

PROJECT REPORT

TO: PLANNING COMMISSION

AGENDA DATE: September 14, 2022

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 9:00 am/ No. 7

PROJECT TYPE: Community Veterans of IC, LLC; CUP #21-0023 SUPERVISOR DIST #5

LOCATION: 611 Sidewinder Road, Winterhaven, CA APN: 056-470-009-000

Winterhaven, CA 92283 PARCEL SIZE: 3.3 AC.

GENERAL PLAN (existing) Recreation/Open Space 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: 09/14/2022

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/14/2022

INITIAL STUDY: #21-0039

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input type="checkbox"/>	NONE	<input checked="" 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	_____	IID, BLM		

REQUESTED ACTION:

It is recommended that 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:

- Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended at the Environmental Evaluation Committee (EEC) hearing on July 14, 2022;
- Make the De Minimus finding 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; and
- Approve Conditional Use Permits #21-0023 for a Cannabis Adult/Medicinal Use Storefront with delivery, subject to conditions of approval and authorize the Planning & Development Services Director to execute the CUP Agreements.

Planning & Development Services
801 MAIN ST., EL CENTRO, CA 92243 442-265-1736
(Jim Minnick, Director)

STAFF REPORT
Planning Commission
September 14, 2022

SUBJECT: **Conditional Use Permit (CUP) #21-0023**

PROJECT NAME: **The Cake Shop - Adult Use & Medicinal Dispensary
with Delivery.**

APPLICANTS: **Community Veterans of Imperial County, LLC.
611 Sidewinder Road, Winterhaven, CA 92283.**

PROJECT LOCATION:

The proposed project is located at 611 Sidewinder Road, Winterhaven, CA 92283, on APN 056-470-009-000. The legal description for this parcel is a Portion of the South Half of the Southeast Quarter of Section 21, Township 16 South, Range 21 East of the San Bernardino Base and Meridian, located west of the unincorporated town site of Winterhaven (Supervisory District #5) of the County of Imperial, State of California.

Project Summary:

The applicant, Community Veterans of Imperial County, LLC, is proposing a 2,625 square feet Adult Use/ Medicinal retail space facility for the sale of cannabis with delivery. The purpose of this dispensary will be to give county customers and medical patients a place where they can find relief and safe access to medicinal cannabis products. Community Veterans of Imperial County, LLC is expecting to hire 18 employees. The customer volume is projected to 60 to 70 customers per day (5 customers per hour). Retail hours of operation will be from 9 am to 10 pm daily, while delivery operations will be from 9 am to 9 pm based on the volume of orders (6-10 deliveries per day are projected). Waste cannabis products would be recorded, rendered unusable through composting, and if allowed by the local waste management company, disposed of with traditional waste products. Community Veterans of Imperial County, LLC will be doing business as The Cake Shop.

Land Use Analysis:

The project parcel is designated as Open Space-Recreational per Imperial County's General Plan and is zoned as C-2, (Medium Commercial). Per Imperial County Title 9, Division 5, Chapter 13, Section 90513.02(m), Commercial

Cannabis Retail Sales/Delivery & a Cannabis Distribution Facility and operations may be allowed with an approved Conditional Use Permit. The proposed cannabis project is consistent with the County's Cannabis Ordinance Title 14 and Title 9, Division 4, Chapter 6.

Surrounding Land Uses, Zoning and General Plan Designations:

DIRECTION	CURRENT LAND USE	ZONING	GENERAL
Project Site	Commercial	C-2 General Commercial.	Open Space/Recreational
North	Vacant	C-2 General Commercial.	Open Space/Recreational
South	Commercial	C-2 General Commercial.	Open Space/Recreational
East	Vacant	C-2 General Commercial	Open Space/Recreational
West	Vacant	M-1 Light Industrial	Open Space/Recreational

Environmental Determination:

A Negative Declaration (ND) was prepared and certified on July 14, 2022, 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 the Department 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 19, 2022 thru August 12, 2022. All comments were received, reviewed, and made part of this project.

