or create a new product name in GreenBits for assignment;
- (4) Ensure all incoming goods are packaged for sale;
- (5) Enter the wholesale cost of each unit and ensure that the Quantity and Barcode fields have been properly synced;
- (6) Save the manifest after reviewing total cost and quantity;
- (7) Fill in additional package details included on package labels; and
- (8) Review manifest status for completion.

Received inventory will also undergo quality control inspections to ensure that no product has been compromised or tampered, as well as to verify proper product packaging and labeling. Quality control will include inspection and approval of all components, product containers, closures, packaging materials, labeling and cannabis products. All received goods must be packaged for sale. The Manager has authority to review inventory records and transfer manifests to assure no errors have occurred. The Manager shall approve or reject all processed, packaged, or manufactured product upon receipt before confirming a transfer manifest. Inspection will also include verification of testing results, labeling compliance, and that all received product is packaged for sales and has not been tampered with.

All products must be properly packaged in resealable, tamper evident, child resistant packages and labeled in compliance with the MAUCRSA, Imperial County Codified Ordinances, California Health and Safety Code, and relevant provisions of the California Retail Food Code. Package labeling will include the variety, weight, size, pesticides and nutrients used, the date of planting, the date of testing and all other relevant information. Cannabis product labels will be inspected for the following information, which must be displayed in a clear and legible fashion, before being accepted into inventory:

1) The following statements, in bold print:

- (a) For cannabis: **“GOVERNMENT WARNING: THIS PACKAGE CONTAINS CANNABIS, A SCHEDULE 1 CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN AND ANIMALS. CANNABIS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT. CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF CANNABIS IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. PLEASE USE EXTREME CAUTION.**

- 2) For packages containing only dried flower, the net weight of cannabis in the package.
- 3) Identification of the source and date of cultivation, the type of cannabis or cannabis product and the date of manufacturing and packaging.
- 4) The appellation of origin, if any.
- 5) List of pharmacologically active ingredients, including, but not limited to, tetrahydrocannabinol (THC), cannabidiol (CBD), and other cannabinoid content, the THC and other cannabinoid amount in milligrams per serving, servings per package, and the THC and other cannabinoid amount in milligrams for the package total. (MAUCRSA §26120)

Primary Panel labels must also feature the universal symbol prescribed in 17 CCR §40412 as well as the net weight or volume of the contents of the package. All labeling text must be a 6-point font or larger and be in relation to the size of the primary panel and container. Any received product that has been tampered with or that does not meet NMH Investments, LLC's Quality Control requirements, or those of the state of California, will be rejected and the transfer manifest will be amended to reflect the rejected product. Rejected product will either be sent back to its origin or will be disposed of in compliance with state disposal requirements.

GREENBITS - Point of Sale Software & Inventory Management

NMH Investments, LLC will utilize GreenBits point of sale software to assist with sales processing and inventory management. GreenBits and Metrc integrate and sync with one another, automating many processes that would otherwise need to be performed manually. GreenBits is automated to update when Metrc receives new inventory, sets a package's unit of measure prior to acceptance, and creates transfer manifests for vendor returns, customer deliveries, or transfer to another retail location. Inversely, GreenBits pushes the following information into Metrc for automated updates:

- Sales and associated package IDs
- All changes in quantity/inventory lists
- Price of product
- Closed packages

Whereas Metrc tracks products by package ID, GreenBits provides the additional benefit of automating stock keeping units (SKUs). The software assists with creating a strong product naming convention consistent with Metrc's pre-set product profile categories, which allows packaged units to be micromanaged within the vendor's internal network while maintaining Metrc compatibility. Since California doesn't permit "deli-style" marijuana sales, standardized units will be uncomplicated to monitor and inventory. Additionally, GreenBits's automatic compliance detection tools prevent:

- Selling to underage customers
- Over-selling daily customer limits
- Selling below cost of acquisition
- Selling from incorrect package / lot ID
- Negatives in company inventory

GreenBits also syncs NMH Investments, LLC's sales receipts with Metrc through real-time sales data functionality and direct CSV file uploading. All retail sales must be recorded with the following: (1) name and employee number; (2) name and customer number; (3) date/time of transaction; (4) list of purchased

goods and quantity; (5) package number and unit of measure; and (6) amount paid including taxes.² GreenBits's software makes internal inventory adjustments and reports sales receipts and inventory updates to Metrc automatically. GreenBits simplifies usage by providing easy to use tablets outfitted with its point of sale software, receipt printers, label printers and labeling materials, barcode scanners, weigh stations, as well as ongoing training and other equipment and logistical support.

INVENTORY AND AUDITS

The integrative compatibility of these two software programs, which includes real time updates, dramatically assists NMH Investments, LLC in complying with state track-and-trace regulations. The programs provide a tremendous bolster to efficiency and day to day business operations. Every gram of medicine will be accounted for and recorded at each step, from producer, to distributor, to dispensary, to consumer. Typically, GreenBits can coordinate with Metrc to resolve inventory discrepancies with its inventory sync feature. Both Metrc and GreenBits are designed to efficiently and accurately run audits – combined they capture perpetual inventory quantities, provide an inspection process for complete onsite validation of inventory, support audits with exception reports, and provide a channel to report required inventories and regulatory compliance. All inventory, chain of contact, and sales information shall be tracked and recorded within the Metrc system and will ultimately be captured and documented in NMH Investments, LLC's GreenBits interface. Inventory reconciliation will also occur upon receipt of new shipments to ensure incoming inventory is properly catalogued.

Day-to-day inventory management includes documenting beginning inventory, acquisitions, sales, disbursement, disposal of unusable cannabis and ending inventory, which will be facilitated by GreenBits. Proper inventory management will be established through weekly physical inventory counts and reconciliation audits that account for sales invoices and outgoing product to verify that physical inventory matches inventory records. NMH Investments, LLC's weekly inventory audits and reconciliation exceed the state's fourteen (14) day inventory reconciliation requirement. (16 CCR § 5424) Any discovered inventory discrepancy will be reconciled and reported with the Department of Cannabis Control. (MAUCRSA §26070(k)) Where an identified reduction in inventory is not due to documented causes, a dispensary agent will investigate the loss, identify corrective actions and report the findings to management. If a reduction is due to suspected criminal activity or diversion, NMH Investments, LLC will report the loss and suspected causes to local law enforcement and the Department of Cannabis Control. All inventory reconciliation records will be retained in NMH Investments, LLC's records and made available to the DCC upon request. Further, any evidence of theft, diversion, loss or significant discrepancy will immediately be reported to the Bureau and law enforcement pursuant to the requirements of the MAUCRSA and BPC.

PRODUCT ACCESS PROTOCOLS

Limited Access Areas with video-monitoring are the most efficient way to limit access to product. NMH Investments, LLC will employ a two-tier limited access plan that limits access to both cash storage/handling areas and product storage areas. Upper management will be the only staff provided with access to cash

² 16 CCR §5425 and Metrc input requirements.

handling areas, while management level employees and inventory specialists will be granted access codes to product access area. Following receipt of inventory all product will be deposited into the appropriate limited access area, after which appropriate staff must use personal access codes or RFID tags to gain entry. Any inventory withdrawals or submissions will be recorded in a log-book kept in the limited access with a copy being retained in the company's electronic and hard file storage.

Compartmented Access: Dependent upon the individual role and responsibility of the employee, the level of access to cannabis products and cash will be determined by facility management and controlled via employee RFID access cards. An electronic record of all successful and failed access attempts will be maintained for a period of 2 years. Access record will contain information including the occurrence date, time, access location, employee ID name and facility manager on duty. Utilizing security escort, authorized contractors will be issued serialized, temporary and access restrictive badges while within NMH Investments, LLC. All badges must be visible at all times and worn at chest height. All badges will be protected via clear plastic ID holders with breakaway style lanyards affixed.

Identification Badges: All employees will be issued serialized photo ID badges and are kept on-site and issued via assigned security officer via a separate, employee only check-in area. Such ID's are required to be worn at all times for access to premises, including restricted areas. Identification badges will be laminated or plastic-coated and are required to be worn by employees at all times while engaging in commercial cannabis activity. In addition, the identification badge will include the Facility's "doing business as" name and license number, employee first and last name, employee ID number, a passport compliant photograph of employee with a minimum of 1-inch width by 1.5-inch height and the ID expiration date. Badges will be secured and issued by designated on-duty security personnel utilizing the electronic log-in/log-out system. The log-In/log-out system will include: (1) Date; (2) time of Badge receipt/return; (3) employee supervisor badge number; (4) badge type issued and badge number; (5) name of non-staff member; (6) company of non-staff member; (7) CA or State ID number.

Secure Storage: NMH Investments, LLC will secure cannabis and cannabis products in a limited access area accessible only to authorized personnel. A limited access area outfitted with commercial grade locks and RFID access cards, as well as managerial oversight and thorough records keeping, will prevent theft, diversion, and loss of cannabis and/or cannabis products.

PRODUCT DELIVERIES

NMH Investments, LLC will only receive product shipments during the hours approved by the State of California and from Imperial County and state approved licensees. While carrying cannabis goods into NMH Investments, LLC for delivery, the employee will take every reasonable measure to prevent the cannabis goods from being visible to the public. In addition, the following measures will take place:

Verifying Product Source & Incoming Delivery: Metrc's track-and-trace software assists with verification of product source by requiring transfer manifests anytime a package moves from facility to facility. Transfer manifests must be made prior to any transport and can only be generated between licensed Distributors and

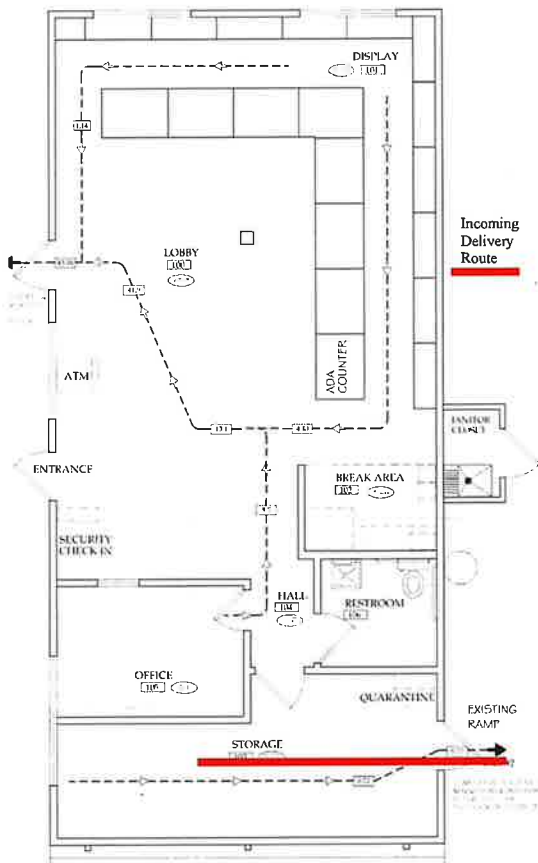
annual licensees granted access to the state’s Metrc database. All product received through a Metrc verified transfer necessarily involves a licensed product source delivered by a licensed Distributor.

Metrc’s transfer manifest includes: (1) name/type of cannabis goods; (2) unique identifier of cannabis goods; (3) amount of cannabis goods, by weight or count; (4) date/time of transaction; (5) name and license number of licensees involved in the transaction. Confirmed receipt by a licensee results in the product details being assigned to the receiving party’s inventory in Metrc’s database; this will be reflected in NMH Investments, LLC’s Metrc account and our GreenBits database, which links to Metrc in real time. NMH Investments, LLC will inspect all incoming shipments to ensure deliveries match the transfer manifest. Any received package that does not match the weight, volume or count on the manifest will be adjusted and reported in our Retailer Inventory to match actual adjusted weight, volume or count (MAUCRSA §26070(h)). Upon inventory verification, confirmed shipments will be documented in recorded sales invoices between licensees that specify: (1) name/address of purchaser; (2) date of sale and invoice number; (3) kind, quantity, size and capacity of packages; (4) cost to purchase; and (5) place from which transport was made (MAUCRSA §26161). Rejected shipments will be documented and recorded in Metrc to reflect the reason for rejection.

Receiving Deliveries: Distributors shall coordinate a proposed transaction time for anticipated product. All Distributors with incoming product deliveries will be required to communicate their estimated time of delivery once they are within 30 minutes of the premises. Communicating ETD will allow the NMH Investments, LLC security and inventory staff to adequately prepare for the incoming delivery. Efforts will be made to coordinate deliveries during **hours of low-traffic** to avoid complications with incoming product shipments. Distributing deliverers will report to security upon arrival and provide a copy of the Shipping Manifest to be given to the Inventory Specialist, and proceed through the side entrance directly to the Product Storage Room.

Upon receipt and verification of the shipping manifest, the Distribution delivery driver will be given instruction as to where to unload. All incoming deliveries will be received through the side entrance separate from the entrance and exit used by NMH Investments, LLC clientele. All cannabis products and packaging will be visually inspected prior to off-loading. NMH Investments, LLC will verify that the material documented on the shipping manifest matches the purchase order and upon passing inspection, sign the Shipping Manifest.

Once all inspection and administrative requirements are met, the received product is inventoried in the



limited access area dedicated to product inventory while automatically being entered into the computer database as inventory received once the shipping manifest has been confirmed. Manual entry will be required in cases when the Metrc system is offline. The delivery driver will be given a copy of the approved or rejected shipping manifest, indicating the date, time, receiver's name, delivery facilities name and license number, and any discrepancies in delivery. If delivery fails inspection or lacks proper administrative documents, NMH Investments, LLC will reject acceptance of the product(s); sending back to vendor. No products will be accepted, if there are any major discrepancies with the Shipping Manifest.

Track and Trace System: Designed to provide complete integration with Metrc, NMH Investments, LLC will utilize GreenBits Point of Sale software to meet state track and trace regulations. GreenBits assists with Shipping Manifest and coordinating Product Deliveries, in addition to facilitating inventory management and point of sale functions. GreenBits and Metrc integrate and sync with one another, automating many processes that would otherwise need to be performed manually. GreenBits is automated to update when Metrc confirms shipping fulfillment, receives new inventory, sets a package's unit of measure prior to acceptance; it also creates transfer manifests for vendor returns, customer deliveries, or transfer to another retail location.

PRODUCT DISPOSAL & REPORTING OF DISPOSED PRODUCT

Any products that have become compromised due to natural expiration or subjection to improper storage conditions, including extreme temperature, humidity, smoke, fumes, pressure, age or radiation due to natural disasters, fires, accidents or equipment failure will be disposed of in accordance with state and local law. NMH Investments, LLC shall ensure that compromised products are not salvaged or returned to the marketplace. NMH Investments, LLC shall also ensure that any returned or recalled products are disposed of properly.

All cannabis product waste will be made unusable and unrecognizable prior to leaving the premises. After waste is made unusable and unrecognizable, a permitted waste hauler will dispose of the rendered waste, in one of the following manners:

- A manned fully permitted solid waste landfill or transformation facility;
- A manned fully permitted composting facility or manned composting operation;
- A manned fully permitted in-vessel digestion facility or operation; or
- A manned fully permitted transfer/processing facility or manned transfer/processing operation.

In no circumstances will cannabis waste be disposed of in an unsecured waste receptacle not in control and possession of NMH Investments, LLC. Waste will be stored on-site in a secure waste receptacle until a contracted company picks it up and disposes of it in accordance with NMH Investments, LLC's disposal procedures. Non-cannabis waste will be disposed of in accordance with Imperial County's Codified Ordinances.

We will be contracting GAIACA³ to schedule waste pickups. GAIACA's subscription service provides for regular waste pickup services allowing waste to be removed from the facility on a regularly scheduled basis. GAIACA will provide NMH Investments, LLC with a polyethylene drum, which shall be placed within NMH Investments, LLC's Limited Access Area to prevent mixing with traditional waste material or clean cannabis products. Cannabis waste will be removed from facility within secured bins and replaced with fresh, empty drums. All waste will be documented and signed off by a facility manager and the GAIACA transporter. GAIACA's operations provide for tracked transportation for every step of the disposal procedure after cannabis waste has left the dispensary. GAIACA shall reweigh all drums upon receipt at their facility to ensure no tampering occurred during transport after which the manifest will be signed by an intake officer and the transporter. GAIACA is committed to taking all non-hazardous cannabis waste to composting facilities where it will be further composted and eventually utilized as a usable topsoil for landscaping or donated for research purposes.

Further, NMH Investments, LLC will take steps to ensure waste materials are identified, weighed and tracked while on the premises until disposed of. Such waste will be weighed before leaving the premises and our management team will maintain comprehensive records regarding waste materials, which will account for, reconcile, and evidence all waste activity and inventory adjustments related to the disposal of Cannabis. All transported material will follow chain of custody procedures and shall be signed for with a concomitant shipping manifest that will be entered into Metrc's track-and-trace database and filed with the Department of Cannabis Control. Accordingly, at NMH Investments, LLC our product waste procedures will make certain that all waste is made unusable and unrecognizable and will include record keeping of our product disposal and waste management procedures.

RECORDS RETENTION

NMH Investments, LLC's inventory records will be maintained through GreenBits and all financial records will be managed by our CPA. All records will be maintained in a secure, locked room, and electronic copies will be secured by means of encryption and limited access granted to designated personnel. NMH Investments, LLC shall keep and maintain the following records related to cannabis activity for at least seven years:

- (1) Financial records including, but not limited to, bank statements, sales invoices, receipts, tax records, and all records required by the California Department of Tax and Fee Administration (formally Board of Equalization) under Title 18 California Code of Regulations sections 1698 and 4901.
- (2) Personnel records, including each employee's full name, social security or individual tax payer identification number, date employment begins, and date of termination of employment if applicable.
- (3) Training records, including but not limited to the content of the training provided, and the names of the employees that received the training.
- (4) Contracts with other licensees regarding commercial cannabis activity,

³ <https://gaiaca.com/>

- (5) Distributor and producer state license numbers, amount of goods received/transferred, delivery vehicle information, and date of transport.
- (6) Permits, licenses, and other local authorizations to conduct the licensee's commercial cannabis activity.
- (7) Security records, except for surveillance recordings required pursuant to section 5044 of this division.
- (8) Records relating to the composting or destruction of cannabis goods.
- (9) Documentation for data or information entered into the track and trace system.
- (10) All other documents prepared or executed by an owner or his employees or assignees in connection with the licensed commercial cannabis business. (16 CCR §5037)

NMH Investments, LLC will also maintain adequate records of all activities and transactions relating to Track and Trace Systems and point of sales (POS) terminals that involve financial implications for at least seven years. All equipment used shall be capable of recording and monitoring business activities, inventories, transportation, sales transactions, and generating reports on demand. All track and trace and POS equipment will be fully integrated to process and maintain data, including information about businesses from whom goods are received, the type and amount of goods received, the party who holds title to the goods, and the unique identifiers and/or lot number of the goods. Electronic equipment used for such activities may include:

- (1) Radio frequency identification devices;
- (2) Bar code identifiers;
- (3) Scanning equipment and software;
- (4) Cash registers;
- (5) Desktop computers;
- (6) Mobile devices; and
- (7) Cloud based technologies that can manage all aspects of the cannabis life cycle from seed to sale.

NMH Investments, LLC's data storage and reporting features shall incorporate all aspects of revenue transactions inclusive of inventory levels, transactional history, sales receipts and entry of all point of sales data to include wholesale and retail sales. This data storage will be managed as part of NMH Investments, LLC's point of sales software and stored data shall allow for the PSPD, DCC, and their authorized agents to review activities and clearly identify medical cannabis activities. The following information will be tracked:

- (1) Sales of cannabis goods;
- (2) Date of sales;
- (3) Customer identification related to sale;
- (4) Type of goods and quantity sold;
- (5) Sales price; and
- (6) Any other information required by state or local regulators.