RECOMMENDED ACTIONS:

It is recommended that 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:

- a) Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended at the Environmental Evaluation Committee (EEC) hearing on July 14, 2022;
- b) Make the De Minimus finding 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; and
- c) Approve Conditional Use Permits #21-0023 for a Cannabis Adult/Medicinal Use Storefront with delivery, subject to conditions of approval and authorize the Planning & Development Services Director to execute the CUP Agreements.

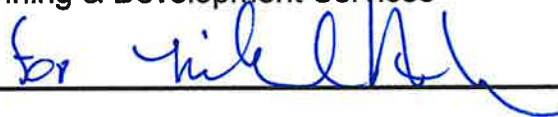
Prepared By: Gerardo A. Quero, Planner I
Planning & Development Services



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



Approved By: Jim Minnick, Director
Planning & Development Services



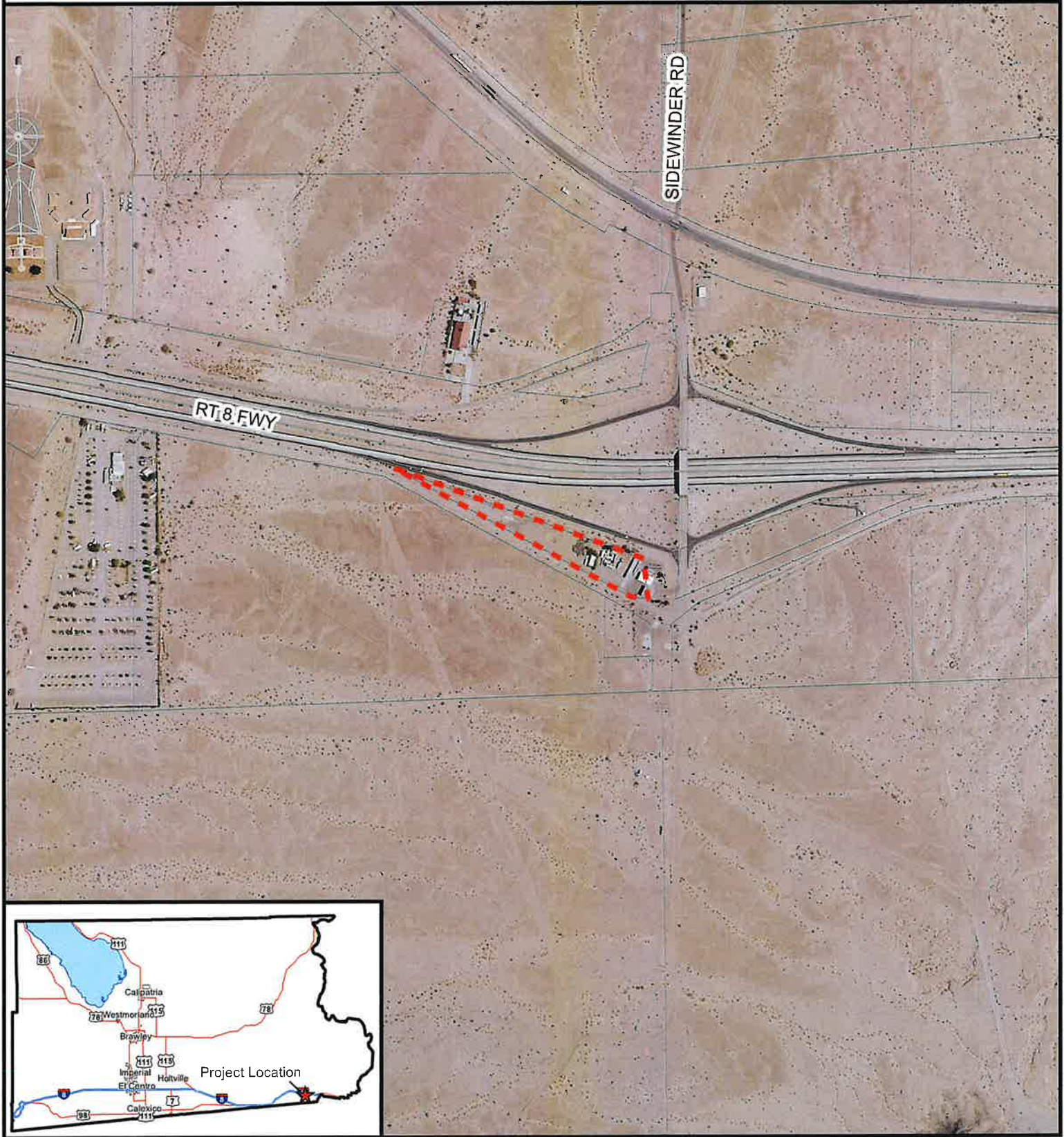
Attachments:

- Attachment A: Location Map
- Attachment B: Site Plan
- Attachment C: CEQA Resolutions
- Attachment D: Planning Commission-CUP Resolutions
- Attachment E: Conditional Use Permit #21-0023-Conditions of Approval
- Attachment F: EEC Package
- Attachment G: Comment Letters

S:/AllUsers/APN/056/470/009/CUP21-0023 (cannabis)/PC Package CUP21-0023/Staff Report

Attachment "A": Location Map

PROJECT LOCATION MAP



The Cake House
CUP #21-0023
APN 056-470-009-000

 Project Location
 Parcels



Attachment “B”: Site Plan

Attachment “C”: CEQA Resolutions

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, ADOPTING THE "NEGATIVE DECLARATION" FOR CONDITIONAL USE PERMIT # 21-0023

WHEREAS, on June 29, 2022, a Public Notice was mailed to the surrounding property owners advising them of the Environmental Evaluation Committee hearing scheduled for July 14, 2022; and

WHEREAS, a Negative Declaration, CEQA findings have 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 # 21-0023; and

WHEREAS, the Negative Declaration was posted for more than 20 days from July 19, 2022 thru August 12, 2022; 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 September 14, 2022.

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 # 21-0023. 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 #21-0023 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 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 Code; and.

4. That the Negative Declaration reflects the Planning Commission independent judgment and analysis.

NOW, THEREFORE, based on the findings, the Planning Commission **DOES HEREBY ADOPT** the Negative Declaration (ND) for Conditional Use Permit #21-0023.

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 September 14, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Jim Minnick, Secretary to the Planning Commission

Attachment "D": PC Resolutions

RESOLUTION NO. 2022-

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF IMPERIAL, CALIFORNIA, FOR THE APPROVAL OF “CONDITIONAL USE PERMIT #21-0023,” FOR THE CAKE HOUSE (ADULT/MEDICINAL) CANNABIS RETAIL SPACE WITH DELIVERY.

WHEREAS, Community Veterans of Imperial County, LLC has submitted an application for Conditional Use Permit #21-0023, for a Cannabis (Adult/Medicinal) Dispensary Facility, 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 September 14, 2022; and

WHEREAS, on July 14, 2022, 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 are no substantial evidence, in light of the whole record before the EEC that the project would not a significant effect on the environment.

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 #21-0023 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 #21-0023, have been made as follows:

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

The Imperial County General Plan designates the subject site as "Open Space/Recreational". An analysis of the projects' consistency with the General Plan goals and objectives relevant to the project is provided and considered consistent with the applicable policies. Additionally, the proposed project is 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 zone it is located within. The purpose of the project is for the operation of an "Adult Use/Medicinal cannabis retail space with delivery." This use is permitted within the "General Commercial" zone, subject to an approved Conditional Use Permit pursuant to Title 9, Division 4, Chapter 6, Section 90406.05 (B) - Commercial Cannabis Zoning.