NMH Investments, LLC will allow authorities, including the Imperial County Police Department and the DCC to make any examination of its books and records deemed necessary to perform their duties under the local Ordinances and the Medical Adult-Use Cannabis Regulation and Safety Act. Records shall be kept on-site as hard copies and electronically so as to allow the records to be produced for any authorized agency in either hard copy or electronic form.

COMPLIANCE

NMH Investments, LLC will utilize the Metrc system in conjunction with GreenBits point of sale software to meet all local and state track-and-trace requirements. NMH Investments, LLC has duly consulted the MAUCRSA, and specifically pledges to comply with §§26067-9 pertaining to the track-and-trace program. NMH Investments, LLC will operate to ensure compliance with state regulations that require licensees to report, at a minimum, the licensee receiving product, transaction date, and the cultivator of origination pursuant to §26069. The software will record supplier, lot number, date and time of manufacture, weight, ingredients, personnel involved at each step, and internal test results.

PRODUCT STORAGE PLAN

Limited Access Areas with video-monitoring, and secured access doors, are the most efficient ways to limit access to product. NMH Investments, LLC will employ a two-tier limited access plan that limits access to both cash storage/handling areas, vaults and product storage areas. Upper management will be the only staff provided with access to cash handling areas, while management level employees and inventory specialists will be granted access codes to product access area. Following receipt of inventory all product will be deposited into the appropriate limited access area, after which appropriate staff must use personal access codes or RFID tags to gain entry. Any inventory withdrawals or submissions will be recorded in a log-book kept in the limited access with a copy being retained in the company's electronic and hard file storage.

Secured Storage

NMH Investments, LLC will secure cannabis and cannabis products a product vault that is contained in a limited access area accessible only to authorized personnel. A limited access area outfitted with commercial grade locks and RFID access cards, as well as managerial oversight and thorough records keeping, will prevent theft, diversion, and loss of cannabis and/or cannabis products.

Storage Room Environmental, Pest, & Contamination Control

To ensure sustained product integrity throughout storage before delivering product to registered patients, NMH Investments, LLC will employ environmental control procedures that account for temperature and humidity levels in addition to installing air tight doors at all entrances and exits of storage rooms to avoid smoke, dust and other potentially harmful contaminants. NMH Investments, LLC will store all product indoors in its storage rooms so as to avoid product degradation in response to sun exposure. Further, NMH Investments, LLC will also employ state of the art air filtration systems in each of its storage rooms in order to provide added protection against potential pests and contaminants.

Dehumidifier

In order to comply with the storage requirements under the MAUCRSA and maintain a high level of protection for product, NMH Investments, LLC will outfit each of its storage room with a commercial grade dehumidifier. Mold and other problems can occur as a result of improperly controlled humidity levels. Typically, the moisture window for mold with cannabis is 55% for it to start to grow and spread, but cannabis in conditions of at least 15% humidity can have spores land and survive. Accordingly, the use of industrial dehumidifiers will allow NMH Investments, LLC to control the humidity levels of its storage rooms in order to prevent the problems associated with excess humidity.

Temperature Control

Cannabis storage temperatures typically can be understood as “Goldilocks Conditions”, wherein storing cannabis in too warm of a temperature can expose it to mildew and mold and excessive cooling can cause harm to the trichomes and terpenes of the cannabis plant. Accordingly, proper temperature control is an essential feature of all cannabis storing operations. Ideal temperatures for cannabis storage are between 55-65 degrees Fahrenheit. In order to adequately control the environment of our stored cannabis, NMH Investments, LLC will upgrade the facility’s existing heating ventilation and air conditioning (HVAC) system or install a central HVAC system, which will also include individual temperature regulators for each of its storage rooms.

NMH Investments, LLC’s storage rooms will all be outfitted with individual monitors that provide wireless monitoring and control to ensure that the temperatures of the rooms never fall outside the desired storage range between 55-65 degrees Fahrenheit. Our integrated HVAC system will allow for temperature compensation technology that can be adapted to any weather conditions and the addition of humidity control in each storage room will allow for complete control of the storage conditions at the facility. NMH Investments, LLC will work with a professional HVAC technician to run service updates on its system every quarter as well as to monitor and fix any potential system failures.

Cleaning and Maintenance Procedures

NMH Investments, LLC’s cannabis product storage rooms will be regularly monitored and cleaned by staff on a daily basis and when necessary. This includes cleaning all surfaces, wiping them down with sanitation wipes and removing any debris or non-cannabis items that are not intended to be stored there. NMH Investments, LLC will regularly check their ventilation/filtration system to ensure it is clean and properly functioning to minimize contaminants from entering through the ventilation. If NMH Investments, LLC identifies any discrepancies with the filtration/ventilation system, they will notify their HVAC specialist to come fix the issue.

The NMH Investments, LLC delivery plan has been created to align with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), Department of Cannabis Control (DCC), and Imperial County regulations. NMH Investments, LLC has adopted increased safety protocols and robust customer authentication policies to its delivery plan. Our mission to employ and develop a diverse range of qualified candidates, implement efficient technology and equipment, as well as our commitment to compliant policies and procedures is further testimony to NMH Investments, LLC's steadfast commitment to successful operations in Imperial County.

Personnel

NMH Investments, LLC will implement its integrative hiring practices to build a dynamic delivery team. We will seek motivated individuals and provide extensive training thereby remaining consistent with our mission to help our employees flourish – an approach that benefits both our community and, we believe, our bottom-line. In addition to the company-wide employee benefits available, NMH Investments, LLC delivery drivers will develop problem-solving and reasoning capabilities through logistics coordination, hone customer relations and communications skills, as well as build personal and professional networks.

Delivery drivers are to be at least twenty-one years of age pursuant to State Law (CCR § 5415(b)). Drivers are required to have a Class C Driver's License and preference will be given to applicants with two or more years with no accidents within the three-year period prior to applying and no points on their Department of Motor Vehicles Driving Record within the three-year period prior to applying. NMH Investments, LLC will keep an accurate and current record of the company's delivery employees to be made available to authorized personnel upon request (CCR § 5415(f)).

Equipment

NMH Investments, LLC has carefully selected safe and efficient equipment for its delivery operations. We plan to lease two (2) delivery vehicles and to outfit each to meet Local and State specifications. The NMH Investments, LLC fleet will feature the Toyota Prius, which provides additional benefits to our drivers and supports our overall environmental pledge. The Prius has several state-of-the-art standard safety mechanisms, including an integrated sensor for pre-collision and pedestrian detection, a vehicle proximity notification system, and an advanced airbag system. NMH Investments, LLC will lease only vehicles equipped with a built-in alarm system. The hybrid engine affords fifty-two miles per gallon and the Prius is consistently lauded as one of the most environmentally progressive vehicles available. NMH Investments, LLC's choice of delivery vehicle attests to the company's commitment to safety and green practices. NMH Investments, LLC will provide, upon request, a detailed list of delivery vehicles including make, model, color, Vehicle Identification Number, license plate number, and Department of Motor Vehicle's registration (CCR § 5417(e)). There will be no exterior signage that identifies any of NMH Investments, LLC's delivery vehicles as a cannabis delivery vehicle.

Each delivery vehicle will be outfitted with a Global Positioning System (CCR § 5417(d)). NMH Investments, LLC plans to purchase GPS Fleet Tracking by Samsara. Samsara's program and equipment provide real-time location monitoring, electronic logging capabilities, and reports for fuel consumption and driver route performance. Any information requested by the Bureau regarding location and delivery routes will be immediately accessed through the system and dutifully supplied. NMH Investments, LLC will purchase and implement the equipment solely for the purpose of carrying out its delivery operations and complying with record-keeping and logistics regulations – the equipment will not be used for any other purpose. Each delivery vehicle is equipped with hands free "Bluetooth" calling and integrated voice command technology. By having adequate parking and utilizing notoriously quiet hybrid vehicles, NMH Investments, LLC is taking steps to mitigate any potential nuisances and adhere to its good neighbor policy.

Insurance

NMH Investments, LLC will obtain and maintain in full force and effect an automotive liability insurance policy consistent with insurance and bond requirements. The company also pledges to maintain in full effect workers' compensation insurance at all times while the license is in effect as required by law.

Pre-Registration of Delivery Customers

NMH Investments, LLC will preregister delivery service customers prior to delivery of an order. NMH Investments, LLC will receive orders both through online and telephone orders. Further, NMH Investments, LLC hopes to be processing both Adult-Use and Medical cannabis delivery orders. The preregistration procedures for the different types of orders will mostly vary with regard to the additional medical recommendation and patient information necessary to preregister medical orders. Age identification and address verification will involve two necessary preregistration steps for adult-use consumers, while medical patients will also need to submit a doctor's recommendation for verification. All protocol outlined under the record protocol will also be strictly followed with regard to delivery client information.

Delivery Age Identification

Delivery orders will need to be submitted with government-issued identification that proves that the ordering party is at least 21 years of age or 18 years of age and older if the customer is a medical patient. Online orders will require submission of a scanned copy of the government-issued ID that corresponds to the adult-use or medical client. Phone orders will not be processed until the customer sends photographic proof of identification to a secured email address or via text message. Upon receiving a copy of the ordering party's government-issued ID, a NMH Investments, LLC employee will verify the documentation with the aid of Veratad's Age Match verification system, which immediately compares a data entry against billions of records from multiple trusted sources resulting in instant age verification. After the customer's age has been verified, staff members will move onto verifying the patient's doctor recommendation, or, in the case of adult-use customers, they will move directly onto verifying the delivery address.

Delivery Medical Recommendation Verification

For orders from new medical patients, NMH Investments, LLC order processing staff will electronically verify the medical recommendation or contact the patient's physician to confirm the patient's status as a patient qualified to use cannabis. The staff will print a copy of the patient's physician cannabis recommendation, State issued Medical Marijuana Identification Card, and current state issued identification to be retained for company records. Any additional medical documents, such as permission for usage amounts in excess of state recommended daily limits, will also be requested from new patients ordering online and will be copied into patient records and a printed copy will be filed on-site in accordance with protocols. These patient document records will be maintained in NMH Investments, LLC's secure Point of Sale and patient tracking database, as well as on a hard copy in a locked filing cabinet. Returning patients who are dispensary members, or their caregivers, will be required to resend documentation upon expiration of their medical recommendation or ID card and state issued ID. All documentation will be verified when

the delivery is made with delivery drivers being tasked with capturing in-person photographic proof of recommendation upon delivery. All delivery processes and procedures shall comply with laws pertaining to confidential medical information.

Delivery Address Verification

NMH Investments, LLC staff will also be responsible for verifying the delivery address. Deliveries are not permitted on sensitive uses designations such as schools, daycares, churches or government property, whether state or federal, or on publicly owned land or any property leased by a public agency (CCR § 5416(c)). Staff will enter the delivery address to verify it does not fall on any such designations. The company will seek approval from, and obtain necessary permitting for, cities that fall within the delivery area prior to operating in the respective jurisdiction. Any address that does not comply with the government property prohibition or is not within the delivery area of the store will immediately be cancelled and notification will be sent to the ordering party.

Confirmation of Documentation at Delivery

Delivery drivers will also be tasked with verifying the preregistration documentation that was sent by the ordering party upon delivery. Delivery drivers will be equipped with an IDVisor Smart ID Scanner for identification authentication purposes. Additionally, for medical deliveries, the delivery manifest will include a copy of the patient's doctor recommendation and the delivery driver will be required to verify that the patient has an original physical copy of their doctor's recommendation that matches the scan sent at the time the delivery request was made. Drivers will be required to capture photographic proof of the patient's original recommendation upon delivery. Delivery drivers will be instructed to immediately cancel any delivery orders if the receiving party either fails to provide matching and verifiable age documentation or an original copy of their doctor's recommendation. All cancelled orders will be recorded, and product will be re-inventoried. Orders that are not delivered will be treated as cancelled orders and employees will update this information with inventory adjustments in Green Bits and Metrc thereby notifying the Bureau.

Scope of Delivery

According to State Law, the delivery process is initiated when a delivery employee exits the licensed premises with cannabis goods for delivery and is concluded when a delivery employee returns to the licensed premises after delivering the cannabis goods to the customer or customers (CCR § 5415(d)). Further, State Law requires that a delivery driver only travel from the retailer's licensed premises to the delivery address, or from one delivery address to another, or from a delivery address back to the licensed premises. The driver may not deviate from the provided course except for "necessary rest, fuel, or vehicle repair stops, or because road conditions make continued use of route unsafe, impossible, or impracticable" (CCR § 5421). NMH Investments, LLC will institute a no tolerance policy for deviating from GPS generated course/directions absent valid explanation, which will be confirmed by reviewing GPS system data. All delivery driver employees will be given adequate training as to the importance of complying with the delivery logistics and provided with fair warning as to the no tolerance policy.

The delivery driver shall travel wearing an employee identification badge and with proper documentation at all times during the scope of delivery, including a copy of NMH Investments, LLC's current license and

the employee's driver's license; these items will be readily available and provided upon request to law enforcement and regulatory authorities. The delivery driver will also carry and make available a physical copy of the delivery request (BPC §§ 26090(b-c)). The NMH Investments, LLC Green Bits software will generate a delivery request receipt containing the name and address of the retailer, the first name and employee number of the delivery driver, the first name and employee number of the employee who prepared the order for delivery, the first name of the customer and the customer's assigned customer number, the date and time the delivery request was made, the delivery address, a detailed and accurate list of the cannabis goods ordered for delivery, and the total amount paid for the delivery including taxes and associated fees. Upon delivery, the employee will make a notation of the delivery time and obtain the signature of the customer who received the delivery and provide the customer with a signed copy of the delivery request receipt. The delivery driver will keep a signed copy of the delivery request receipt for NMH Investments, LLC's records in accordance with State Law (CCR § 5420).

Safety Measures

NMH Investments, LLC will comply with all safety regulations and take further measures to protect its employees and the community. The NMH Investments, LLC no chase policy and robbery management training are aimed at teaching de-escalation techniques and emphasizing employee safety. Our security contractor will continue to provide guidance and feedback on all safety related matters. Delivery employees will be instructed to comply with the state's regulations involving safety; delivery drivers shall not travel with cannabis goods worth in excess of \$5,000 at any time and cannabis goods in the delivery vehicle shall not be visible to the public (CCR §§ 5418; 5417(b)). At no time will a delivery employee leave cannabis goods in an unattended delivery vehicle unless the vehicle is locked and equipped with an active vehicle alarm system (CCR § 5417(c)). NMH Investments, LLC will adhere to a strict no tolerance policy with respect to the non-consumption rule for delivery drivers, and each delivery employee will be made duly aware of the provision and provide a signed acknowledgement (CCR § 5419). Delivery drivers will be instructed to utilize hands free calling via voice command technology and to obey California traffic regulations – always maintaining awareness of road and traffic conditions. We believe that our equipment and safety protocols are in the best interest of the employees, the company, and the community.

LABOR & EMPLOYMENT

A. EMPLOYEE ROLES

CANNABIS SPECIALIST: *Wellness Services, Customer Education & Sales Transactions*

This position is involved with servicing the needs of patients and customers. Sales Assistants will provide product advice to ensure a pleasant customer experience. They will be trained to provide advice with respect to product decisions that align with the medicinal benefits sought by clients. They will provide product information, dosage recommendations and, information on ingestion options. Sales Assistants shall assist

with client registration, creation of wellness plans, and are responsible for sharing information about support groups and special programs. Sales Assistants will also process orders and serve as dispatchers coordinating delivery efforts.

MANAGER & ASSISTANT MGR: *Bookkeeper, Inventory, Purchasing Agent & Quality Assurance Oversight*

The Manager and Assistant Manager will work together to oversee all operational aspects of the Dispensary. This means both positions will be trained to perform all of the tasks of other employees, as well as the additional roles of serving as the Purchasing Agent and Administrative bookkeeper. As a purchasing agent, managers will be responsible for identifying products based on customer demand and securing favorable supply agreements. The purchasing agent role will involve working with sales personnel and inventory supervisors to ensure understanding of client preferences and proper tracking of purchases and inventory. As purchasing agents, managers will be responsible for all aspects of vendor transactions including product source verification, supplier licensing compliance, and quality assurance oversight.

Managers will also handle all record-keeping and human resources duties for the dispensary. They will reconcile inventory and manage shifts, payroll, and employee benefits. Managers will run daily purchase reports and oversee staff register transaction histories. They will be responsible for the accounting input on a daily basis and managing the POS software to make sure all data is up to date for the dispensary's CPA. Records will be kept and maintained in compliance with Imperial County's requirements and the mandates of the MAUCRSA.

Managers will also be responsible for all product intake, handling, packaging inventory, storage procedures and quality assurance. They will be responsible for ensuring inventory is received only from licensed distributors and that incoming products meet NMH Investments, LLC's rigid compliance standards. They will do in-depth examinations of all incoming product to ensure products have been affixed with proper labels and that batches and testing results correspond to the shipping manifest filed with the Department of Cannabis Control (DCC). They will perform daily inventory inspections and verify that no products have been tampered with prior to sales. Any discovered inventory discrepancies will be reported to management with proper notification being sent to the DCC. They will also manage storage of products under proper temperature and security that ensure freshness and safety. They will be responsible for tracking inventory in GreenBits' Point of Sale software and making sure that track-and-trace procedures are complied with relating to incoming and outgoing products.

Screeners-Processors: Entrance Screening, Product Packaging, Sales Transactions

Screeners-processors are responsible for screening customers at entry, packaging sold product, and processing sales transactions. They will be trained in age verification procedures to ensure only qualified clients enter the dispensary. They will ensure a customer is introduced to a Specialist for product questions and will also assist by packaging product and processing sales transactions. They will ensure products are placed in an opaque packaging prior to leaving the premises, but will not have access to inventory. Screeners-processors will only fulfill either role in a given shift; screeners will be positioned at the customer

verification counters, processors will be stationed at a checkout station; each will need to log in and track shift activity on their station's terminal. Processors have the responsibility of processing sales transactions and verifying proper checkout including final age verifications.

Inventory Supervisors: Inventory Management & Quality Assurance

Inventory supervisors oversee product intake, handling, packaging inventory, storage procedures and quality assurance. They are responsible for ensuring inventory is received only from licensed distributors and that incoming products meet NMH Investments's rigid compliance standards. Inventory supervisors will work with Managers to educate producers on our *Cannabis Best Practices* and inform them of expectations during the production process. They will do in-depth examinations of all incoming product to ensure proper labeling and that batches and testing results correspond to the shipping manifest filed with the Department of Cannabis Control (DCC). They will perform daily inventory inspections and verify no products have been tampered with prior to sale. Any discovered discrepancies will be reported to management with proper notification sent to the DCC. Inventory supervisors will manage storage of products under proper temperature and security to ensure freshness and safety. They are responsible for tracking inventory in Green Bits' POS software and making sure track-and-trace procedures are complied with for incoming and outgoing product.

DELIVERY DRIVERS: Trip Plans, Delivery, & Documentation Verification

Drivers are responsible for phone communications with patients in preparation for transporting cannabis to a client's address. They are responsible for creating and submitting a trip plan as well as for ensuring that a delivery manifest is consistent with the products being delivered and the addresses being delivered to. Drivers are also responsible for confirming delivery and validating government-issued age identification and obtaining photographic confirmation of patient medical documentation. Drivers must document confirmation and cancellation and must ensure that inventory from cancelled orders is properly re-stocked and the cancellation is reported to the Department of Cannabis Control. Further, drivers are responsible for filing reports on accidents, lost product, or diversion of product that occurs during travel.

B. EMPLOYEE TRAINING & PERFORMANCE

A well-informed and properly trained staff is essential to the success of a retail operation. Dispensary employees serve important roles including providing product information, processing transactions, and managing inventory. NMH Investments, LLC's employees are responsible for conveying the store's health and wellness ethos to its customers. Due to the important role of our staff in our operations, NMH Investments, LLC has developed a training protocol aimed to provide staff with the proper tools to thrive and successfully assist clients with their cannabis needs. NMH Investments, LLC' training program involves a four-pronged approach focusing on the following areas: (1) Operations; (2) Product Knowledge; (3) Customer Assistance and Sales; (4) Safety.

Qualified employees will be hired on 90-day probationary periods. During this time, new hires will be rigorously trained and evaluated for their ability to perform. Training will include a detailed *Employee*

Handbook, reading materials, professional lectures, and hands-on training. All hires will be tested on their knowledge at the end of their 90-day training period to ensure they have absorbed the necessary information and are capable of performing required tasks safely and effectively. These descriptions will be used in evaluating job training and performance.

1. OPERATIONS TRAINING

Employees will be required to undergo training to learn any system protocols that their position will require of them. The main operational training areas will include Point of Sales (POS); Registration and Validation; Track-and-trace; and Inventory Training.

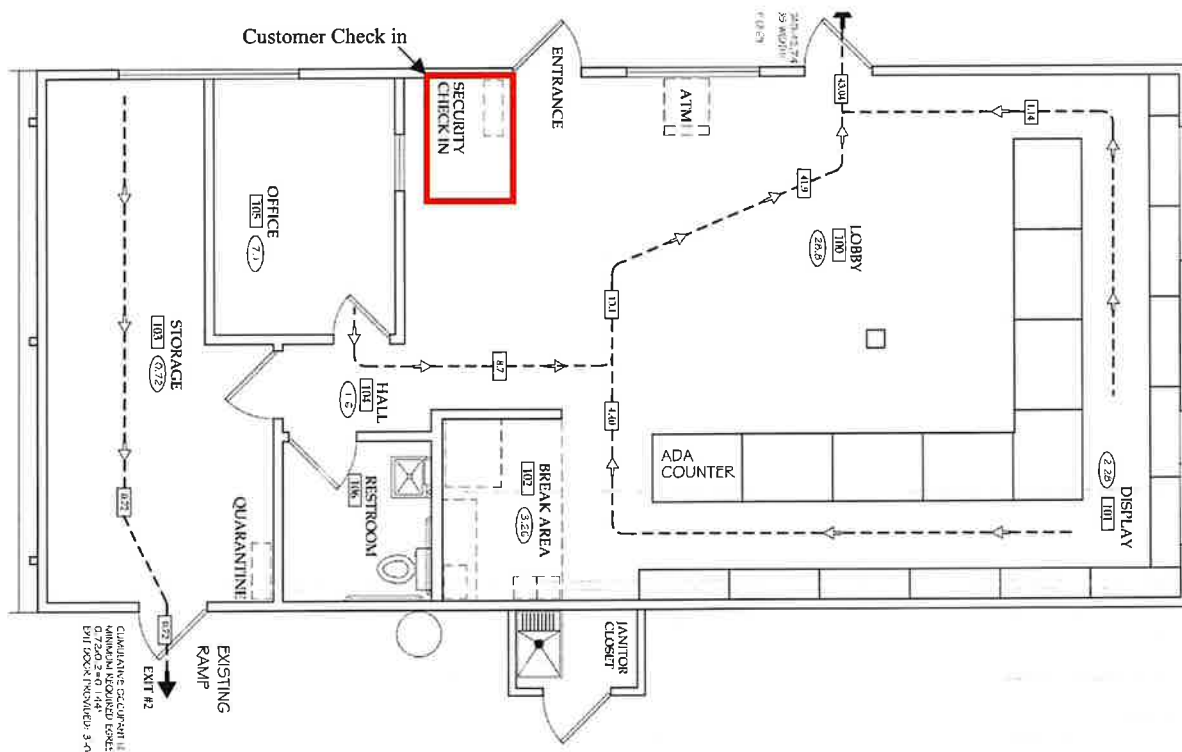
Point of Sales (POS) Training: All new hires will be required to complete training with our POS software provider, GreenBits, in order to make sure they are proficient in the operating system and can properly manage the tasks that will be required of Sales personnel and transaction processing. Employees are able to reach out to customer services via phone, email or online chat. POS training will include instruction on how to scan products or enter them manually for a given sales as well as how to record a transaction, provide sales receipts and upload completed transactions into the database for inventory management and state track-and-trace requirements.

Customer Screening, Registration and Validation Training: No underage persons will be permitted to enter the facility. Staff will be trained to verify customer age as well as patient registration documentation. All adult use customers must provide proof that they are over 21, medical patients must provide proof they are over 18 and possess a valid California doctor's recommendation. Training for age and recommendation verification includes the following:

NMH Investments will implement a 2-stage identification verification process, with the first stage occurring at the entrance of the facility prior to customer being granted access to the facility. Staff will be trained to screen for valid government issued identification as well as valid patient recommendation documentation prior to allowing access to the facility. Training shall include how to identify potential counterfeit identification as well as how to validate patient recommendation documents. The second stage of identification occurs at customer checkout, where staff will again check customer identification using the POS checkout software.

Training will include processes for patient screening, including acceptable forms of ID, compiling proper documentation, and inputting requisite data points. Patients will need to prove they are over the age of 18 and have a California doctor’s recommendation. NMH Investments, LLC will use GreenBits’ operating hardware that includes capabilities to verify the ID-holder’s age. For new patients, staff will electronically verify the medical recommendation or contact their physician to confirm their qualified patient status. Staff will copy and file patients’ physician cannabis use recommendation, State issued Medical Marijuana ID Card, and current state issued ID to be retained for the dispensary’s records. Additional medical documents, such as permission for usage amounts exceeding state daily limits, will also be scanned into patients’ records. All patient/customer documents will be scanned into our secure Point of Sale and patient/customer tracking database, and also stored in hard copy in a locked filing cabinet and treated as confidential medical information pursuant to HIPAA guidelines.

Adult Use customers will be required to provide proof that they are over the age of 21 years old. NMH Investments, LLC will use GreenBits’ operating hardware that includes capabilities to verify the ID-holder’s age. All customers without a physician’s note must provide age verification proofing they are over 21 years old.



Track-and-trace Training- Metrc: California has contracted Metrc to run its track-and-trace system. All cannabis businesses are required to have an account manager complete mandated training on Metrc’s system. In order to comply, NMH Investments, LLC will ensure that the Manager and Assistant Manager undergo state mandated Metrc training and are capable of performing the necessary track-and-trace retail

2. PRODUCT KNOWLEDGE TRAINING/CUSTOMER EDUCATION TRAINING

As a boutique health and wellness non-storefront dispensary, NMH Investments, LLC's staff will need to be knowledgeable about the differing properties, as well as the various benefits, effects, and dosage recommendations of cannabis products offered by the store. Accordingly, our product knowledge training will center around instructing employees on the different cannabinoids and terpenes that can be found in products as well as the differing benefits and effects associated with these compounds. Given the sheer number of cannabinoids and terpenes found in cannabis products, our training will familiarize employees with the 10 most common cannabinoids and 11 commonly found terpenes. Working knowledge of these cannabis components and their effects and benefits will allow our employees to effectively help customers determine the cannabis products that best serve their health and wellness needs.

NMH Investments, LLC will maintain an up-to-date product catalogue that details the compounds found in its products based on Testing results and manufacturer information. Product catalogues will also contain information on cannabinoids and terpenes, as well as dosage and recommended usage so that employees can have physical access to this information if they ever have lapses in their training. Further, NMH Investments, LLC will invite employees to informational sessions and will also sponsor In-service trainings on specific products and cannabis related topics to ensure our staff stays current on any new findings relating to cannabis and its contributions to health and wellness.

3. CUSTOMER ASSISTANCE & SALES TRAINING

A successful sales staff is a key component to any business, but sales techniques can sometimes inhibit the consumer experience. NMH Investments, LLC plans to implement Soft Sales training, which focuses on the relationship-building aspect of sales, rather than Hard Sales, which is often overly-aggressive and puts excessive pressure on consumers. Accordingly, NMH Investments, LLC' sales training will be aimed at customer assistance and training employees to assist clients with making informed decisions when purchasing cannabis products. Our approach will be to teach employees to find more passive ways to direct clients to the solutions they need.

Soft Sales and Customer assistance start with a strong working knowledge of the products and their benefits and effects, which will be relayed to employees in their Product Knowledge Training. An essential part of both Product Knowledge and Customer Assistance training will be simulated customer situations via mock phone transactions.

4. ATTENDANCE AT TRAININGS & PAY

Time spent in required/mandatory training is considered time worked. Mandatory In-Service trainings, workshops, and staff meetings are considered required hours worked and are paid as such, and overtime pay will be applied as needed. All staff is encouraged to attend all training opportunities, regardless of whether training is mandatory for their position and will be paid for attendance at In-services that are mandatory. However, if non-mandatory training will incur overtime staff members must get prior approval

from their supervisor to attend. HR, Customer Service- Related, or Sensitivity trainings are mandatory for all staff. All staff will be notified when they are required to attend a training.

In-Service Trainings –Supervisors will present periodic, free, in-service trainings on specific products and cannabis-related topics to staff. These in-services are typically required for all staff members. Managers will communicate when training is mandatory for office staff.

Library – We will provide cannabis wellness and health how-to's, information guides, books, and videos in our library, which are available for any staff to check out. Staff investment in product knowledge will be monitored through evaluations.

5. PERFORMANCE EVALUATIONS

Employees may receive a written performance evaluation after approximately ninety (90) days of service based on the discretion of their Manager. Every employee will receive a yearly performance evaluation. Performance evaluations help the Company make important decisions about job placement, training and development, and pay increases.

6. ADDITIONAL GENERAL TRAINING

In addition to the specific training areas discussed above, NMH Investments, LLC will provide instruction/training to its staff that relate to its basic operating procedures plus the following areas:

1. The proper use of security measures and controls that have been adopted for the security of the facility and to prevent diversion, theft or loss of cannabis;
2. Procedures and instructions for responding to an emergency;
3. State and federal statutes and regulations regarding confidentiality of medical files and member information;
4. The different strains of cannabis produced or sold by the dispensary;
5. The different methods of using cannabis, edible cannabis products and cannabis infused products;
6. Signs of medicine abuse or instability in the medical use of cannabis by a patient;
7. Proper sanitation as to the handling of cannabis products, including:
 - a) Avoiding bare hand and arm contact with exposed, finished cannabis products;
 - b) Keeping hands and the exposed portions of arms clean;
 - c) Cleaning hands and exposed portions of arms during the following times and circumstances:
 - I. Immediately before working with usable cannabis or other cannabis products prior to packaging;
 - II. After touching bare human body parts other than clean hands and exposed portions of arms;
 - III. After using the toilet;
 - IV. After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating or drinking;
 - V. After handling soiled equipment;

- VI. As necessary to remove soil and contamination and to prevent cross-contamination when changing tasks;
- d) Keeping his or her fingernails trimmed, filed and maintained so that the edges and surfaces are cleanable;
 - e) Wearing clean clothing appropriate to the tasks assigned to him or her.
8. Proper washing techniques, as follows:
- a) Taking at least 20 seconds to complete washing procedures, using hand-washing sink and cleaning compound,
 - b) Rinsing under clean, running warm water;
 - c) Applying an amount of cleaning compound recommended by the manufacturer of the compound;
 - d) Rubbing together vigorously for at least 15 seconds while paying attention to removing soil from underneath fingernails and creating friction on surfaces of the hands and arms, fingertips and areas between the fingers;
 - e) Thoroughly rinsing under clean, running warm water;
 - f) Thoroughly drying the washed body part.
9. The prohibition on transacting cannabis with unauthorized/unlicensed suppliers;
10. Understanding the difference between topical products, edible cannabis products, and cannabis-infused products; and
11. The proper procedures for handling edible cannabis products or cannabis-infused products, including, without limitation, the procedures used to inspect, package and store such products as required by the provisions of the governing statute and related regulations.

Additional Training for Management

In addition to training given to the dispensary's regular staff, the dispensary Manager and Assistant Manager shall be trained in the principles of disease prevention, and the requirements of state and local regulations by:

- [1] Having working knowledge of, and demonstrating operational compliance with basic health standards governing service of products intended for human consumption;
- [2] Attending appropriate course/training and implementing an appropriate training program for staff engaged in the sales of edible cannabis products or cannabis-infused products at the facility;
- [3] Demonstrating knowledge regarding:
 - (a) The relationship between the prevention of disease and the personal hygiene of persons engaged in the distribution of edible cannabis products or cannabis-infused products;
 - (b) The prevention of the transmission of disease by persons engaged in the distribution of edible cannabis products or cannabis-infused products who has a disease or medical condition that may transmit disease;
 - (c) The symptoms associated with the diseases that are transmissible through cannabis products and ingredients;
 - (d) The significance of the relationship between maintaining the temperature for a certain amount of

time for Potentially Hazard Products (PHPs) & ingredients and the prevention of illness transmission;

- (e) Required temperatures and times for safe refrigerated storage, cooling, and reheating of PHPs and ingredients;
- (f) The relationship between the prevention of illness transmission and the management and control of:
 - (i) Cross-contamination;
 - (ii) Hand contact with finished cannabis products and ingredients;
 - (iii) Hand washing; and
 - (iv) Maintaining the establishment in a clean condition and in good repair.
- (g) The correct procedures for cleaning and sanitizing utensils and surfaces of equipment that have direct contact with cannabis products and packages;
- (h) Identification of poisonous or toxic materials in the facility and procedures necessary to ensure that those materials are safely stored, dispensed, used and disposed of according to applicable state and federal laws and regulations.

7. MANDATORY IDENTIFICATION BADGES FOR EMPLOYEES

Consistent with California policy, all agents, officers, or other persons acting for or employed by NMH Investments, LLC shall display a laminated or plastic-coated identification badge issued by the company at all times while engaging in business. The badge shall include the business name and license number, the employee's first name, an employee number exclusively assigned to that employee for identification purposes, and a color photograph of the employee that clearly shows his or her face and is at least one inch in width and one and one-half inches in height.

C. EMPLOYEE BENEFITS PLAN & EMPLOYEE RIGHTS

LIVING WAGES (200% FEDERAL POVERTY LEVEL FAMILY OF TWO): NMH Investments, LLC is committed to providing Living Wages to all employees. Accordingly, NMH Investments, LLC shall provide living wages in the amount of 200% of the Federal Poverty Level for a family of two. According to 2017 Poverty Guidelines for the 48 contiguous states provided by the National Conference of State Legislators, the Federal Poverty level for a family of two is \$16,240.⁵ Therefore, 200% of the Federal Poverty Level for a family of two would be \$32,480. NMH Investments, LLC shall compensate all full-time employees at or above the required \$32,480.

NMH Investments, LLC intends to go over and above this local and federal mandate and will compensate all of its employees at a minimum wage of \$15/hr. Salaries will be set within a range which corresponds to specific jobs and is based on employee competency and performance. The following outlines a minimum approximate **wage scale** for positions that NMH Investments, LLC will be filling:

⁵ <http://www.ncsl.org/research/health/2014-federal-poverty-level-standards.aspx>

NMH Investments, LLC will adjust its wage scale to ensure compliance with its commitment to wages set above 200% of the Federal Poverty Level for a family of two.

WAGE/SALARY INCREASES: All staff will be considered for performance-based raises at the time of their yearly review based on performance, competency, continued training/education as well as employment duration.

EQUAL OPPORTUNITY EMPLOYMENT: The Company is committed to equal employment opportunity for all persons, without regard to race, color, national origin (including language restrictions and possession of a driver's license issued under Vehicle Code §12801.9), ancestry, religion, (including religious dress/grooming practices) age (40 and over), mental/physical disability, veteran status, military status, medical condition, sex (including pregnancy, childbirth, breastfeeding, & related medical conditions), marital status, denial of family and medical care leave, sexual orientation, gender, gender identification, gender expression, or genetic characteristics or any other consideration based on applicable law. The Company also maintains compliance with federal Genetic Information Nondiscrimination Act (GINA).

CA STATE DISABILITY INSURANCE: State Disability Insurance (SDI) is administered by the Employment Development Department. This plan provides benefits when employees cannot work because illness or injury that is not work related.

CA STATE PAID FAMILY LEAVE INSURANCE: Paid Family Leave (PFL) is a California state-sponsored insurance program within the SDI program. Paid Family Leave provides employees with partial wage replacement for up to six (6) weeks in any twelve-month period while absent from work for a seriously ill or injured child, parent, spouse, or domestic partner, grandparent/grandchild or sibling or parent-in-law or bonding with a minor child within one year of the birth or placement of the child in connection with foster care or adoption.

VACATION PAY: Vacation is a time for an employee to rest, relax, and pursue special interests. The Company shall provide paid vacation as one of the many ways in which we show appreciation for our employees' loyalty and continued service. Vacation pay is available to full-time employees (from date of hire) and becomes available for use after the employee has worked full-time for one year.

SICK PAY: Paid Sick Leave provides Employees with a measure of wage/salary continuation when they are absent from work. Paid Sick leave may be used for an employee's illness or injury, as well as the diagnosis, care, or treatment of an existing health condition, or preventive care for, themselves or a "family member".

WORKERS' COMPENSATION: The Company, in accordance with state law, provides insurance coverage for employees in case of work-related injury. Employees will receive notice at time of hire with the name of the workers' compensation carrier in writing and any changes thereafter. Workers' Compensation leave runs concurrent with FMLA and CFRA for the first twelve (12) weeks of time off.

GROUP INSURANCE PLANS: Full-time Staff (i.e. employees who are scheduled to work 30 or more hours

per week and maintain an average of 30-40 hours/week) are eligible for enrollment in our group medical insurance on the first day of the calendar month following sixty (60) continuous days of service.

CONTINUATION OF BENEFITS: Under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), employees and qualified beneficiaries are eligible to continue their medical insurance benefits at slightly higher premium rates than the Company pays.

SOCIAL SECURITY: All employees are covered under the provisions of the federal social security law. Social security benefits are intended to supplement the employee's family's retirement income and provide disability and survivors' benefits. The amount of deduction from an employee's wages for social security taxes is matched by the Company. The total contribution by the employee and the Company is credited to the employee's social security account. Detailed information about an employee's social security benefits can be obtained from the Social Security Administration.

UNEMPLOYMENT INSURANCE: The Company pays unemployment insurance taxes on behalf of employees to both the state and federal governments. These taxes fund the payment of unemployment insurance benefits to an employee should the employee become eligible to receive them. Detailed information about unemployment insurance benefits can be obtained from the Employment Development Department.

LEAVE: The Company makes leaves of absence available to employees on the following basis: (1) Worker's Compensation Leave; (2) Medical Leave; (3) Family Medical Leave (FMLA) and California Family Rights Act (CFRA); (4) Service Member Family and Medical Leave; (5) Pregnancy Disability Leave; (6) Personal Leave; (7) Bereavement Leave; (8) Military Leave; (9) Spousal Military Leave; (10) California Emergency Duty Leave; (11) California Civil Air Patrol Employment Protection Act; (12) California Crime Victims Leave; (13) California Domestic Violence and Sexual Assault Victims and Stalking Victims Leave; (14) California Organ/Bone Marrow Donor Leave; (15) Subpoenas/Witness Duty; (16) Voting Leave; (17) Time off for Religious Reasons; (18) School Appearance Leave; (19) Family School Partnership Leave; (20) Alcohol and Drug Rehabilitation Leave.

REASONABLE ACCOMMODATION: The Company complies with requirements of the California Fair Employment and Housing Act ("FEHA") and the Americans with Disabilities Act ("ADA") and will reasonably accommodate a qualified individual with a physical or mental disability impairment.

GENDER IDENTITY/EXPRESSION: As a member of the Imperial County community, we attract a diverse customer base and staff. Specifically, NMH Investments, LLC acknowledges the considerable diversity in gender expression and identity within our community. We recognize some of our employees' and customers' gender identity and expression doesn't fit within the gender binary and/or does not match their sex assigned at birth or their perceived gender. We aim to support employees' and customers' right to express gender in the manner they see fit.