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 regulation 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 will 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 cannabis facility is not in near proximity to large residential areas. It is surrounded by vacant lots zoned for commercial uses to the north and east; a vacant lot zoned for industrial use to the west and vacant lots zoned for open space/recreational to the south. The facility will be operated on a proposed new commercial structure and will be monitored by state and local agencies to insure of any sensitive sensors are not impacted. The

commercial facility is unlikely to result in nuisance-related impacts, such as odor, noise, or access disruptions that could otherwise conflict with adjacent uses. A security plan to protect the facility and surrounding public will be reviewed and approved by county staff. An odor abatement plan will be administered and background checks using live scans will be required for each employee working for The Cake Shop.

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 and current State and Local regulations.

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

The proposed Cannabis facility is a permitted use subject to approval of a Conditional Use Permit (Land Use Ordinance, Section 90406.00) et. seq. and will not grant a special privilege.

NOW, THEREFORE, based on the above findings, the Imperial County Planning Commission **DOES HEREBY APPROVE** Conditional Use Permits #21-0023, 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 September 14, 2022 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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

Attachment “E”: Conditions of Approval

Recorded Requested By and
When Recorded Return To:

Imperial County Planning & Development Services
801 Main Street
El Centro California 92243

**AGREEMENT FOR CONDITIONAL USE PERMIT CUP #21-0023
Cannabis Adult Use & Medicinal Retail Space with Delivery
(Community Veterans of Imperial County, LLC.)
(056-470-009-000)
(Approved at Planning Commission September 14, 2022)**

This Agreement is made and entered into on this ____, day of _____ by Community Veterans of Imperial County (611 Sidewinder Road, Winterhaven, CA 92283) hereinafter referred to as Permittee, and the COUNTY OF IMPERIAL, a political subdivision of the State of California, (hereinafter referred to as "COUNTY").

WHEREAS, Permittee is the lessee or successor-in-interest of certain land in Imperial County to be developed with a cannabis dispensary at 611 Sidewinder Road, Winterhaven Drive, Winterhaven, CA, with approximately 2,625 square feet for the Adult Use and Medicinal with delivery located west of the unincorporated Winterhaven area.

WHEREAS, Permittee has applied to the County of Imperial for a Conditional Use Permit #21-0023 (the "Project") for the operation of an Adult Use and Medicinal cannabis retail space with delivery.

WHEREAS, Permittee will not operate any type of use other than specified herein and within the application; and

WHEREAS, County, after reviewing of the project, after a noticed public hearing before the Planning Commission, agreed to issue Conditional Use Permit #21-0023, subject to the following conditions:

NOW THEREFORE, the County hereby issues CUP #21-0023 subject to all of the following conditions.

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.

G1 GENERAL LAWS:

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

G2 COSTS:

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.

G3 AUDIT OF BILLS:

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 Dept.

G4 PERMITS/LICENSES:

The Permittee shall obtain any and all local, state, and/or federal permits, licenses, contracts, and/or other approvals for the construction and/or operation of this project. This shall include, but not be limited to Health, Building, Sanitation, APCD, Public Works, Sheriff, Regional Water Quality Control Board, Offices of Emergency Services, Division of Mines and Geology, etc. Permittee shall like-wise comply with all such permit requirements for the life of the project. Additionally, Permittee shall submit a copy of any such additional permit, license and/or approval to the Planning Department within 30 days of receipt.

G5 RECORDATION:

This permit shall not be effective until it is recorded at the Imperial County Recorder's Office, and payment of the recordation fee shall be the responsibility of the Permittee. If the Permittee fails to pay the recordation fee within six (6) months from the date of approval, and/or this permit is not recorded within 180 days from the date of approval, this permit shall be deemed null and void, without notice having to be provided to Permittee. Permittee may request a written extension by filing such a request with the Planning Director at least 30 days prior to the original 180 day expiration. The Director may approve an extension for a period not to exceed 180 days. An extension may not be granted if the request for an extension is filed after the expiration date.

G6 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

1 appropriate enforcement agency or to the Planning Commission for hearing to consider
2 appropriate response including but not limited to the revocation of the CUP or to consider
3 possible amendments to the CUP. The hearing before the Planning Commission shall be
4 held upon due notice having been provided to the Permittee and to the public in accordance
5 with established ordinance/policy.