DISCRIMINATION AND HARASSMENT: The Company is committed to providing a work environment free of unlawful discrimination, harassment, retaliation and disrespectful or other unprofessional conduct. This policy applies to all persons involved in the Company and prohibits intentional and unintentional unlawful

discrimination and harassment by any employee, including supervisors and managers, as well as interns, volunteers, vendors, customers, independent contractors, suppliers, and/or any other third party that interacts with employees.

LACTATION ACCOMMODATION: As part of our family-friendly policies and benefits, the Company supports breastfeeding mothers by accommodating the mother who wishes to express milk during her workday when separated from her newborn child.

PAYROLL DEDUCTIONS: Various payroll deductions are required by law, such as federal income tax, state income tax, state disability insurance (SDI), paid family leave insurance (PFL), Medicare and Social Security taxes. The Company complies with applicable state and federal laws regarding garnishment and assignment of wages. Any other deductions from an employee’s paycheck must be authorized by the employee.

OCCUPATIONAL HEALTH AND SAFETY STANDARDS: NMH Investments, LLC will meet or exceed all OSHA standards for safety and health in the workplace. The dispensary will offer a clean, safe and comfortable environment for its employees, patients and customers. In the event NMH Investments, LLC determines that a staff member has a health condition that may affect the safety or quality of the facilities, products, or the health of other staff members, it will place the affected person on medical leave until such time as the health condition of the employee no longer presents a threat.

TRAINING/EDUCATION OPPORTUNITIES: NMH Investments, LLC will provide financial assistance to employees for continuing education and training opportunities. As part of its Educational/Training plan, NMH Investments, LLC will adopt flexible work arrangement plans in addition to providing reimbursements of up to \$500 annually to employees for educational costs associated with Cannabis Training or College Enrollment.

1. **Cannabis Training:** NMH Investments, LLC is committed to training employees and helping them broaden their knowledge and skillset within the Cannabis industry. Accordingly, NMH Investments, LLC will extend its reimbursement policy to cover coursework taken at any of the following online and in-person cannabis training schools:

School	Course Guide
Cannabis Training University	cannabistraininguniversity.com/online-marijuana-courses/
Green CulturED	https://www.greencultured.co/shop/
THC University	https://www.thcuniversity.org/course-catalog/
Oaksterdam	https://oaksterdamuniversity.com/course-catalog/

2. **College Enrollment:** In addition to supporting continuing education in the industry, NMH Investments, LLC also supports employees’ pursuit of traditional higher education. NMH Investments, LLC will allow

employees to use their \$500/year education and training stipend to cover tuition expenses associated with college enrollment.

NON-DISCRIMINATION AGAINST EMPLOYEES EXERCISING PROTECTED RIGHTS: NMH Investments, LLC recognizes the various rights of employees listed herein and granted by both the state of California. Employee rights include but are not limited to: (a) the right to file a complaint or inform any person about any party's alleged noncompliance with state and local regulations; (b) the right to inform any person of his or her potential rights, under the laws of the state of California, and to assist him or her in asserting such rights. NMH Investments, LLC recognizes such protection as applying to any Employee who mistakenly, but in good faith, alleges noncompliance under Imperial County or State law. NMH Investments, LLC agrees to not take any adverse action against an employee for the exercise of their rights within 90 days of the Employee's exercise of rights protected under this article, and NMH Investments, LLC acknowledges that any adverse action in this period shall raise a rebuttable presumption of retaliation against the exercise of such rights. NMH Investments, LLC acknowledges the illegality and unlawfulness involved with discriminating or taking adverse action against any Employee in retaliation for exercising rights protected under Imperial County and State law.

COMPLIANCE WITH LABOR LAW: It is NMH Investments, LLC's policy to comply with all applicable laws, rules and publicly known and available regulations concerning labor practices and laws. All employees, managers and directors shall be treated fairly and with respect. NMH Investments, LLC pledges to adhere to all applicable local and state labor and employment laws including, but not limited to, all labor laws defined in the California Code of Regulations and the Imperial County Codified Ordinances. Further, NMH Investments, LLC shall implement and update its employee policies to remain compliant with the MAUCRSA, California Code of Regulations, California Business and Professions Code, OSHA, Cal OSHA Title 8 of the California Code of Regulations, and all other applicable labor and employment laws.

ADHERENCE TO LOCAL HIRING AGENDA: When making employee decisions, NMH Investments, LLC intends on making every attempt to hire locally. NMH Investments, LLC will work with local employment organizations, including America's Job Center, to seek candidates that live in the local community. NMH Investments, LLC is dedicated to positively impacting its local community and hiring locally is one of the goals we shall proudly pursue to that end.

ODOR CONTROL PLAN (“OCP”) REVISION 2

INTRODUCTION

The following document is the Odor Control Plan for NMH Investments LLC (“NMH Investments”). NMH Investments acknowledges that this Odor Control Plan (“OCP”) is a living document and we are committed to modifying and updating this Plan as operations change. Prior to the commencement of operations, NMH Investments shall coordinate a site visit with the Air District to verify this OCP. Additional site visits by the OCP may be necessary to confirm any additional unforeseeable discharges.

NMH Investments’s operations require avoiding odor nuisances that may result from cannabis dispensing operations in compliance with ICC §14.03.080(F). The following OCP has been developed in accordance with the Imperial County Air Pollution Control District’s Odor Control for Cannabis Operations White Paper. NMH Investments, LLC OCP Responsible Agent (Designee) Contact Information:

Stewart Namao | 619-694-6556 | stewart_namao@rocketmail.com
Location: 2092 Thomas R Cannell Rd, Salton City, CA 92774
Mailing Address: 401 W State St, El Centro, CA 92243

MR. NAMA O COMMITS TO NOTIFYING THE AIR POLLUTION CONTROL DISTRICT OF ANY MATERIAL CHANGES TO THIS OCP WITHIN 48 HOURS OF THE CHANGE.

CONTACT INFORMATION OF RESPONSIBLE AGENTS

OWNER / MANAGER:

Stewart Namao | (619) 694-6556 | stewart_namao@rocketmail.com

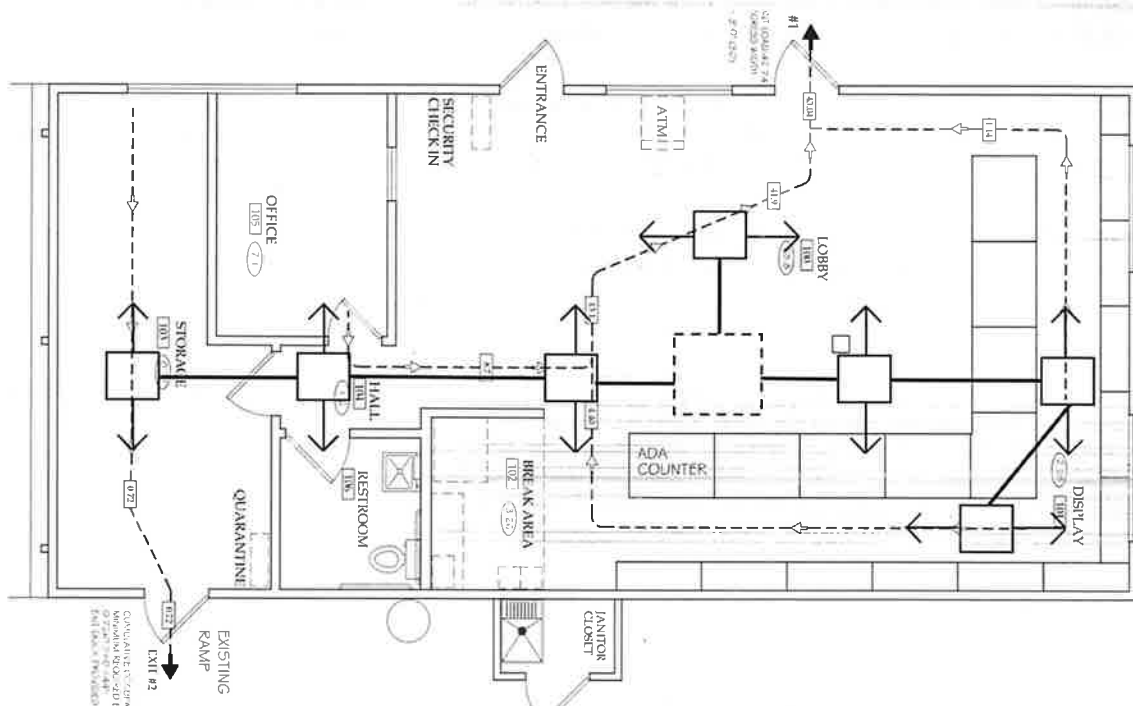
ASSISTANT MANAGER:

Vince Hallak | (619) 822-3379 | vincehallak@gmail.com

NMH INVESTMENTS AND ITS STAFF IS COMMITTED TO NOTIFYING THE AIR POLLUTION CONTROL DISTRICT WITHIN 48 HOURS OF ANY MATERIAL CHANGES TO PERSONNEL INCLUDING RESPONSIBLE AGENTS, AND PERSONNEL INVOLVED WITH DAY-TO-DAY OPERATIONS

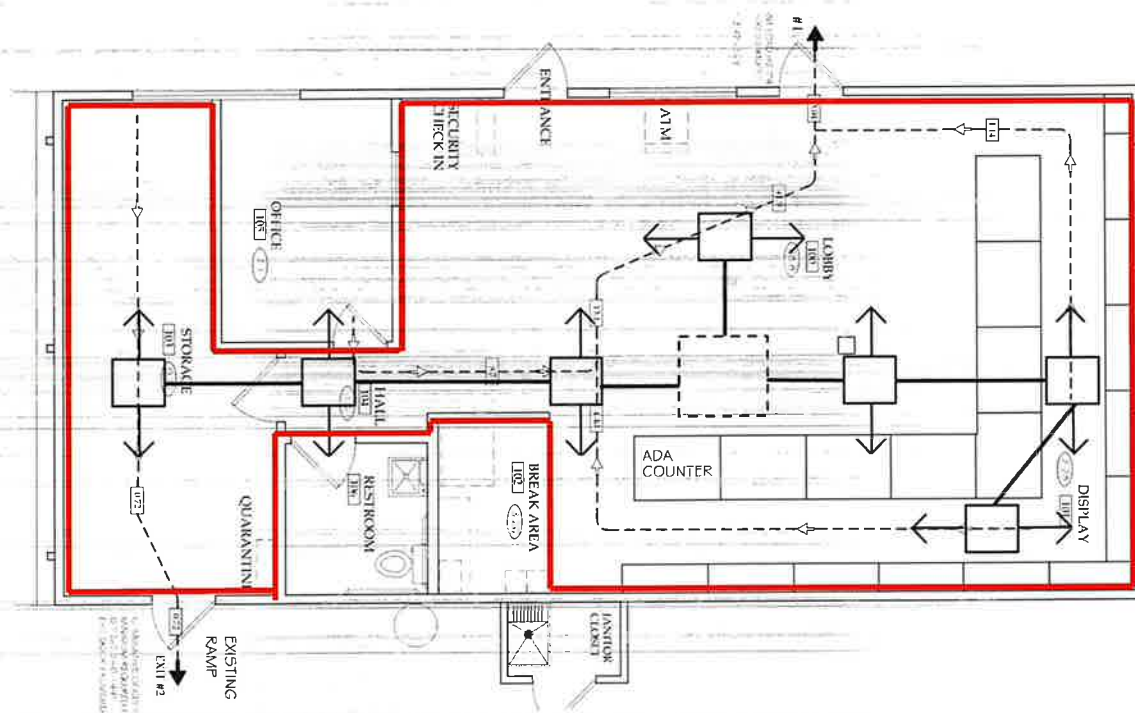
ODOR CONTROL PLAN (OCP)

The best odor control technology for cannabis dispensary facilities is carbon filtration in a negative pressure space. NMH Investments's Operating Procedures include preventing nuisances in the form of volatile organic compounds (VOCs) and resultant odors from cannabis-dispensing business operations. The dispensary will not emit perceptible noxious or cannabis odors. State law requires all products to be securely packaged upon acceptance at the facility, and display models are not to be unpackaged without the supervision of an employee. Open products in the customer retail space are prohibited (16 CCR §5412; §5405). NMH Investments will nonetheless take proactive measures to mitigate any potential odor nuisance by employing industry best practices for odor mitigation.



POTENTIAL SOURCES OF ODOR

Sources of odor include cannabis, cannabis product, cannabis waste, and the potential of unauthorized cannabis and cigarette smoke. Under the MAUCRSA, products must be packaged prior to arrival at the dispensing facility; sales associates, however, will be able to allow customers to inspect samples. Therefore, potential sources include product storage areas (Storage), the sales floor area (Lobby & Display Areas), and the exterior of the facility (smoking against store policy). Areas that could include potential sources of order are outlined below:



STORAGE: Product Storage and Storage of all cannabis waste will take place in the designated storage room. Cannabis Waste will be stored in a sealed container that will be picked up on a regular bi-monthly schedule. Non-waste Storage will include product storage and all stored product will be sealed in accordance with state law. Despite stored waste and product being in sealed areas there is a high likelihood of moderate odor seepage and resultant odor in the Storage room and this includes a continuous occurrence of odor-producing activity. These odor-emitting activities will be mitigated through the placement of both a CAF-900 Series Carbon Draw Through Exhaust as well as a B450BI Health Mate Plus HEPA Filter located within the Storage area of the facility.

LOBBY/DISPLAY: The Lobby and Display area will contain cannabis products that are displayed for purposes of consumer inspection and purchase. All displayed and purchasable cannabis will be sealed in accordance with state law requirements; however, dispensary staff shall have the discretion to make select products available for inspection under supervision. All inspectable product will be placed in resealable containers that prevent odor emission. Despite product being in sealed containers there is a high likelihood of moderate odor seepage and resultant odor in the Display/Lobby room and this includes a continuous occurrence of odor-producing activity. These odor-emitting activities will be mitigated through the placement of two (2) CAF-900 Series Carbon Draw Through Exhausts as well as two (2) B450BI Health Mate Plus HEPA Filters located within the Display and Lobby areas of the facility.

CANNABIS WASTE: All cannabis waste shall be stored in a secure cannabis waste disposal container located within NMH Investments's product storage room. The cannabis waste bin shall be secured and closed at all times and the majority of waste products are to be sealed product and

product containers. No waste shall be stored outside and GAIACA shall be contracted to pick up waste on an as needed basis, but no less than twice monthly.

OUTDOOR: No cannabis or cannabis waste shall be stored outside of the facility.

AIR QUALITY & ODOR MITIGATION MEASURES

NMH Investments's air quality equipment includes interior HEPA and carbon filtration units and carbon filtered exhaust fans as a two-pronged solution to achieve indoor air purity and the elimination of noxious odors escaping the site. HEPA/Carbon Filters and Carbon Exhaust fans will be featured in odor-emitting areas of the facility including two (2) HEPA/Carbon Filter Units and two (2) Carbon Exhaust Fans in the main Display/Lobby area and one (1) HEPA/Carbon Filter Unit and one (1) Carbon Exhaust Fan in the Storage room.

HEPA/Carbon Filtration Units: NMH Investments's dispensary utilizes the HealthMate Plus, which is a four-stage filtration system to ensure indoor air purity and odor reduction. The first filter is a Large Particle Pre-filter, which removes dust, hair and pet dander. The second filter is a Medium Particle Pre-filter, which removes molds, spores and pollen. The third filter is a combination of activated carbon and zeolite, which removes VOCs, formaldehyde, benzenes, chemicals, gases and odors. The final filter is a Medical Grade HEPA filter that removes 99.97% of all particles larger than 0.3 microns and 95% of all particles larger than 0.1 microns. The Austin Air HealthMate Plus not only removes odors but will ensure that viruses and bacteria are not present within the dispensary. The HealthMate Plus unit will continuously filter and purify the indoor air located in the sales floor and product storage areas.



Activated Carbon: Carbon filters are recognized as an industry-best odor control technology. NMH Investments LLC will integrate Carbon Filters into the circulating HEPA/Carbon Filter Units as well as into the air system's exhaust fans to ensure that all air exiting the facility is scrubbed for odors, microbial particulates, and VOCs. The following provides a breakdown of the features provided and benefits gained from using a carbon filtration system:

- Carbon air filters are the best technology for controlling cannabis related odor, the filters work to extract cannabis odors from the air, thereby neutralizing all noxious odors;

- By neutralizing the air, carbon filters ensure total air treatment so that potential air leaked from the facility is neutralized and odor free; and
- Carbon within the filters is designed to chemically absorb odor and other impurities found in the filtrated air.

The dispensary will be conditioned using single-split system equipped with unit level pleated filters. Fresh air is brought to each ducted system via a fresh air duct that feeds several areas of the dispensary. The exhaust fans do not face a neighboring property's entrance, exit, pedestrian or loading area. The treated air exiting the facility will not create any nuisance. Fresh air quantities are calculated using the American Society of Heating and Refrigeration Engineers (ASHRAE) Standard 62.1.

ODOR CONTROL SYSTEMS MAINTENANCE PROCEDURES

Management inspects the premises every morning before opening, including odor checks. If a cannabis odor is detected, management shall contact a designated HVAC professional to visit the facility and inspect the system. If necessary, NMH Investments will replace each ineffective filter to alleviate all potential sources of odor. Staff will immediately report any odor complaints from neighbors to management. Below is NMH Investments's air-systems maintenance plan.

a. Procedural activities

Employees and building management are responsible for maintaining proper ventilation at all times when within the dispensing areas and other odor emitting rooms. All doors to odor-producing rooms must be closed off whenever possible to ensure proper functioning of the filtration system and ventilation returns.

b. Staff training procedures

All staff will be trained in upkeep protocol and troubleshooting for the ventilation system and filtration equipment. Detailed service logs will be kept with respect to all HVAC and filters so that staff is aware of how long a filter has been in use. Filters will be changed at least every 6 months or more rapidly if staff becomes aware of any odor permeating around the facility. The HVAC and ventilation system will be professionally monitored and maintained with quarterly service appointments. Any system failures will be immediately reported to management staff and any problems that cannot be dealt with internally will result in immediately contacting a professional service technician.

c. Recordkeeping systems and forms

Staff shall keep meticulous records with respect to the HVAC system and filters. All of the following must be documented in the company database: (i) records of purchases of replacement filters, (ii) performed maintenance tracking, (iii) documentation and notification of malfunctions, (iv) scheduled and performed training sessions, and (v) monitoring of administrative and engineering controls.

d. Engineering Controls & System Design

The facility is designed for negative pressure to contain internal odors. This is accomplished by using a direct-driven exhaust fan to remove the fresh air provided for the occupants and an additional amount to ensure negative pressure in the space. To prevent odor escaping the dispensary, an exhaust fan equipped with a carbon filter will be used in a rack-mounted configuration. Activated carbon effectively absorbs and controls odor via absorption.

Running systems will be air balanced to ensure design air flows for supply, fresh air, and exhaust air base values are met. A differential pressure gauge will be used to ensure a negative building static of .05" or greater of negative building static. Maximum building static will not exceed 0.15". Initial testing with a calibrated sensor will establish the baseline of operations for odors in the outgoing airstream. The engineering control system and all components shall be reviewed and certified by a Professional Engineer or a Certified Industrial Hygienist as meeting professional expectations of competency and as enough to effectively mitigate odors for all odor sources. The system will include high-performance carbon filters outfitted to the returns of all odor-producing rooms as well as to the HVAC exhaust/exit.

e. Maintenance plan

The odor-emission maintenance plan will include quarterly systemic checkups to ensure that the air quality control system is operating to maintain the baseline. Maintenance will include checking the company records to see how long each filter has been in use and analyzing whether a given filter should be changed. Replacement filters will be required as determined by the calibrated sensor on the test equipment. While the carbon filters can work for up to 12 months, all filters will be assessed quarterly in order to ensure the filter is still functioning properly.

Odor Testing will be done in accordance with the *Standardized Odor Measurement Practices for Air Quality Testing* or any other state-established testing standards for cannabis businesses. Testing will be done with a field Olfactometer, calibrated in accordance with ASTM E544-75 and AWMA odor control standards, using the scheduled monitoring protocol. Monitoring will include walkabouts near the exhaust system. Data will be compared using a 5-point OIRS (Odor Intensity

Reference Scale) for daily readings. When values are 3 on the 5-point scale the carbon-filtration exhaust system will be evaluated and repaired as required.

f. Complaint tracking system

Odor complaints will be processed in the same manner as product complaints. The Community Liaison oversees all odor complaints and will receive reports from the community liaison of any nuisance complaints related to odor emission. All complaints will be dealt with immediately by analyzing the records kept regarding the filtration system to identify any potential sources of odor. The exhaust filter will be replaced, and all other internal filters will be monitored to ensure proper functioning.

Contingency Measures

NMH Investments’s Odor Control Plan features both HEPA/Carbon filter Units as well as Carbon Exhausts in order to provide system redundancy, which allows the redundancy to operate as a de facto contingency measure. If internal troubleshooting is unable to remedy a given odor complaint, NMH Investments will immediately contact its service technician to ensure the problem is properly identified and remedied. All complaints will be logged internally with the details of the complaint and response procedures.

Notice & Recordkeeping

Evaluations will include fan operation, distribution system integrity, and carbon filter effectiveness. All maintenance and testing activities are designed to ensure maintenance of the odor mitigation system and optimize performance. Service technicians will minimally be scheduled to make a system maintenance analysis quarterly. Hard copy and electronic copies of records will be kept in the secured office.

Routine Filter Check Log				
Filter #	Filter Viability	Employee ID	Signature	Date

Stewart Namao
NMH Investments LLC

Signature: _____

Date: _____

SPECIFICATION SHEETS

urban-gro®

HealthMate Plus®

The Austin Air HealthMate Plus® removes a wide range of gases, chemicals, VOC's and formaldehyde.

Why is the HealthMate Plus® the best choice for me?

- Designed for highly contaminated indoor air conditions
- Extremely effective at removing particles in the air including formaldehyde, elements of smoke, dust and pollens
- Exceptional capacity for removing Volatile Organic Compounds (VOCs)
- Filters viruses and bacteria



Technical Specifications

The HealthMate Plus® specializes in the reduction of harmful chemicals, noxious gases, VOC's, formaldehyde and sub-micron particles for individuals in the most contaminated of settings. Austin Air's 360-degree intake system draws air into all sides of the HealthMate Plus®, passing it through a 4-stage filter.

The result? The number one unit for those who are chemically sensitive.

Unit Specifications

- 360° Perforated steel intake housing
- Baked on powder coat paint finish
- 3 speed centrifugal fan
- High efficiency motor rated for continuous use at high RPM
- CSA approved
- **Colors:** Black, Midnight Blue, White, Sandstone
- **Product ID:** Black (B450B1), Sandstone (B450A1)

Filter Specifications

- **STAGE 1** – Large Particle Pre-filter. Removes particles easily seen by the naked eye (e.g. dust, hair and pet dander)
- **STAGE 2** – Medium Particle Pre-filter. Removes small to medium size particles (e.g. molds, spores and pollen)
- **STAGE 3** – Over 780 cubic inches of Activated Carbon, Potassium Iodide Impregnated Carbon and Zeolite. Removes Volatile Organic Compounds (VOCs), formaldehyde, benzenes, chemicals, gases and odors.
- **STAGE 4** – 60 sq. ft. of True Medical Grade HEPA. Removes 99.97% of all particles larger than 0.3 microns and 95% of all particles larger than 0.1 microns

urban-gro.com

sales@urban-gro.com

720-390-3880



CAF-900 SERIES
CARBON FILTERED WALL EXHAUST OR SUPPLY FAN.



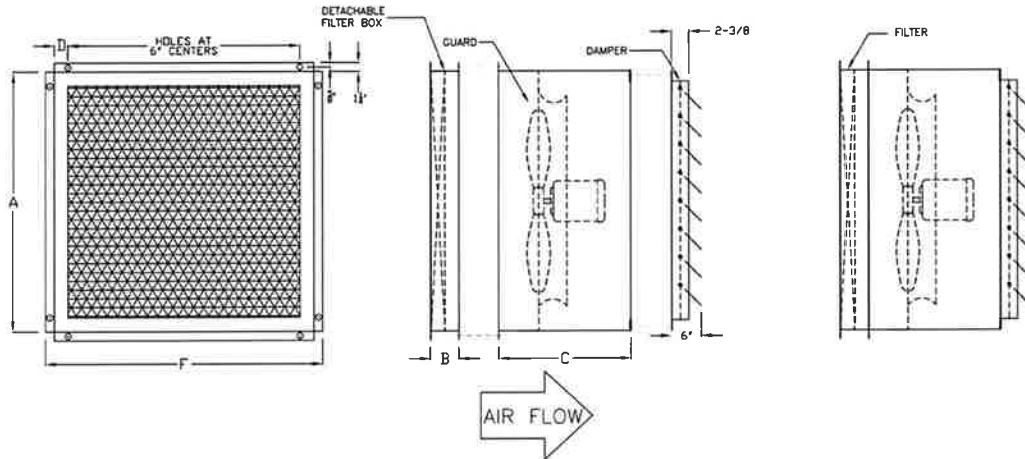
Pictured: Size 20", Single Carbon Filter Fan.

Model #	Size	Capacity	Horsepower	Filter Size	No.Filters	Rough In	Weight
CAF-912-1/2Carbon	12"	350 CFM 3450 RPM	1/2	16"X16"X1"	1	17"X17"	120#
CAF-920-2-Carbon	20"	4000 CFM 1725 RPM	2	24"X24"X2"	1	25"X25"	195#
CAF-942-3-Carbon	42"	8000 CFM 1140 RPM	3	24"X24"X2"	4	49"X49"	400#

- Adjustable Pitch Type Cast Aluminum Propellers (Non-Sparking)
 - Direct Driven
 - Explosion Proof and Non-Explosion Proof Models.
 - 3-Sizes (12", 20" and 42")
 - Single Phase or 3-Phase Motors. (3-Phase Only for Size 42").
 - Exhaust or Supply Configurations
 - Fan & Shutter Mounting Box (Powder Coated)
 - Removable Filter Box. Filter Box Bolts to Fan Assembly.
 - Fan Guard (OSHA Approved)
 - Aluminum Automatic Discharge Shutter (Non-Motorized).
 - Absorbent carbon filter(s) for fume and odor removal. Fully disposable; no refilling necessary. Filter offers medium-efficiency particulate filtration. Granular activated carbon provides more odor-removal capacity than carbon-impregnated pleated air filters or rolls.
- High Quality – Industrial Grade
Made in the USA

WWW.CARLBUSHCOMPANY.COM

CAF-900 SERIES
CARBON
DRAW-THROUGH EXHAUST



Model #	A	B	C	D	F	fan size	FILTER SIZE	Suggested Rough In	Est. Shipping Weight
CAF-912-1/2	16-1/4	4	20	2	18-3/4	12	16x16x2 (QTY.1)	17x17	120 lb
CAF-920-2	24-1/4	4	22	3	26-3/4	20	24x24x2 (QTY.1)	25x25	195 lb

CABINET FILTER FAN DRAW THROUGH	CJB NO CAF-900 Series Carbon	Project	Drawn by D Giblin	Checked by	P. No. CJB MODEL CAP
CARL J BUSH COMPANY USA WWW.CARLBUSHCOMPANY.COM	Cust NO	Notes	Page Number 1 of 1	Revisions B	Scale Not to scale
			Date 02-23-17		

**ATTACHMENT H.
COMMENT LETTERS**

AIR POLLUTION CONTROL DISTRICT



August 18, 2023

Mr. Jim Minnick
Planning Director
801 Main Street
El Centro, CA 92243

SUBJECT: Notice of Intent for a Negative Declaration for Conditional Use Permit 23-0004 & Commercial Cannabis Activity #23-0002 – NMH Investments, LLC

Dear Mr. Minnick,

The Imperial County Air Pollution Control District (Air District) thanks you for the opportunity to review and comment on the Notice of Intent (NOI) for the preparation of a Negative Declaration (MND) for Conditional Use Permit (CUP) 23-0004 and corresponding Initial Study (IS) 23-0004 (Project). The project proposes the operation of an adult use & medicinal storefront for the sale of cannabis with delivery on property identified as 2092 Thomas R Cannel Rd., within Salton City further identified by the assessors parcel number (APN) 015-261-020-000.

The Air District provided a comment letter dated May 12, 2023 informing the applicant that the Project would require attention to the revision 2 of their Odor Control Plan. In addition, the letter emphasized the inclusion of a floor plan layout, a site visit and a copy of the CUP. As a matter of form, the Air District is requesting that the applicant address those points identified as requiring attention and a site floor plan to the Air District. In addition, a site visit will be necessary to confirm the Odor Control Plan.

Finally, the Air District requests a copy of the draft CUP prior to recording for review.

Please note all projects must with all Air District rules and regulations. For your convenience, the Air District's rules and regulations are available via the web at <https://apcd.imperialcounty.org/rules-and-regulations/>. Please feel free to call our office at (442) 265-1800 should you have any questions or concerns.

Respectfully,


Monica N. Soucier
APC Division Manager

AIR POLLUTION CONTROL DISTRICT



May 12, 2023

RECEIVED

MAY 12 2023

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

Jim Minnick
Planning & Development Services Director
801 Main Street
El Centro, CA 92243

SUBJECT: Conditional Use Permit 23-0004 & Commercial Cannabis Activity 23-0002 – NMH Investments

Dear Mr. Minnick:

The Imperial County Air Pollution Control District (Air District) appreciates the opportunity to review and comment on Conditional Use Permit (CUP) 23-0004 and Commercial Cannabis Activity (CCA) 23-0001 (Project). The project proposes retail cannabis sales with delivery at 2092 Thomas R. Cannel Rd., Salton City also identified as Assessor's Parcel Number 015-261-020.

Title 14 of the Imperial County Code of Ordinances requires that all commercial cannabis activities comply with Chapter 14.03, Subsection 14.03.080(F) which states, "An odor control plan providing air treatment/filtration systems to eliminate the cannabis operation detection from outside the facility shall be submitted for county of Imperial Air Pollution Control District (APCD)." The project packet included an Odor Control Plan (OCP) for the project identified as Revision 2, which the Air District reviewed for consistency with its standards and recommendations for OCP's. While the Air District found much of the included OCP (Rev. 2) met minimum satisfactory requirements, the accompanying matrix identifies points that require attention. The Air District strongly urges the inclusion of a floor plan layout that clearly identifies location, type, and number of filters utilized to mitigate odors.

Following the submittal of an OCP that addresses points identified in the matrix, the Air District can arrange a date for a site visit and eventual finalization of the OCP. The Air District also recommends the applicant contact the Air District's Planning and Monitoring Division to discuss any questions regarding requirements and/or revisions of the OCP.


The Air District is also requesting a copy of the draft CUP before it is recorded for its review and records.

For your convenience the Air District's rules and regulations can be accessed online at <https://apcd.imperialcounty.org/rules-and-regulations>. Should you have any questions or concerns please feel free to contact the Air District for assistance at (442) 265-1800.

Respectfully,



Ismael Garcia
Environmental Coordinator



Reviewed by,
Monica N. Soucier
APC Division Manager



COUNTY OF IMPERIAL

PUBLIC HEALTH DEPARTMENT

JANETTE ANGULO, M.P.A.
Director

RECEIVED

STEVEN MUNDAY, M.P.H., M.S.
Health Officer

MAY 02 2023

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

May 2, 2023

Luis Valenzuela, Planner I
IC Planning & Development Services
801 Main Street
El Centro, CA 92243

Subject: Environmental Health Comments for Proposed Commercial Cannabis Activity #23-0004

Dear Mr. Valenzuela,

The Imperial County Division of Environmental Health (DEH) is providing the comments below in response to the request for review and comments for Commercial Cannabis Activity #23-0004. The project as described is a cannabis dispensary located at 2092 Thomas R. Cannell Road, Salton City, CA. The property is also described as Assessor's Parcel Number 015-261-020.

Please consider the following comments for the proposed project.

1. If the cannabis dispensary business is intending to sell eatable products, the applicant will have to undergo the food program application & review process with our division.

If you have any questions, please do not hesitate to contact me at 442-265-1888.

Sincerely,

Mario Salinas

Mario Salinas
Environmental Compliance Specialist I

Division of Environmental Health, 797 Main Street, Suite B, El Centro, CA 92243
(442) 265-1888 • (442) 265-1903 Fax • icphd.org

EEC ORIGINAL PKG



IMPERIAL COUNTY SHERIFF'S OFFICE
FRED MIRAMONTES
SHERIFF-CORONER-MARSHAL



Chief Deputy Ryan Kelley
328 Applestill Road
El Centro, Ca. 92243
(442) 265-2003
rkelley@icsso.org

May 15, 2023

Imperial County Planning & Development Services
801 Main Street
El Centro, Ca. 92243
(442) 265-1736

Planning & Development Services,

The Imperial County Sheriff's Office is the Chief Law Enforcement agency in Imperial County. The Sheriff's Office provides general law enforcement, detention and court services for the residents, business owners and visitors of Imperial County. We have a service area of approximately 4,597 square miles bordering Mexico to the South, Riverside County to the North, San Diego County to the West, and the State of Arizona to the East.

The Imperial County Sheriff's Office appreciates this opportunity to provide comments. This response is in regards to NMH Investments, a commercial cannabis activity (CCA23-001/CUP#23-0004) application proposing a retail commercial cannabis sales with delivery facility at 2092 Thomas R. Cannell Road in Salton City, California. The proposed project site has secured the property zoned C-1 at APN: 015-261-020. The proposed site is approximately 645 feet from the front entrance to the Imperial County Sheriff's Office, Salton City Sub-Station, located at 2101 South Marina Drive in Salton City, California.

The Imperial County Sheriff's Office has reviewed the CCA license application and find that the security plan is lacking detail and information. The Imperial County Sheriff's Office request that a more detailed security plan and security diagram be included and approved by the county prior to any activity on the premises. This security plan shall provide more information on the security contractor mentioned in the project description.

It is the position of the Imperial County Sheriff's Office to prevent or deter criminal activity that could potentially be associated with the approval of a retail commercial cannabis facility in our area of responsibility. The project site will see a large volume of commercial and passenger vehicles. The Imperial County Sheriff's Office requests that the applicant install license plate reading cameras at all ingress and regress locations at the project site and grant access to the

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IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

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Imperial County Sheriff's Office to review the data collected. It is requested that these cameras be included in the security plan.

The Imperial County Sheriff's Office requests that the Imperial County Planning and Development Services also include the below language in the conditional use permit (CUP). This request is in consideration of the potential hazards to the Imperial County Sheriff's Office employees associated with responding to emergencies originating at a cannabis distribution facility:

The County of Imperial is committed to being a partner and provide effective and consistent patrolling to such projects. Thus, the Imperial County Sheriff's Office will require NMH Investments to contribute its proportionate share associated with the cost of training related to, but not limited to: Driving Under the Influence of Drugs (DUID), California Highway Patrol Drug Recognition Expert (DRE) certification courses. Final cost and conditions shall be reasonably determined by the Sheriff's Office.

- (a) The County shall be responsible for managing the reimbursement component of this condition.

County of Imperial require NMH Investments to enter into a specific cost reimbursement agreement for direct police services, whereas for each call made to the project site for such public safety services that the project is responsible for reimbursing the County of Imperial. Such agreement can be created using a "Contract Cities Services Rate" for Imperial County Sheriff's Office services.

County of Imperial require NMH Investments to enter into a specific cost reimbursement agreement for direct judicial and prosecutor services, whereas if a person(s) are tried in a court of law for potential crimes at the project site, the project itself is required to reimburse the County for such cost.

The Imperial County Sheriff's Office is available to discuss our concerns with the advancement of application CCA23-0001.

If you have any questions, please contact the Imperial County Sheriff's Office at (442)265-2003.

Sincerely,

Chief Deputy Ryan Kelley
Imperial County Sheriff's Office

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Public Works works for the Public



COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street
El Centro, CA 92243

Tel: (442) 265-1818
Fax: (442) 265-1858

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<https://twitter.com/CountyDPW/>

July 11, 2023

Mr. Jim Minnick, Director
Planning & Development Services Department
801 Main Street
El Centro, CA 92243

Attention: Luis Valenzuela, Planner I

SUBJECT: CUP 23-0004 / CCA 23-0001 / IS 23-004 NMH Investments
Located on 2092 Thomas R. Cannell Rd., Salton City, CA 92274
APN 015-261-020

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Dear Mr. Minnick:

This letter is in response to your submittal received by this department on May 1, 2023 for the above-mentioned project. The applicant is proposing retail commercial cannabis sales with delivery.

Department staff has reviewed the package information and the following comments shall be Conditions of Approval:

1. Frontage Road is classified as Local County (Residential) - two (2) lanes, requiring sixty feet (60) of right of way, being thirty (30) feet from existing centerline. It is required that sufficient right of way be provided to meet this road classification. (As directed by Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan)
2. The project proposes an emergency access to the site from South Marina Drive through three different private properties. Provided that Imperial County Fire Department does not have any objections with this emergency access point, the developer shall enter in an agreement with the property owner for each parcel between South Marina Drive and the project site to use these parcels as emergency access.

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

ADMINISTRATION / TRAINING

1078 Dogwood Road
Heber, CA 92249

Administration
Phone: (442) 265-6000
Fax: (760) 482-2427

Training
Phone: (442) 265-6011



OPERATIONS/PREVENTION

2514 La Brucherie Road
Imperial, CA 92251

Operations
Phone: (442) 265-3000
Fax: (760) 355-1482

Prevention
Phone: (442) 265-3020

May 22, 2023

RE: Conditional Use Permit #23-0004, CCA23-0001
2092 Thomas R. Cannell Road, Salton City, CA 92274
NMH Investments

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**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

Imperial County Fire Department would like to thank you for the opportunity to review and comments on CUP #23-0004, CCA23-0001 Commercial Cannabis business located at 2092 Thomas R. Cannell Road, Salton City, CA 92274

Imperial County Fire Department has the following comments and/or requirements for Cannabis operations.

- An approved water supply capable of supplying the required fire flow as determined by the California Fire Code Appendix B.
- All cannabis facilities shall have an approved automatic fire suppression system. All fire suppression systems will be installed and maintained to the current adapted fire code and regulations.
- All cannabis facilities shall have an approved automatic fire detection system. All fire detection systems will be installed and maintained to the current adapted fire code and regulations.
- All cannabis facilities shall have approved smoke removal systems installed and maintained to the current adapted fire code and regulations.
- Gates and fire department access will be in accordance with the current adapted fire code and the facility will maintain a Knox Box for access on site.
- Compliance with all required sections of the fire code.
- Further requirement shall be required for cultivation and manufacturing process.

Imperial County Fire Department reserves the right to comment and request additional requirements pertaining to this project regarding fire and life safety measures, California Building and Fire Code, and National Fire Protection Association standards at a later time as we see necessary.

If you have any questions, please contact the Imperial County Fire Prevention Bureau at 442-265-3020 or 442-265-3021.

Sincerely
Andrew Loper
Lieutenant/Fire Prevention Specialist

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

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Valerie Grijalva

From: Jill McCormick <historicpreservation@quechantribe.com>
Sent: Wednesday, May 3, 2023 2:37 PM
To: Aimee Trujillo; ICPDSCommentLetters
Subject: Re: [EXTERNAL]:CUP23-0004/CCA23-0001/IS23-0004 Request for Comments

CAUTION: This email originated outside our organization; please use caution.