6 **G7 PROVISION TO RUN WITH LAND:**

7 The provisions of this project are to run with the land/project and shall bind the current and
8 future owner(s) successor(s) of interest, assignee(s) and/or transferee(s) of said project.
9 Permittee shall not without prior notification to the Planning and Development Services
10 Department assign, sell, or transfer, or grant control of project or any right or privilege
11 therein. The Permittee shall provide a minimum of 60 days written notice prior to such
12 proposed transfer becoming effective. The permitted use identified herein is limited for use
13 upon this parcel described herein and may not be transferred to another parcel. This shall
14 likewise be applicable if the transfer is between the primary and a subsidiary user.

15 **G8 RIGHT OF ENTRY:**

16 The County reserves the right to enter the premises to make the appropriate inspection(s)
17 and to determine if the condition(s) of this permit are complied with. Access to authorized
18 enforcement agency personnel shall not be denied, by the landowner, the permittee or a
19 subsidiary user. The County will contact the person designated by the Permittee to request
20 access to the facility. The request shall be approved within (72) seventy-two hours after
21 request.

22 **G9 TIME LIMIT:**

23 Unless otherwise specified within the project specific conditions this project shall be limited
24 to a maximum of (3) three years from the recordation date of the CUP. The CUP may be
25 extended for successive three (3) years by the Planning Director upon a finding by the
26 Planning & Development Services Department that the project is in full and complete
27 compliance with all conditions of the CUP and any applicable land use regulation(s) of the
28 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-16 "State & Local Cannabis Activities License/Permits.

G10 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 tower 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."

G11 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 the application/project description/permit, 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. The Permittee's application and or any support documents supplied by Permittee as part of the application shall not be used to determine allowed use(s).

G12 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 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.

G13 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 at least fifteen (60) days prior to the anniversary (recordation date) of this permit. It shall be the responsibility of the Permittee to provide all reports and to include the information about other users. The County may request information at any time from the Permittee or other users if applicable; however, it shall be the responsibility of the Permittee to assure that the County receives such information in a timely manner.

G14 RESPONSIBLE AGENT:

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 backup name shall also be provided, and a phone number for 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.

G15 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

1 there is concurrent, passive or active negligence on the part of the County, its agents,
2 officers, attorneys, or employees.

3 **G16 CHANGE OF OWNER/OPERATOR:**

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

17 **G17 MINOR AMENDMENTS:**

18 The Planning Director may approve minor changes or administrative extensions, as
19 requested in writing by the Permittee, provided it does not result in additional environmental
20 impacts and/or are generally procedural or technical and/or which may be necessary to
21 comply with other government permit compliance requirements.

22 **G18 CONDITION PRIORITY:**

23 This project shall be constructed and operated as described in the Conditional Use Permit
24 application, the Environmental Assessment, the project description, and as specified in
25 these conditions. Where a conflict occurs, the Conditional Use Permit conditions shall
26 govern and take precedence.

27 **G19 SEVERABILITY:**

28 Should any condition(s) of this permit be determined by a Court or other agency with proper
jurisdiction to be invalid for any reason, such determination shall not invalidate the remaining
provision(s) of this permit.

G20 WATER AND SEWER:

Permittee shall provide water and sewer to Federal, State and County standards. Water
and sewer systems shall be approved by the Environmental Health Services and the
Planning and Development Services Department.

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G21 COMMENCEMENT OF WORK:

No commencement of work until all conditions pursuant to the CUP has been satisfied. Evidence that all conditions pursuant to the CUP have been satisfied shall be provided to the Planning Director prior to commencement.

G22 FIRE PROTECTION:

Permittee shall provide an adequate fire protection system and accessibility to the site in accordance with the National Fire Protection Act (NFPA), 2013 California Fire Code, and County Fire Department standards. This shall include all requirements by the Imperial County Fire Department regarding fire protection water storage and access roads. Additionally Permittee shall provide to Imperial County Fire Department a plot plan, drawn to scale indicating the exact location and size of the water storage tanks and the access roads.

G23 INSURANCE:

The Permittee shall take out and maintain workers compensation insurance as required by the State of California. The Permittee shall also secure liability insurance and such other insurance as required by state and/or federal law. A Certificate of Insurance is to be provided to the Planning/Building Department by the insurance carrier, and said insurance and certificate shall be kept current for the life of the project. Certificates of Insurance shall be sent directly to the Planning/Building Department by the insurance carrier and shall name the Department as a recipient of both renewal and cancellation notices.

(TOTAL "G" CONDITIONS are 23)

This space intentionally left blank.

1 **Site Specific Conditions:**

2

3 **S1 PROJECT DESCRIPTION:**

4 The Permittee may construct and operate the following facilities in compliance with the
5 Conditional Use Permit, the County's General Plan's Land Use Element, Land Use
6 Ordinance and all other applicable local, state, and federal laws, ordinances, regulations
7 and standards (LORS), to include any other permits, which are incorporated herein by
8 reference:

- 9
- 10 1. The operation of an adult use & medicinal cannabis retail dispensary operation with
11 delivery. The project will be limited to 2,625 square feet in retail space where
12 customers and patients will be allowed to purchase various types of cannabis and
13 concentrate products. All the medicinal dispensary products for sale will be received
14 pre-packaged from a County and State approved Distribution Company.

15 **S2 ADULT USE & MEDICINAL CANNABIS FACILITY LOCATION:**

- 16 1. Commercial cannabis activities shall not be located within 600-foot radius of a school
17 providing instruction in Kindergarten or any grades 1 through 12, day care center, or
18 youth center that is in existence at the time the license issued. Horizontal distance
19 measured in a straight line from the property line of the school to the closes property
20 line of the commercial cannabis activities lot.
- 21 2. Commercial cannabis activities shall be conducted only in the interior of fully enclosed
22 structures, facilities, buildings, or other fully enclosed spaces consistent with the
23 purpose and intent of the Count's Land Use Ordinance.

24 **S3 CANNABIS WASTE DISPOSAL:**

25 Permittee shall not dispose of any cannabis waste on-site and all cannabis waste shall be
26 removed from the site and deposited in an approved solid waste site.

27 **S4 LIGHT & GLARE:**

28 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.

29 **S5 LATEST CODES GOVERN:**

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

30 **S6 FIRE SAFETY:**

The Imperial County Fire Department shall reserve the right to inspect the premises and
request additional access and fire protection systems as they deem necessary.

31 **S7 FIRE PROTECTION:**

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1. An approved water supply capable of supplying the required fire flow determined by appendix B in the California Fire Code shall be installed and maintained. Pressurized private fire service mains and appurtenance shall be installed in accordance with NFPA 24.³
 2. 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.³
 3. 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.³
 4. All cannabis facilities shall have approved smoke removal systems installed and maintained to the current adapted fire code and regulations.³
 5. Compliance with all required sections of the fire code.³
 6. Further requirement shall be required for cultivation and manufacturing process.⁴

S8 SECURITY PLAN:

A Security Plan providing 24 hour protection, including but not limited to, electronic surveillance and alarm measures, structural (interior and exterior) lighting, perimeter fencing. The Security Plan will require approval by the County.

S9 PERMITTED USE OF PROPERTY:

This Permit authorizes the use of the identified project site as an Adult Use and 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.

S10 HOURS OF OPERATION:

The facility office will be allowed to open Monday through Sunday from 9:00 a.m. to 10:00 p.m. seven (7) days a week.

S11 AESTHETICS

Permittee shall install a six (6) foot perimeter slated fence and landscaping at the public roadway frontage. The fence shall be comprised of an approved material such as chain link. The perimeter fencing and landscaping will need design approval from the County prior to installation and Permittee is responsible for maintaining the fence.

An on-site parking plan shall be prepared with county approved landscaping requirements.