This email is to inform you that we do not wish to comment on this project.

H. Jill McCormick M.A.
Ft. Yuma Quechan Indian Tribe
P.O. Box 1899
Yuma, AZ 85366-1899
Office: 760-572-2423
Cell: 928-261-0254

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IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES



From: Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>
Sent: Monday, May 1, 2023 4:39 PM
To: Rachel Garewal <RachelGarewal@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; Ana L Gomez <analomez@co.imperial.ca.us>; Belen Leon <BelenLeon@co.imperial.ca.us>; Monica Soucier <MonicaSoucier@co.imperial.ca.us>; Jesus Ramirez <JesusRamirez@co.imperial.ca.us>; Ryan Kelley <RyanKelley@co.imperial.ca.us>; Miguel Figueroa <miguelfigueroa@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Salvador Flores <SalvadorFlores@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; rkelley@icso.org <rkelley@icso.org>; John Gay <JohnGay@co.imperial.ca.us>; Fred Miramontes <fmiramontes@icso.org>; mdeleon@icso.org <mdeleon@icso.org>; Donald Vargas (dvargas@iid.com) <dvargas@iid.com>; jbarrett@cvwd.org <jbarrett@cvwd.org>; incoming@cvwd.org <incoming@cvwd.org>; Mitch Mansfield <mmansfield@saltoncsd.ca.gov>; Salton Sea Authority <info@saltonsea.com>; Roger Sanchez <roger.sanchez-rangel@dot.ca.gov>; Marcus Cuero <marcuscuero@campo-nsn.gov>; jmesa@campo-nsn.gov <jmesa@campo-nsn.gov>; Jill McCormick <historicpreservation@quechantribe.com>; Gabby Emerson <tribalsecretary@quechantribe.com>;

thomas.tortez@torresmartinez-nsn.gov <thomas.tortez@torresmartinez-nsn.gov>; Joseph.mirelez@torresmartinez-nsn.gov <Joseph.mirelez@torresmartinez-nsn.gov>

Cc: Jim Minnick <JimMinnick@co.imperial.ca.us>; Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Luis Valenzuela <luisvalenzuela@co.imperial.ca.us>; Diana Robinson <DianaRobinson@co.imperial.ca.us>; Aimee Trujillo <aimeetrujillo@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Kamika Mitchell <kamikamitchell@co.imperial.ca.us>; Laryssa Alvarado <laryssaalvarado@co.imperial.ca.us>; Melina Rizo <melinarizo@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>; Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>

Subject: [EXTERNAL]:CUP23-0004/CCA23-0001/IS23-0004 Request for Comments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached Request for Comments revised packet for **CUP23-0004/CCA23-0001/IS23-0004 APN 015-261-020 [2092 Thomas R. Cannell Rd., Salton City, CA 92274] NMH Investments**

Comments are due by **May 15th, 2023 at 5:00PM.**

In an effort to increase the efficiency at which information is distributed and reduce paper usage, the Request for Comments packet is being sent to you via this email.

Should you have any questions, please feel free to contact Luis Valenzuela at (442) 265-1736, or submit your comment letters to ICPDScommentletters@co.imperial.ca.us.

Thank you,

Aimee Trujillo

Office Assistant III
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243
(442) 265-1736
(442) 265-1735 (Fax)
aimeetrujillo@co.imperial.ca.us





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IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Mr. Luis Valenzuela
Planner I
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: NMH Investments Cannabis Project; CUP23-0004, CCA23-0001, IS23-0004

Dear Mr. Valenzuela:

On May 1, 2023, the Imperial Irrigation District received a request for agency comments on the NMH Investments, LLC cannabis project; Conditional Use Permit No. 23-0004, Commercial Cannabis Application No. 23-0001, Initial Study No. 23-0004. The applicant proposes to establish a retail commercial cannabis enterprise with delivery service at 2092 Thomas R. Cannell Rd., Salton City, CA (APN 015-261-020).

The IID has reviewed the project information and has the following comments:

1. The project site is currently being provided electrical service. However, if the project requires an upgrade of the electrical service for the existing building, the applicant should be advised to contact Gabriel Ramirez, IID project development planner, at (760) 339-9257 or e-mail Mr. Ramirez at gramirez@iid.com to initiate the customer service application process. In addition to submitting a formal application (available at <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit AutoCAD file of site plan, electrical plans, electrical panel size and panel location, operating voltage, electrical loads, project schedule, and the applicable fees, permits, easements and environmental compliance documentation pertaining to the provision of electrical service to the project. The applicant shall be responsible for all costs and mitigation measures related to providing new electrical service to the project.
2. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions

Luis Valenzuela
May 4, 2023
Page 2

for its completion are available at <https://www.iid.com/about-iid/department-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.

3. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, water deliveries, canals, drains, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enrique B. Martinez – General Manager
Mike Pacheco – Manager, Water Dept.
Jamie Aabury – Manager, Energy Dept.
Matthew H Smeleer – Deputy Mgr. Energy Dept.
Geoffrey Holbrook – General Counsel
Michael P. Kamp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.

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Office of the Agricultural Commissioner
Sealer of Weights and Measures
852 Broadway, El Centro CA 92243

Jolene Dessert
Commissioner / Sealer

Rachel Garewal
Asst. Commissioner / Sealer

May 22, 2023

Luis Valenzuela, Planner I
Imperial County
Planning & Development Services
801 Main Street
El Centro, CA 92243

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**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

Re: Commercial Cannabis Activity #23-0001

Mr. Valenzuela:


Our department has reviewed the documents pertaining to Commercial Cannabis Activity #23-0001 / CUP #23-0004 for applicant NMH Investments, company proposing a retail commercial cannabis sales with delivery store at 2092 Thomas R. Cannell Rd., Salton City, California.

As mention on the project, the applicant will use landscaping. Should the project require movement of plant material into Imperial County, the applicant must follow the requirements for movement of plant material into Imperial County from other counties or from out of state. The applicant can contact our Pest Detection and Eradication Division for any questions regarding the quarantines of movement of plant material, as there are several quarantines that must be observed. Please contact CDFA Nursery Services Program for requirements regarding movement of cannabis nursery stock and nursery license.

Please refer to the handouts attached. The handouts will explain the need for the applicant to register their point of sale systems with our office, determining what type of scale(s) if any required by their operations and the needs to apply for weighmaster license and label requirements for cannabis if scales will be used. Please be advised that any commercial weighing and measuring devices are required to be type approved for commercial use and must be registered, inspected and sealed by our office on an annual basis. The applicant can also register any non-commercial scale, such as prepacking scales, with our office and have them inspected upon request for a fee.

If you or the applicant have any questions, please feel free to contact our office at (442) 265-1500.

Regards,


Rachel Garewal



Office of the
Agricultural Commissioner
 Sealer of Weights and Measures

Carlos Ortiz
 Agricultural Commissioner
 Sealer of Weights and Measures

Jolene Dobbort
 Asst. Agricultural Commissioner
 Asst. Sealer of Weights and Measures

Commercial Cannabis Activities Checklist

(May 9, 2018)

To Whom It May Concern:

For those that wish to obtain a license from the County of Imperial for the commercial production of *Cannabis sativa*, the Agricultural Commissioner's office has prepared the following checklist of potential regulatory concerns under our jurisdiction. Please review this list and consult with our office regarding those items for which a 'yes' is checked. Failure to do so may result in violations of local laws and regulations.

Description	Questions	Yes	No
Nursery Stock/Seeds - Incoming shipments of plant parts for production (including seed) typically require inspection by this office for plant pests/diseases and will be profiled for compliance with plant quarantines.	Do you intend to bring plants or other propagative plant parts (excluding seeds) into Imperial County?		
	Do you intend to bring seeds into Imperial County?		
Pesticide Use – All pesticide use is required to comply with California and Federal laws and regulations. All those that use pesticides in Imperial County for agricultural production are required to obtain an operator ID number (OIN) with our office and report pesticide usage. This OIN must be obtained prior to purchasing pesticides from a licensed pesticide dealer. Disclaimer: An OIN is not equivalent to a license to produce cannabis or a business license. The purpose is solely to come into compliance with California laws and regulations regarding pesticide use and allow for pesticide use reporting.	Do you intend to use any pesticides (including 'organic' pesticides) on your Cannabis crop?		
Weights and Measures – Any product sold by weight or measure is subject to state laws regarding that sale. Commercial weighing and measuring devices are required to be type approved for commercial use (please call for information prior to purchasing devices), registered, inspected, and sealed by our office. Point of Sale devices or Scanners used in retail sale transactions are also required to be registered and inspected. Furthermore, packaged products sold by weight or measure are also subject to periodic inspection by our office for compliance with state laws and regulations. https://www.cdfa.ca.gov/dms/CannabisWM.html	Do you intend to sell Cannabis products by weight over a scale?		
	Do you intend to sell Cannabis products by measure other than weight (for instance volume)?		
	Do you intend to sell Cannabis products with a point of sale system or scanner?		
	Do you intend to package a Cannabis product for sale by weight or measure?		



Office of the
Agricultural Commissioner
Sealer of Weights & Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights & Measures

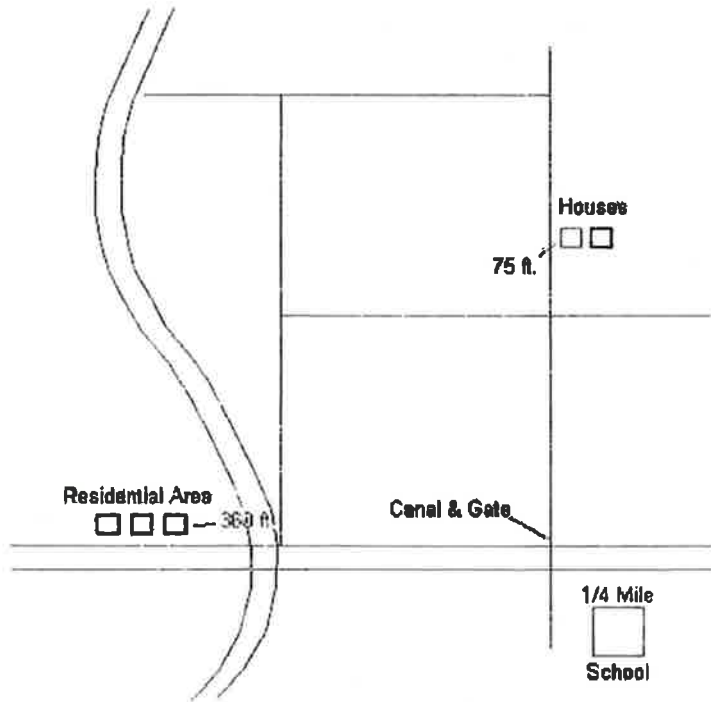
Jolene Dessert
Asst. Agricultural Commissioner
Asst. Sealer of Weights & Measures

2020/2021 Operator Identification Number (OIN) Instructions

1. Fill out and sign the attached Property Operator Acknowledgement Form for each OIN. It must be signed by the owner, partner, or officer of the company.
2. Review the attached OIN printout, including contact information, for accuracy. Please include an email address. Put a single line through any information you wish to change and write in the correct information.
 - a. Remove any sites that will not be farmed during the OIN year.
 - b. Remove/correct commodities listed. For those sites that will not have a crop in the ground on July 1st or shortly after, list the crop as "uncultivated." Note: Commodities must be specific (head lettuce, leaf lettuce, napa cabbage, etc.)
 - c. Do not include/amend site ID's.
 - d. To add a new site, write in the canal and gate, and crop. Use additional paper or supplement forms as needed.
3. Maps
 - a. Two clean, legible maps must be submitted. Maps must remain legible upon faxing or photocopying in black and white. Please keep a clean original to copy for each year's OIN, and make updates to sensitive sites as needed. **Incorrect or rejected maps will delay the review and approval of your OIN.**
 - b. Map Criteria
 - i. Orient North to the top of the page.
 - ii. Depict the field(s) and all sensitive sites or potentially impacted areas within one mile. Sensitive sites include houses, schools, churches, businesses, the international border, residential areas or cities, and bodies of water. Be sure to update changes on your maps (new residence, etc.).
 - iii. Multiple fields are allowed on one map to the extent that they and the impacted areas remain clear and legible. Leave a one-inch border around the top and sides of the page and a 3-inch border on the bottom.
 - iv. All crossroads must be identified by name, and include the distance to the roads if not adjacent.
 - v. Distances from the field to the sensitive sites must be indicated and should be sufficiently accurate to allow applicators to use an appropriate buffer when needed.
 - vi. Schools within one mile of a field must be indicated on the map.
 - vii. Include a non-repeating map number on the lower right hand corner and the OIN name on the top.
 - c. The following will likely be rejected: Plat maps, aerial imagery or color maps, illegible/blurry maps, stamped maps.
4. Return documents for review, after completing all changes and preparing your maps. Submit to Pesticide Use Enforcement at 852 Broadway, El Centro, CA 92243. These changes will be reviewed, then made in the CalAgPermits system. We will call the OIN signer when the OIN is ready to be signed.
5. Note: Any supplements turned into our office in June will be automatically added to the new OIN.

Farm XYZ

N
↑



Map #1

**2020/2021
Property Operator Acknowledgment and Designation of Agent**

**County of Imperial
State of California**

Operator ID/Restricted Materials Permit Name

No. 13-21-_____
Operator ID/Restricted Materials Permit Number

The undersigned hereby acknowledges as follows:

1. The Operator ID/Restricted Materials permit named above is a:
 corporation partnership sole proprietorship other (specify) _____
2. I am the _____ of the above named entity.
(title/position)
3. I am the operator of the properties listed on the Operator ID/Restricted Materials permit identified above. I am responsible for all acts, omissions, and representations made by the permittee. I am responsible for compliance with all laws, rules, regulations, and permit conditions.

Designation of Agent / Limited Power of Attorney

4. I hereby designate and appoint as my agent and attorney in fact:

Printed Name of Agent Designated to Sign the Operator ID/Restricted Materials Permit

Telephone Number

I understand that the Agricultural Commissioner is relying on this appointment and agree that I will be bound to the terms hereof until this permit expires or this appointment is revoked by me in writing. I understand and agree that this appointment authorizes the above named person to act on behalf of the permittee in any and all matters pertaining to the Operator ID/Restricted Materials permit identified above. I understand that this agreement must be renewed annually.

5. I further understand and agree that this appointment does not relieve me of my responsibilities as operator of the properties listed on the Operator ID/Restricted Materials permit identified above.

Operator Signature

Date

Print Your Name

Telephone Number

Address

City, State, Zip

E-mail

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Office of the Agricultural Commissioner

Imperial County Summary of Production Agriculture Pesticide Regulations

Effective July 1, 2020 to June 30, 2021

Records That Property Operators/Growers Must Maintain (3CCR 6618, 6619, 6623-6627, 6723, 6723.1, 6724, 6728, and 6739, 6761.1, 6764):

- Restricted Materials Permit (RMP) or Operator ID form, maps, and supplements (two years)
- Pesticide use reports for all pesticides applied for two years (must include the date of application, property operator, operator ID number or RMP number, site ID, crop, acres, pesticides applied-including the EPA or CA State Registration number, completion date and time, time to reentry), and records must be filed by site/field if applied by a commercial applicator.
- Any records required for employees handling pesticides, including pesticide use records with employee name and date of use for any employee handling DANGER or WARNING organophosphate/carbamate (3 years).
- Pesticide Safety Information Series (PSIS) if you have employees handling pesticides or entering treated fields.
- Safety Data Sheets (SDS) for all pesticides applied to your property

Records That Property Operator/Growers Must Submit (3CCR 6624, 6626, and 6627):

- Notice of Intent - 24 hours prior to the application of California restricted materials.
- Pesticide use reports for the grower application of any pesticide by the 10th of the month following the application. Two forms: one for crops and one for non-crops (i.e., ditch banks, right-of-ways, etc.). "Pesticides" include all substances/materials intended to control, destroy, repel, or mitigate a pest and adjuvants. This definition includes glyphosate and organic materials, and all such use must also be reported.

Field Worker Safety Requirements (any employee entering a "treated" field) (3CCR 6618, 6761-6776)

- Property operators must have a method of informing employees or other contractors who may be entering a field or working within a ¼ mile of a field of ongoing applications or active restricted entry intervals (REI).
- Complete and central location display of PSIS A-9 (Hazard Communication) at work site.
- Display application-specific information at a central location with unimpeded access during hours of fieldworker operation (site ID, acreage, date and time application is completed, reentry interval, pesticide/adjuvant, and active ingredient, CA and EPA Registration numbers, and SDS).
- Do not allow any person, other than the applicator(s), to enter or remain in a treated area during an application.
- Fieldworker training - ensure that all employees working in a treated field have been trained within the last year. Training requirements of 6764 have recently changed, and training material must be updated.
- Plan for emergency medical care in advance and post the location of emergency medical facilities at the work location. Immediately take all ill persons to a physician.
- Provide field worker decontamination facilities within a ¼ mile of workers - soap, water (at least one gallon per employee), and single use towels.
- Comply with pesticide REI/or early entry requirements.
- Comply with pesticide warning and posting requirements as specified on the label and in 3CCR 6776. Posting is required for all products whose REI exceeds 48 hours.

Training Requirements for Handlers (training must be provided annually) (3CCR 6724):

- Employees must be trained before working with pesticides and for each type of pesticide they handle.
- Written training records kept for each employee (retained for 2 years), signed by the employee and certified trainer.



Office of the Agricultural Commissioner

Imperial County Summary of Production Agriculture Pesticide Regulations

Effective July 1, 2020 to June 30, 2021

- Certified Trainer – must be qualified by Train the trainer, PAC, QAL, QAC, PCA, Farm Advisor, or other approved by Dir.
- Completed and centrally displayed PSIS A-8 (Hazard Communication)
- Written training program for handler employees. Training records must specifically address:
(Note that the PSIS covers most of these topics)
 - Format and meaning of information contained in pesticide product labeling.
 - Applicator's responsibility to protect persons, animals, and property.
 - Need for limitations, appropriate use, and sanitation of personal protective equipment.
 - Safety requirements and procedures for handling, transporting, storing, and disposing of pesticides.
 - Where and in what form pesticides may be encountered (treated surfaces, residues on clothing/PPE/ application equipment, and drift)
 - Hazards of pesticides as identified in product labeling, SDS, or PSIS.
 - Routes pesticides can enter the body.
 - Signs and symptoms of overexposure.
 - Routine decontamination procedures. (1. Hand washing before eating, drinking, using the restroom, etc. 2. Shower with soap and water. 3. Changing into clean clothes. 4. Washing clothes separately from other laundry)
 - SDS contains information on hazards, emergency medical treatment, and other information
 - The location of the written hazard communication information for employees handling pesticides (PSIS A-8), other PSIS, and SDS.
 - The purposes and requirements for medical supervision, and documentation, if they fall into that category.
 - Emergency first aid and decontamination, including eye flushing for pesticide exposure.
 - How and when to obtain emergency medical care.
 - Heat-related illness prevention, recognition, and first aid training in accordance with 8CCR section 3395.
 - Requirements of the California Code of Regulations pertaining to pest control operations and environmental protection concerning pesticide safety, SDS, and PSIS.
 - Handlers must be 18 years old
 - Environmental concerns such as drift, runoff, and wildlife hazards.
 - Field posting requirements and REIs
 - Employees should not take pesticides or containers home.
 - Potential hazards to children and pregnant women. Handlers should decontaminate prior to coming into contact with family members.
 - How to report pesticide use violations
 - Employee rights (receive information about pesticides to which they may have been exposed, that a doctor or other representative is also entitled to this information, the illegality of employer retaliation for pesticide complaints and that they should report suspected violations to the Ag. Commissioner.

Written Respiratory Protection Program – (keep records for 3 years) (3CCR 6739):

- Know if respirators are required by reading the labels of the pesticides for the products you plan to use.
- When respirators are required, you must provide medical evaluation, fit testing, a written training program, annual respiratory protection training, annual pesticide program evaluation, and recordkeeping for these documents.



Imperial County Summary of Production Agriculture Pesticide Regulations

Effective July 1, 2020 to June 30, 2021

Medical Care and Medical Monitoring Requirements – (keep records for 3 years) (3CCR 6726 and 6728):

- Plan for emergency medical care for all employees using pesticides and post this information at the worksite (pickup, field). You must follow this plan and take staff for medical evaluation in the event of exposure or illness.
- When handling any organophosphate or N-methyl carbamate pesticide labeled DANGER or WARNING, maintain use records for each employee, which show the pesticide(s) used and date of each use.
- When an employee works with organophosphates or N-methyl carbamates labeled DANGER or WARNING for more than six days within any 30 days:
 - Employers must obtain medical supervision for employees and comply with the Doctor's Letter, which outlines the program and frequency of testing. A current copy of the medical supervision letter must be given to the Ag Commissioner's Office.
 - Employees must have cholinesterase baseline tests BEFORE they begin work, and must be retested at intervals based on 3CCR 6728 regulations and doctor's recommendation in the medical supervision letter.
 - All medical records and test results shall be kept on file by the employer.

Protective Clothing, Safety Equipment, and Other Handler PPE Requirements (3CCR 6730-6738.4 and 6746):

- Whenever an employee is using any pesticide - soap, water (3 gallons per handler), and single use towels must be available for washing at the worksite, in addition to an extra pair of clean coveralls to change into.
- When the label requires eye protection, the handler must have one pint of clean water available for emergency eyewash (in the cab of the application equipment), and the mix/load site must have at least 6 gallons of water available in a manner capable of delivering gently running water for at least 15 minutes.
- PPE must be provided and maintained by the employer. Employees cannot take PPE home. The employer must also ensure the proper use and storage of PPE.
- Eye protection and rubber gloves are required for all mixing and loading, when using hand or ground spray equipment, and when cleaning or repairing equipment. (CA law; may not be mandated on pesticide labels)
- Whenever protective eyewear is required, and the label does not identify a specific type, one of the following ANSI Z87 compliant items must be worn: 1. Safety glasses that provide front, brow, and temple protection, 2. Goggles, 3. Face shield, or a respirator with a full-face mask approved by NIOSH.
- Gloves – 3CCR 6738.3 specifies various categories of glove materials. If the label specifies a category, the gloves must correspond. All gloves must be 14 mils or thicker except barrier laminate and polyethylene materials.
- Pesticide labels may also require a respirator, chemical resistant boots, apron, head covering, or specific clothing under coveralls.
- A clean, long-sleeved shirt and long pants or coveralls may be worn instead of label required PPE when handling CAUTION materials with a closed system. Coveralls and apron may be used when handling DANGER or WARNING materials instead of labels required PPE.
- A closed system must be used by employees for mixing and loading of pesticides when required by label or by precautionary statements. Tier 1 closed system: "Fatal if absorbed through skin"; Tier 2 closed system: "May be fatal if absorbed through skin."
- When an employee works with any DANGER or WARNING pesticide, a changing area must be available where the employee can change and wash at the end of the day.
- Maintain contact with employees working alone with DANGER pesticides every 2 hours in the daytime, every 1 hour at night.



Office of the Agricultural Commissioner

Imperial County Summary of Production Agriculture Pesticide Regulations

Effective July 1, 2020 to June 30, 2021

Minimal Exposure Pesticides - Buctril, Metasystox-R, Omite, Comite (3CCR 6790-6793):

- Must comply with Minimal Exposure Pesticide Safety User Requirements - 3CCR 6793.
- Employers should have a copy of PSIS A-6 Minimal Exposure Pesticides available and ensure that employees handling these pesticides comply with it.

Pesticide Use Near Schoolsites (3CCR 6690-6692):

- Any production ag. site within ¼ mile of a schoolsite (Public K-12 and licensed daycares) is subject to application restrictions from 6:00 AM to 6:00 PM, Monday through Friday. The restrictions prohibit applications during these times based on the potential for drift created by the application method and the pesticide formulation.
- Any property operator of an ag. site within ¼ mile of a schoolsite must submit an annual notification to the schoolsite by April 30th, of all intended pesticide use for the upcoming school year. Pesticides intended to be used should be accurate for the active ingredient; however, the trade name need not be. Notifications must be amended 48 hours prior to use for unanticipated pesticides. If a property operator changes, the new property operator has 30 days to submit the notification. Annual notifications must be retained for 2 years.

Beekeeper Notification Requirements for Grower Applied Pesticides Toxic to Bees (3CCR 6652 and 6654):

- Must notify beekeepers participating in this program 48 hours prior to applying toxic pesticides to blooming crops when bees are within one mile regardless of the time of application.
- Follow specific pesticide label requirements for bees and bloom in all cases.

I have received a copy of these requirements and understand that the California Food and Agricultural Code establishes that violations of pesticide use and worker safety requirements are subject to civil penalties of up to \$5,000 per violation.

_____ Initial to acknowledge that you have read and understood the information in this document.



Office of the
Agricultural Commissioner
Sealer of Weights and Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights and Measures

Jolene Dawson
Asst. Agricultural Commissioner
Asst. Sealer of Weights and Measures

October 19, 2021

Landscaper/Nursery

This letter is to remind you of the requirements you must follow for movement of plant material into Imperial County. There are many quarantines which must be observed. The most complex is for the glassy-winged sharpshooter and detailed directions for compliance follow. However, there are a few other quarantines that you should be aware of and they are listed at the end of this letter.

There is a State Interior Quarantine in place to prevent artificial movement of the glassy-winged sharpshooter (GWSS). The GWSS is a hardy insect which feeds on many common landscape plants and crops. It carries and spreads *Xylella fastidiosa*, a bacterium which is deadly to many plants. Imperial County is the only Southern California County that is not infested with the glassy-winged sharpshooter, and is designated as an enforcing county.

A summary of the quarantine requirements for entry of GWSS-host nursery stock from infested counties:

- Nursery stock must be purchased from a nursery that is under Compliance Agreement with the Agricultural Commissioner's office in that County. The plants should enter Imperial County with paperwork that includes the GWSS Compliance Agreement Number stamp, the required blue tag (see below), and Certificate of Quarantine Compliance (CQC) if applicable.
- Every shipment of nursery stock from an infested county must be accompanied by a Warning Hold for Inspection Certificate also known as a blue tag. As stated on the blue tag, this requires the receiver to hold the shipment off sale upon arrival and call our office for an inspection. It is very important that we be notified immediately upon arrival of the plant shipment. You must not commingle the new shipment with previously-released nursery stock until released by our office. Our office hours are Monday through Friday, 8:00 AM to 5:00 PM. Please call as early as possible. If you intend to bring in plants on a Saturday or Holiday, you must notify our office in advance.
- Landscapers that have their own growing ground or holding yard where they store nursery stock are required to be licensed as a nursery. Landscapers that do not hold or store that stock prior to its delivery to the planting site do not need a license.
- All landscapers must comply with the requirements listed above for every shipment brought into the County. You also must hold the stock at its destination (preferably away from other plants) and call our office for an inspection - you may not plant any of the nursery stock until the plants have been inspected and released by our office. If you are buying and transporting nursery stock into Imperial County, it is your responsibility to obtain the required documents from the origin nursery and call for the inspection upon arrival.
- For every shipment, you must have a proof of ownership document for the nursery stock.

Penalties for failure to comply with the quarantine requirements listed above:

- Any violation of quarantine requirements is an infraction punishable by a fine of \$1,000 for the first offense. For a second or subsequent offense within three years, the violation is punishable as a misdemeanor (Food and Ag Code, Section 5309).
- In lieu of any civil action, the Agricultural Commissioner may levy a civil penalty for up to \$2,500 for each violation (Food and Ag Code, Section 5311).
- In addition to any other action taken, any violation of these requirements may be liable civilly in an amount not to exceed \$10,000 for each violation (Food and Ag Code, Section 5310).
- Anyone that negligently or intentionally violates any quarantine regulation and imports a GWSS-infested plant that results in an infestation, or the spread of an infestation, may be civilly liable in an amount up to \$25,000 for each violation (Food and Ag Code, Section 5028(c)).

Other restricted plant materials (if you intend to bring in any of the following commodities from outside Imperial County please contact us before the shipment date):

- Citrus species – All Citrus species are restricted from most locations within California.
- Phoenix palms – All palms of the Phoenix genus (this includes *Phoenix roebellii*, a common landscape plant) originating in California are prohibited, unless it is from certain portions of Riverside County.
- Florida nursery stock- Must comply with California State Interior Quarantine CCR. 3271 Burrowing and Reniform Nematodes, RIFA federal Quarantine and other quarantines may apply.
- Arizona nursery stock- Must comply with California State Interior Quarantine CCR. 3261 Ozonium Root Rot.
- Also, if you intend to remove any plants from the soil and ship them out of Imperial County you must be certified free from Ozonium Root Rot. To do so you must be part of our program and you should contact our office.

If you have any questions please contact our office at (442) 265-1500.

Sincerely,



Nelson Perez
Deputy Agricultural Commissioner
Pest Detection and Eradication

EEC ORIGINAL PKG



CANNABIS BUSINESSES: WHEN DO I NEED TO LICENSE AS A WEIGHMASTER?

On January 16, 2019, permanent cannabis regulations became effective for three licensing authorities in California:

- California Department of Food and Agriculture, CalCannabis Division
(CDFA CalCannabis Division)
[California Code of Regulations, Title 3, Division 8](#)
- California Department of Public Health, Manufactured Cannabis Safety Branch
(CDPH MCSB)
[California Code of Regulations, Title 17, Division 1, Chapter 13](#)
- California Department of Consumer Affairs, Bureau of Cannabis Control
(CDCA BCC)
[California Code of Regulations, Title 16, Division 42](#)

You need a weighmaster license if you have a license issued by CDFA CalCannabis Division and/or CDPH MCSB.

You do not need a weighmaster license if you only have one license, and that license was issued by CDCA BCC.

HOW DO I OBTAIN A WEIGHMASTER LICENSE?

Weighmaster licenses are issued by CDFA, Division of Measurement Standards, Weighmaster Program.

Go to the Weighmaster Program [webpage](https://www.cdfa.ca.gov/dms/programs/wm/wm.html) where you can find Frequently Asked Questions, licensing information, and an application. (<https://www.cdfa.ca.gov/dms/programs/wm/wm.html>)

When filling out your application, choose the classification(s) that correctly describes your cannabis business.

Business Classification by Commodity

CANNABIS-RELATED ACTIVITIES		
Adult Use. Cultivator (nurseries, growers, and processors)	Medicinal Use. Cultivator (nurseries, growers, and processors)	Cannabis (other businesses Not Elsewhere Classified)
Adult Use. Distributors/Transporter (Agents who supply products to other businesses, businesses that transport cannabis products from one point to another and/or provide quality assurance)	Medicinal Use. Distributors/Transporter (Agents who supply products to other businesses, businesses that transport cannabis products from one point to another and/or provide quality assurance)	Hemp (Cannabis plant fiber)
Adult Use. Manufacturers (extractions, infusions, packaging, and labeling)	Medicinal Use. Manufacturers (extractions, infusions, packaging, and labeling)	
Adult Use. Microbusiness (business that engages in cultivation, manufacturing, distribution, and retail sale under one license)	Medicinal Use. Microbusiness (business that engages in cultivation, manufacturing, distribution, and retail sale under one license)	

You may submit your application and payment electronically or print and fill out a paper version and submit with your payment.

Weighmaster laws are in the California Business and Professions Code, Division 5. Weights and Measures, Chapter 7, Weighmasters.

You may access these from the [California Legislative Information website](http://leginfo.ca.gov)

http://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=BPC&division=5.&title=&part=&chapter=7.&article=

Weighmaster regulations are in the California Code of Regulations (CCR), Title 4, Division 9, Chapter 9.

You may access these from the [WESTLAW](https://govt.westlaw.com) website at:

[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I519487C0D45911DEA95CA4428EC25FA0&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I519487C0D45911DEA95CA4428EC25FA0&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

WHO HAS TO ISSUE WEIGHMASTER CERTIFICATES?

Each state agencies' regulations are slightly different [California Code of Regulations (CCR)].

You must issue a weighmaster certificate if you have a license from CDFA CalCannabis Division.

CCR Title 3 § 8213. Requirements for Weighing Devices and Weighmasters.

(a) Weighing devices used by a licensee shall be approved, registered, tested, and sealed pursuant to chapter 5 (commencing with section 12500) of division 5 of the Business and Professions Code and its implementing regulations and registered with the county sealer consistent with chapter 2 (commencing with section 12240) of division 5 of the Business and Professions Code and its implementing regulations. Approved, registered, tested, and sealed devices shall be used whenever any one or more of the following apply:

- (1) Cannabis and nonmanufactured cannabis products are bought or sold by weight or count;
- (2) Cannabis and nonmanufactured cannabis products are packaged for sale by weight or count;
- (3) Cannabis and nonmanufactured cannabis products are weighed or counted for entry into the track-and-trace system; or
- (4) The weighing device is used for commercial purposes as defined in section 12500 of the Business and Professions Code.

(b) In any county in which a sealer is unable or not required to approve, register, test, and seal weighing devices used by a licensee, the department may perform the duties of the county sealer in the same manner, to the same extent, and with the same authority as if it had been the duly appointed sealer in such county. In those instances, the department shall charge a licensee for its services using the schedule of fees established in Business and Professions Code section 12240.

(c) For the purposes of this chapter a licensee must use wet weight or net weight. Wet weight and net weight shall be measured, recorded, and reported in U.S. customary units (e.g., ounce or pound); or International System of Units (e.g., kilograms, grams, or milligrams).

(d) For the purposes of this chapter, "count" means the numerical count of the individual cannabis plants, seeds, or nonmanufactured cannabis product units.

(e) Any licensee weighing or measuring cannabis or nonmanufactured cannabis product in accordance with subsection (a) shall be licensed as a weighmaster.

(f) A licensed weighmaster shall issue a weighmaster certificate whenever payment for the commodity or any charge for service or processing of the commodity is dependent upon the quantity determined by the weighmaster in accordance with section 12711 of the Business and Professions Code and shall be consistent with the requirements in chapter 7 (commencing with section 12700) of division 5 of the Business and Professions Code.

You may have to issue a weighmaster certificate if you have a license from CDPH MCSB, but not if the measurement is only to be entered into the Track-and-Trace System.

CCR Title 17 § 40277. Weights and Measures.

(a) Weighing devices used by a licensee shall be approved, tested, and sealed in accordance with the requirements in Chapter 5 (commencing with section 12500) of Division 5 of the Business and Professions Code, and registered with the county sealer consistent with Chapter 2 (commencing with section 12240) of Division 5 of the Business and Professions Code. Approved and registered devices shall be used whenever:

- (1) Cannabis or cannabis product is bought or sold by weight or count;
 - (2) Cannabis or cannabis product is packaged for sale by weight or count;
 - (3) Cannabis or cannabis product is weighed or counted for entry into the track-and-trace system;
- and
- (4) The weighing device is used for commercial purposes as defined in section 12500 of the Business and Professions Code.

(b) For the purposes of this chapter, "count" means the numerical count of the individual cannabis product units.

(c) Whenever the licensee is determining the weight, measure, or count of cannabis and cannabis products for the purposes specified in subsection (a), the weight, measure, or count shall be determined by a licensed weighmaster as required by Chapter 7 (commencing with section 12700) of Division 5 of the Business and Professions Code. The weighmaster certificate required under section 12711 of the Business and Professions Code shall not be required when cannabis or cannabis products are weighed for entry into the track-and-trace system.

You do not have to issue a weighmaster certificate if you are licensed only by CDCA BCC.

CCR Title 16 § 5049. Track and Trace Reporting.

- (a) A licensee shall record in the track and trace system all commercial cannabis activity, including:
- (1) Packaging of cannabis goods.
 - (2) Sale and transfer of cannabis goods.
 - (3) Transportation of cannabis goods to a licensee.
 - (4) Receipt of cannabis goods.
 - (5) Return of cannabis goods.
 - (6) Destruction and disposal of cannabis goods.
 - (7) Laboratory testing and results.
 - (8) Any other activity as required pursuant to this division, or by any other licensing authority.
- (b) The following information shall be recorded for each activity entered in the track and trace system:
- (1) Name and type of the cannabis goods.
 - (2) Unique identifier of the cannabis goods.
 - (3) Amount of the cannabis goods, by weight or count, and total wholesale cost of the cannabis goods, as applicable.**
 - (4) Date and time of the activity or transaction.
 - (5) Name and license number of other licensees involved in the activity or transaction.
 - (6) If the cannabis goods are being transported:
 - (A) The licensee shall transport pursuant to a shipping manifest generated through the track and trace system, that includes items (1) through (5) of this subsection, as well as:
 - (i) The name, license number, and licensed premises address of the originating licensee.
 - (ii) The name, license number, and licensed premises address of the licensee transporting the cannabis goods.
 - (iii) The name, license number, and licensed premises address of the destination licensee receiving the cannabis goods into inventory or storage.
 - (iv) The date and time of departure from the licensed premises and approximate date and time of departure from each subsequent licensed premises, if any.
 - (v) Arrival date and estimated time of arrival at each licensed premises.
 - (vi) Driver license number of the personnel transporting the cannabis goods, and the make, model, and license plate number of the vehicle used for transport.
 - (B) Upon pick-up or receipt of cannabis goods for transport, storage, or inventory, a licensee shall ensure that the cannabis goods received are as described in the shipping manifest, and shall record acceptance or receipt, and acknowledgment of the cannabis goods in the track and trace system.
 - (C) If there are any discrepancies between the type or quantity of cannabis goods specified in the shipping manifest and the type or quantity received by the licensee, the licensee shall record and document the discrepancy in the track and trace system and in any relevant business record.
 - (7) If cannabis goods are being destroyed or disposed of, the licensee shall record in the track and trace system the following additional information:
 - (A) The name of the employee performing the destruction or disposal.

- (B) The reason for destruction and disposal.
- (C) The entity disposing of the cannabis waste.
- (8) Description for any adjustments made in the track and trace system, including, but not limited to:
 - (A) Spoilage or fouling of the cannabis goods.
 - (B) Any event resulting in damage, exposure, or compromise of the cannabis goods.
- (9) Any other information as required pursuant to this division, or by any other applicable licensing authorities.
- (c) Unless otherwise specified, all transactions must be entered into the track and trace system within 24 hours of occurrence.
- (d) Licensees shall only enter and record complete and accurate information into the track and trace system and shall correct any known errors entered into the track and trace system immediately upon discovery.

SCALES USED FOR COMMERCIAL PURPOSES

All scales used for commercial purposes must meet strict standards for accuracy and customer visibility in the California Code of Regulations. Appropriate and suitable scales must be of a type approved by the Division of Measurement Standards and issued either a California Type Evaluation Program (CTEP) Certificate of Approval or a National Type Evaluation Program (NTEP) Certificate of Conformance before commercial use. This process is known as "Type Evaluation." See the CTEP Information Guide at: <https://www.cdfa.ca.gov/dms/programs/ctep/CTEPIInfoGuide.pdf>

- Step 1: Selecting a suitable scale to meet your business needs.
- Step 2: Setting up your scale.
- Step 3: Using and maintaining your scale.
- Step 4: Notifying your County Weights and Measures Office.

Step 1: Selecting a suitable scale to meet your business needs.

Consider:

- Range of weighing (minimum and maximum capacities)
- Division (increment) size
- Precision (i.e., scales that comply with Accuracy Class I & II parameters)

Legal-for-trade scales purchased from a scale dealer or purchased online will require calibration before use. A Registered Service Agency (RSA) can assist you in the selection of a type approved and suitable scale. They will ensure the scale is accurate and correct, install and place the scale into commercial use pending inspection by a local weights and measures official, and can assist in the scale registration process. RSAs listings can be found at <https://www.cdfa.ca.gov/dms/programs/rsa/rsa.html> or via online searches.

Step 2: Setting up your scale.

- Scales must be installed and operated per the manufacturer's instructions and California laws and regulations.
- Scales must be placed on a level solid surface and properly used and maintained (refer to owner's manual).
- Legal-for-trade scales must be "inspected, tested and sealed" by a County Weights and Measures Office.
- Precision scales may need to be verified and recalibrated when moved to another location within a production facility or retail establishment.

Step 3: Using and maintaining your scale.

- Use the scale according to the owner's reference manual.
- Deduct "TARE" (packaging, wrappings, containers, labels etc.) to determine "NET" weight (NET = GROSS – TARE).
- The owner or user is responsible for ensuring the accuracy and proper maintenance of a commercial scale.
- EVERYBODY benefits from an accurate scale. The customer is not cheated, and the seller is protected by weights and measures officials who ensure a level playing field for all competing businesses.

Step 4: Register a scale with your county.

- Most California counties have local ordinances requiring annual registration of commercial scales.
- Find your County Weights and Measures Office at: <https://www.cdfa.ca.gov/exec/county/countymap/>

SCALES USED FOR CANNABIS

For Harvest Weights, Bulk Packaging, Net Weight Verification and Weight Verification for Track and Trace Reporting.

Typical Class I & II Scale Capacities		Maximum Scale Division Size (Increments)*	
Metric Units kilogram (kg)	US Standard Units pound (lb)	Metric Units gram (g)	US Standard Units pound (lb)
0.5 kg (500 g)	1 lb	0.5 g	0.001 lb
5 kg	10 lb	5 g	0.01 lb
50 kg	100 lb	50 g	0.1 lb
50 kg +	100 lb +	500 g +	1.0 lb +

*EXAMPLES: Capacity = 100 kg: min. div. can be (0.001 kg, 0.002 kg, 0.005 kg or smaller)
Capacity = 5000 lb: min. div. can be (1 lb, 0.2 lb, 0.5 lb, or smaller)

For Retail Packaging, Net Weight Verification, and Retail Sales from Bulk.

Typical Weighing Range	Maximum Scale Division Size (Increments)
0-1 gram (g)	0.01 g
Between 1-10 g	0.01 g
Between 10-100 g	0.1 g
Between 100-1,000 g	1 g
Between 1/8 ounce (oz) to 1/2 oz	0.0005 oz (0.00002 lb) (0.01 g)*
Between 1/2+ oz to 1 oz	0.005 oz (0.0002 lb) (0.1 g)*
Greater than 1 oz	0.05 oz (0.002 lb) (1 g)*

*Conversions rounded to nearest legal division size.

Additional Resources

California Weights and Measures Laws and Regulations	www.cdfa.ca.gov/dms/publications.html
Buying Legal-for-Trade Scales Online	ncwm.net/resource/consumer-information
National and California Type Evaluation Program - Certificate Search Database	ncwm.net/nstep/cert_search and cdfa.ca.gov/dms/ctep.html
California Weighmaster Requirements	https://www.cdfa.ca.gov/dms/programs/wm/wm.html

SALES BY WEIGHT:

A business needs to determine weight of:

- containers/packages of trimmings,
- containers/packages of product, and
- packages of dried flower.

These different types of containers and packages will likely require scales of different capacities and division sizes due to basic suitability requirements.

Scale 1: For weighing 1 lb net weight packages the grower could use a 1 kg x 0.001 kg scale (1000 g x 1 g).

Scale 2: For weighing 1 gram net weight packages the grower could use a 500 g x 0.01 g scale.

This may include, but is not limited to packages of:

- Usable cannabis (buds, flowers)
- Edibles
- Topicals (ointments, creams, balms, emollients)
- Shatter (cannabis concentrate)

SALES BY VOLUME:

Cannabis products in liquid form are sold by volume, e.g., milliliters (ml) and fluid ounces (fl oz).

This may include, but is not limited to packages of:

- Oils
- Tinctures
- Extracts



For additional information, go online at <https://www.cdfa.ca.gov/dms/> or send an email to DMS@cdfa.ca.gov.

CALIFORNIA WEIGHTS AND MEASURES LABEL REQUIREMENTS

Cannabis products sold in California must also meet the labeling requirements for the California Department of Public Health. Contact the appropriate agency for specific requirements.

This is a brief summary of regulations adopted by the State of California, pursuant to the Fair Packaging and Labeling Act, for packages in general. For complete requirements, consult the California Code of Regulations (CCR), Title 4. Other agencies may have different or additional labeling requirements (e.g., ingredient, nutritional labeling, pharmacological, safety related). Those requirements are not covered in this guide.

Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons.

The three basic requirements are:

1. A declaration of **identity** that is the common or usual name of the commodity.
2. A declaration of **responsibility** that includes the **name, address, and zip code** of the manufacturer, packer, or distributor. A street address is required if the name is not listed in a current directory, which can include an online source. The connection of a distributor must be shown (e.g., "packed for, distributed by"). This statement is not required to be on the principal display panel.
3. A declaration of the **quantity** of the commodity in the lower 30% of the principal display panel area, in a size depending upon the area of the principal display panel.

Units of Weight or Measure: Both SI (metric) and inch-pound units are **required** for most consumer packages. SI units may appear first and the converted value must not overstate the net contents. Exceptions include: labels printed before February 14, 1994, random weight packages, foods packed at retail, camera film, audio and video recording media. There may be different requirements for the following federally regulated commodities: meat, poultry, alcoholic beverages, drugs, cosmetics, insecticides, fungicides, rodenticides, and tobacco products.

CONSUMER PACKAGES

Principal Display Panel Area Determination: This area, not the area of the label, determines the minimum height requirement of the declaration of quantity (see table).

1. A rectangular package where an entire side is the principal display panel - height times width.
2. A cylindrical or nearly cylindrical container - 40% of the product of the height times the circumference.
3. Other shaped containers - 40% of the entire square area of the container.
4. Obvious principal display panels - the actual square area of the panel.

Determination of the principal display panel shall exclude tops, bottoms, flanges at tops and bottoms of cans, and shoulders and necks of bottles or jars.

Minimum Height of Numbers and Letters for Principal Display Panel			
Area of Principal Display Panel		Minimum Height of Numbers and Letters (Printer)	Minimum Height Label Information (Blown or Molded)
	32 cm² (5 in ²) or less	1.6 mm (1/16 in)	3.2 mm (1/8 in)
Over	32 cm² (5 in ²) to 161 cm² (25 in ²)	3.2 mm (1/8 in)	4.8 mm (3/16 in)
Over	161 cm² (25 in ²) to 645 cm² (100 in ²)	4.8 mm (3/16 in)	6.4 mm (1/4 in)
Over	645 cm² (100 in ²) to 2581 cm² (400 in ²)	6.4 mm (1/4 in)	7.9 mm (5/16 in)
Over	281 cm² (400 in ²)	12.7 mm (1/2 in)	14.3 mm (9/16 in)

Proportion: Letters of a declaration of quantity must not be more than three (3) times as high as they are wide. Except for blown or molded declarations, the style of type or lettering shall be bold, clear, and conspicuous against its background.

A Free Area: A free area, equal to at least the height of the lettering, is required above and below the quantity declaration. At each end, the free area must be equal to twice the width of the capital "N" of the style and size of type used.

Decimal Fractions: Decimal fractions may be carried to three places. SI unit declarations may contain only decimal fractions. Decimal fractions are permitted in inch-pound declarations.

Common Fraction: Common fraction use is restricted to inch-pound units and is normally limited to halves, quarters, eighths, sixteenths, and thirty-seconds to the lowest term. Each number of a fraction in a declaration of quantity must be at least 1/2 the minimum height.

Abbreviations:

Inch-pound: avdp, lb, oz, gal, qt, pt, yd, ft, in, sq, and cu

SI units: kg, g, mg, L or l, mL or ml, m, cm, mm, m, m², dm², cm², m³, dm³, and cm³

Both systems may use: wt, fl, liq, dr, dia, pc, ea, and ct

Periods and plural forms are not recommended for inch-pound units and are prohibited for metric.

Rule of 1000 for SI Units: Numerical values should be between 1 and 1000 (e.g., 500 g not 0.5 kg; 1.96 kg not 1960 g; 750 ml not 0.75 l; 750 mm or 75 cm not 0.75 meters).

Weight Declarations: The words "net mass" or "net weight" are optional.

Less than 1 kilogram: must be stated in grams, decimals of a gram or milligrams.

1 kilogram or more: kilograms and decimals of a kilogram up to three places.

Less than 1 pound: must be stated as ounces or fraction of ounces.

1 pound or more: in pounds, with remainder in fractions of pounds, or ounces and fractions of ounces.

Fluid Declarations: The words "net" or "net contents" are optional. "Fluid" is required with ounces (e.g., 12 fl oz) unless the meaning is obvious by association (e.g., 1 pint 4 ounces).

Less than 1 liter: must be stated in milliliters.

1 liter or more: liters and decimal fractions of a liter up to three places.

Less than 1 pint: fluid ounces and fractions of an ounce.

- 1 pint to less than 1 gallon:** largest whole unit (quarts or pints as appropriate), with remainder in ounces, fractions of a pint or a quart. (2 quarts may be stated as 1/2 gallon)
- 1 gallon or more:** gallons and fractions of a gallon.

Supplementary Declarations: Non-required quantity declarations are not permitted on the principal display panel.

Qualifying Statements: Quantity declarations containing qualifying words are not permitted. Words such as "minimum," "approximately," "when packed," or any words that tend to exaggerate are considered qualifying words.

Multi-Unit, Combination or Variety Packages: Consult California Code of Regulations, Title 4, for specific requirements.

NONCONSUMER PACKAGES

Nonconsumer Package: This term applies to any package other than a consumer package, and particularly a package intended solely for industrial or institutional use or for wholesale distribution.

Basic Requirements: A declaration of identity of the commodity, the name, address, and zip code of the packer, and a declaration of quantity shall be prominently and conspicuously displayed on the outside of the package.

Declaration of Quantity: The declaration of quantity shall be in the largest whole unit. SI and inch-pound units may be used, individually or together.

EXEMPTIONS FROM LABELING REQUIREMENTS

Bulk Foods Repacked and Sold by Retailer - Food and Drug Administration (FDA) Retail Food Labeling Exemptions

FDA regulations specify that foods **received by retailers in bulk quantities that are repackaged by the retailer and displayed for sale on the premises**, are exempt from:

1. Net content statements - if it is obvious that they are to be weighed, measured, or counted, within view of the customer or in compliance with the customer's order. [21 CFR § 1.24(a)(1)]
2. Identity statements - if a placard, counter card, or the master container bears the identity statement. [21 CFR § 101.100(b)(3)]
3. Responsibility statements. [21 CFR § 101.100(b)(1)]

Commodities Packed and Sold on the Same Premises

A package sold on the same premises where it was packed is not required to have a declaration of responsibility (i.e., name and address of the manufacturer, packer, or distributor).
[CCR § 4510 UPLR 5]

However, the package must still have the declarations of quantity and identity.
[CCR § 4510 UPLR 3, 4, 6, 7]

Random Weight Packages

These are packages from a lot having identical labels **except** for the net weight. An example would be packages of bricks of cheese labeled: *Extra Sharp Cheddar, Audry Cheese Company, Sell by April 25 '18*, each package having a different net weight ranging from 0.94 to 1.64 lb.

As of January 1, 2000, a random weight package must bear a label conspicuously declaring:

- a) the net weight
- b) unit price
- c) the total price

[CCR § 4510 UPLR 6.16, 11.1]

Exemptions

1. If the random weight package is packaged for sale at another location, the unit price and total price may be omitted providing they are on the package at the time of sale. [CCR § 4510 UPLR 6.16]
2. Random weight packages are not required to be labeled with the net weight if they are "sold intact and intended to be weighed and marked with the correct quantity statement prior to or at the point of retail sale." For this exemption, no quantities can be represented on the package prior to being weighed or measured at the time of sale. The outside container is required to bear a label declaration of the total net weight. [CCR § 4510 UPLR 11.26]

A random weight package will have a conspicuous label stating:

- a) net weight
- b) price per pound
- c) total sales price

It is exempt from the requirements for:

- a) SI (Metric) quantity labeling
- b) type size
- c) placement in the lower 30% of the principal display panel free area

[CCR § 4510 UPLR 11.1]

3. If the random weight package does not state the net weight, price per pound and total sales on the same label at the time of sale, it must conform to all package labeling requirements. This includes placement, letter size, color contrast, prominence, etc., unless it is done as an indirect sale. [CCR § 4510 UPLR 11.1 and 11.1.1]
4. Indirect sales, such as internet orders, shall be exempt from the labeling requirements of unit price and total price when at the time of delivery, the package is marked with a statement of net weight and all of the following requirements are met:
 - (a) the unit price is set forth and established in the initial product offering
 - (b) the maximum possible net weight, unit price, and maximum possible price are provided to the customer by order confirmation when the product is ordered
 - (c) at delivery, the customer receives a receipt bearing the following information: identity, declared net weight, unit price, and the total price. [CCR § 4510 UPLR 11.1.1]



Office of the
Agricultural Commissioner
Sealer of Weights and Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights and Measures

Jolene Dasso
Asst. Agricultural Commissioner
Asst. Sealer of Weights and Measures

POINT-OF-SALE SCANNERS & ELECTRONIC PRICING DEVICES

The Imperial County Weighing and Measuring Devices and Point-of-Sale Systems ordinance (Chapter 5.68) requires businesses to register with the Imperial County Sealer of Weights and Measures Department and pay an annual registration fee. Registration certificate fees are based on the number of point of sale stations at each retail location. This registration certificate is required in addition to any other certificate, license or permit which may be required by the county, cities, or any public entity. Any registration certificate for which fees have not been paid within forty –five (45) days from the date that such payment is due, will be subject to a twenty percent (20%) penalty. See the attached fee schedule for reference.

All retail locations that utilize a point of sale system are subject to the county ordinance. Such systems include Universal Product Code (UPC) scanners, price look-up codes, or any other system that relies on the retrieval of electronically stored information to complete a transaction. Per the ordinance, all systems shall be available for testing and inspection by the county sealer of weights and measures.

The Imperial County Weights and Measures Office enforces the California Business and Professions Code as well as the California Code of Regulations as it pertains to point-of-sale systems. Below is a summary of applicable code sections:

In accordance to the California Business and Professions Code § 12024.2 and § 12024.6, it is unlawful for any person, at the time of sale of a commodity, to do any of the following:

- Charge an amount greater than the price, or to compute an amount greater than a true extension of a price per unit, that is then advertised, posted, marked, displayed, or quoted for that commodity.
- Charge an amount greater than the lowest price posted on the commodity itself or on a shelf tag that corresponds to the commodity, notwithstanding any limitation of the time period for which the posted price is in effect.

- No person, firm, corporation, or association shall advertise, solicit, or represent by any means, a product for sale or purchase if it is intended to entice a customer into a transaction different from that originally represented.

In accordance to the California Business and Professions Code sections § 13300-13303 and § 12024.6:

- Any business that uses a point-of-sale system must have a display of the prices charged visible to the customer from a reasonable and typical position
- When a price reduction or discount regarding an item is advertised, the checkout system customer indicator shall display either the discounted price for that item, or alternatively, the regular price and a credit or reduction of the advertised savings
- Any surcharges and the total value to be charged for the overall transaction also shall be displayed for the consumer at least once before the consumer is required to pay for the goods or services
- "Point-Of-Sale System" means any computer or electronic price look-up system that retrieves the price of the item being purchased

The Imperial County Sealer of Weights and Measures is authorized to levy a civil penalty against a person violating any provision of this law or regulation adopted pursuant to this law, of not more than one thousand dollars (\$1,000) for each violation.

Please remember that it is the responsibility of the owner/operator of a business to obtain a current registration from the Sealer's Office before using an electronic point-of-sale checkout system. Our office is open to the public from 8:00AM to 5:00PM, Monday through Friday. If you have any questions or need assistance, please contact us at (442) 265-1500. We will be happy to assist you.

Sincerely,



Margo Sanchez
Deputy Sealer of Weights & Measures
Special Projects Division

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County of Imperial Division of Weights and Measures

Registration Fees = Location fee + Device fee + DMS fee (State Surcharge)

Fees are based on a statewide fee structure approved by the State Legislature and Governor. Fees partially offset the cost of administering the commercial weighing and measuring program, and are based on the number and type(s) in use per location. These fees have been adopted in the Imperial County Ordinance Chapter 5.68 and are authorized by the California Business and Professions Code: Device Fees Section 12240(f)-(t); Location Fee Section 12240(u); State Administrative Fee: Section 12241 and California Code of Regulations Title 4, Division 9, Chapter 3, Article 3, Section 4075.

All fees are due and payable by January 1st. Any registration paid after forty-five (45) days will be considered delinquent and be subject to penalties. The penalties are twenty percent (20%) of total device registration fee and location fee accruing each forty-five (45) days in arrears.

Device Location Fee: Each location (scanner/point-of-sale excluded) is charged a location fee of \$100. A location is considered a business with one or more types of devices that require specialized testing equipment that will necessitate more than one trip. Additionally, if a commercial device is installed on a vehicle, each vehicle is considered a single location.

Device Registration Fees	Fee per Device	DMS fee per Device
CNG Meter	\$20.00	\$16.00
Computing Scales <2,000#	\$20.00	\$2.20
Counter Scale < 2,000#	\$50.00	\$2.20
Electric Submeter	\$3.00	\$0.50
Fabric/Cord/Wire	\$20.00	\$2.20
Hanging Scale < 2,000#	\$50.00	\$2.20
Hanging Scale 2,000-10,000#	\$150.00	\$16.00
Hopper & Tank > 10,000#	\$250.00	\$24.00
Hopper & Tank 2,000-10,000#	\$150.00	\$16.00
L.P.G. Meter	\$185.00	\$16.00
Livestock Scale > 10,000#	\$150.00	\$24.00
Livestock Scale 2,000-10,000#	\$100.00	\$16.00
Misc. Measuring Devices	\$20.00	\$2.20
Misc. Weighing Devices < 2,000#	\$50.00	\$2.20
Monorail/Meat < 2,000#	\$50.00	\$2.20
Monorail/Meat 2,000-10,000#	\$150.00	\$16.00
Odometers	\$60.00	\$2.20
Platform/Dormant <2,000#	\$50.00	\$2.20
Platform/Dormant > 10,000#	\$250.00	\$16.00
Platform/Dormant 2,000-10,000#	\$150.00	\$16.00
Class II Scale (Non-prescription/jewelry)	\$20.00	\$2.20
Pres/Jewel Scale <2,000#	\$80.00	\$2.20
Railway Scale > 10,000#	\$250.00	\$24.00
Retail Meter Fuel (Gas pumps)	\$20.00	\$2.20
Retail Water Meter (Dispensers, Vending)	\$20.00	\$2.20
Vehicle Meter (Any vehicle mounted meter)	\$75.00	\$2.20
Vehicle Scale > 10,000#	\$250.00	\$24.00
Water Submeters	\$2.00	\$0.50
Wholesale Meter (Stationary Hi-volume sale)	\$75.00	\$2.20
Scanner/Point of Sale Registration Fees	Fee per Scanners	DMS Fee per Scanners
Scanners (1-3)	\$89.00	\$0.00
Scanners (4-16)	\$129.00	\$0.00
Scanners (17-30)	\$190.00	\$0.00
Scanners (31 or more)	\$240.00	\$0.00

Please note that some device types cap at \$1,000 per location. If you have any questions please call the Division of Weights and Measures at (442) 265-1500.

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