S12 AG COMMISSIONER:

1. As required by Title 9 Division 3 Section 90302.3-Landscaping standards-commercial uses, to landscape, our office asks that if plant material is not sourced

1 from a nursery with Imperial County, the applicant must follow the requirements
2 for movement of plant material into Imperial County from other counties or from
3 out of state. The applicant can contact our Pest Detection and Eradication Division
4 for any questions regarding the quarantines of movement of plant material; as
5 there are several quarantines that must be observed;²

- 6 2. Regarding the commercial cannabis dispensary operations, please refer to the
7 handouts attached. The handouts will help in determining what types of scale(s)
8 will be required for their operations. As referred in the business and planning
9 project, the applicant will utilize point of scale equipment and scales. Please be
10 advised that any commercial weighing and measuring devices are required to be
11 type approved for commercial use and must be registered, inspected and sealed
12 by our office on an annual basis. Any point of sales devices or scanners used in
13 retail sale transactions are also required to be registered and inspected.²

14 **S13 AIR POLLUTION CONTROL DISTRICT:**

15 The ICAPCD will need to verify the final Odor Plan with a site visit prior to the issuance of
16 the Certificate of Occupancy.¹

17 **S14 STATE AND LOCAL CANNABIS ACTIVITIES PERMITS:**

18 The cannabis adult use & medicinal dispensary facility will require activation of an Imperial
19 County Commercial Cannabis activities permit/license CCA #22-0008 in conjunction with
20 the issuance of a State of California License/Permit for a cannabis medicinal dispensary.
21 These license/permits must be approved before any cannabis dispensary activities are
22 allowed. If the cannabis License/Permits are terminated, suspended or withdrawn, all
23 activities allowed in this permit will be suspended and the County will commence revocation
24 process pursuant to General Condition G-6.

25 (TOTAL "S" CONDITIONS are 14)

- 26 1. APCD comment letter dated March 11, 2022
27 2. AG Commissioner's Office comment letter dated March 30, 2022
28 3. ICFD comment letter dated August 2, 2022

29 This space intentionally left blank.

30 **NOW THEREFORE**, County hereby issues Conditional Use Permit #21-0023, and
31 Permittee hereby accepts such permit upon the terms and conditions set forth herein:

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

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PERMITTEE

Daniel Wise, Director
Community Veterans of
Imperial County, LLC.

Date

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

James Minnick, Director of
Planning & Development Services

Date

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PERMITTEE 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 _____

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 _____ 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 _____

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 _____

Attachment “F”: EEC Package

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION
COMMITTEE

AGENDA DATE: July 14, 2022

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 1:30 PM/ No. 2

PROJECT TYPE: Community Veterans of IC, LLC; CUP #21-0023 SUPERVISOR DIST #5

LOCATION: 6 11 Sidewinder Road, Winterhaven, CA APN: 056-470-009-000

Winterhaven, CA PARCEL SIZE: 3.3 AC.

GENERAL PLAN (existing) Recreation/Open Space 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: 07/14/2022

INITIAL STUDY: #21-0039

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input type="checkbox"/>	NONE	<input checked="" 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	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED

IID, BLM _____

REQUESTED ACTION:

(See Attached)

Planning & Development Services
801 MAIN ST., EL CENTRO, CA 92243 442-265-1736
(Jim Minnick, Director)

S:\AllUsers\APN\056\470\009\CUP21-0023\EEC Package CUP21-0023\CUP21-0023 PROJECT REPORT 07.14.22.docx

EEC ORIGINAL PACKAGE

NEGATIVE DECLARATION
 MITIGATED NEGATIVE DECLARATION

Initial Study & Environmental Analysis
For: Initial Study #21-0039 Community Veterans of Imperial County, LLC
Conditional Use Permit #21-0023



Prepared By:

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

May 2022

EEC ORIGINAL PACKAGE

TABLE OF CONTENTS

	<u>PAGE</u>
<u>SECTION 1</u>	
I. INTRODUCTION	3
<u>SECTION 2</u>	
II. ENVIRONMENTAL CHECKLIST	8
ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION	10
PROJECT SUMMARY	11
ENVIRONMENTAL ANALYSIS	13
I. AESTHETICS	14
II. AGRICULTURE AND FOREST RESOURCES	14
III. AIR QUALITY	15
IV. BIOLOGICAL RESOURCES	16
V. CULTURAL RESOURCES	17
VI. ENERGY	17
VII. GEOLOGY AND SOILS	21
VIII. GREENHOUSE GAS EMISSION	20
IX. HAZARDS AND HAZARDOUS MATERIALS	20
X. HYDROLOGY AND WATER QUALITY	22
XI. LAND USE AND PLANNING	23
XII. MINERAL RESOURCES	23
XIII. NOISE	24
XIV. POPULATION AND HOUSING	24
XV. PUBLIC SERVICES	24
XVI. RECREATION	25
XVII. TRANSPORTATION	26
XVIII. TRIBAL CULTURAL RESOURCES	29
XIX. UTILITIES AND SERVICE SYSTEMS	30
XX. WILDFIRE	31
<u>SECTION 3</u>	
III. MANDATORY FINDINGS OF SIGNIFICANCE	33
IV. PERSONS AND ORGANIZATIONS CONSULTED	34
V. REFERENCES	35
VI. NEGATIVE DECLARATION - COUNTY OF IMPERIAL	36
27 FINDINGS	38
<u>SECTION 4</u>	
VIII. RESPONSE TO COMMENTS (IF ANY)	39
IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)	40

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 # 056-470-009-000. The legal description for this parcel is "a Portion of the South Half, of the Southeast Quarter, of Section 21, T16S, R21E, SBBM, located west of the unincorporated Winterhaven town site of the County of Imperial, State of California.

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:** The Cake House (Winterhaven) - Adult Use and Medicinal Dispensary Store, with delivery.
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Jim Minnick, Director (442)265-1736
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** jimminnick@co.imperial.ca.us
6. **Project location:** APN 056-470-009-000; 611 Sidewinder Road, Winterhaven, CA.
7. **Project sponsor's name and address:** Daniel Wise, Community Veterans of Imperial County, LLC, 1611 S. Melrose Dr. Suite A #391, Vista, CA 92081
8. **General Plan designation:** Recreation/Open Space
9. **Zoning:** C-2 (General Commercial)

10. **Description of project:** Description of project: The Applicant proposes Conditional Use Permits #21-0023 to allow the operation of an Adult Use & Medicinal Storefront, with delivery for the sale of cannabis, on APN # 056-470-009-000. The legal description for this parcel is a Portion of the South Half, of the Southeast Quarter, of Section 21, T16S, R21E, SBBM, located west of the unincorporated Winterhaven town site of the County of Imperial, State of California. The Permittee will construct a new 2,625 square foot building located at 611 Sidewinder Road, Winterhaven, CA.

Community Veterans of Imperial County, LLC is proposing a 2,625 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. Community Veterans of Imperial County, LLC is expecting to hire 18 employees. The customer value is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 9am-10pm Daily, while delivery operations will be from 9am to 9pm based on the volume of orders (projected are 6-10 deliveries per day). Waste cannabis products would be recorded, rendered unusable through composting and, if allowable by the local waste management company, disposed of with traditional waste products. Community Veterans of Imperial County, LLC will be doing business as The Cake Shop.

11. **Surrounding land uses and setting:** the project site is located west of the Winterhaven area. Surrounding land uses are vacant light industrial and commercial, along with open spaces, and a recreational vehicle park.
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.

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 confidentiality, etc.?

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: The AB 52 Notice of Opportunity to consult was mailed via certified mail to the Quechan Indian Tribe on March 11, 2022 for their review and comment.

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

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
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 type="checkbox"/>
APCD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input 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"/>

for [Signature]

 Jim Minnick, Director of Planning/EEC Chairman

7-14-2022

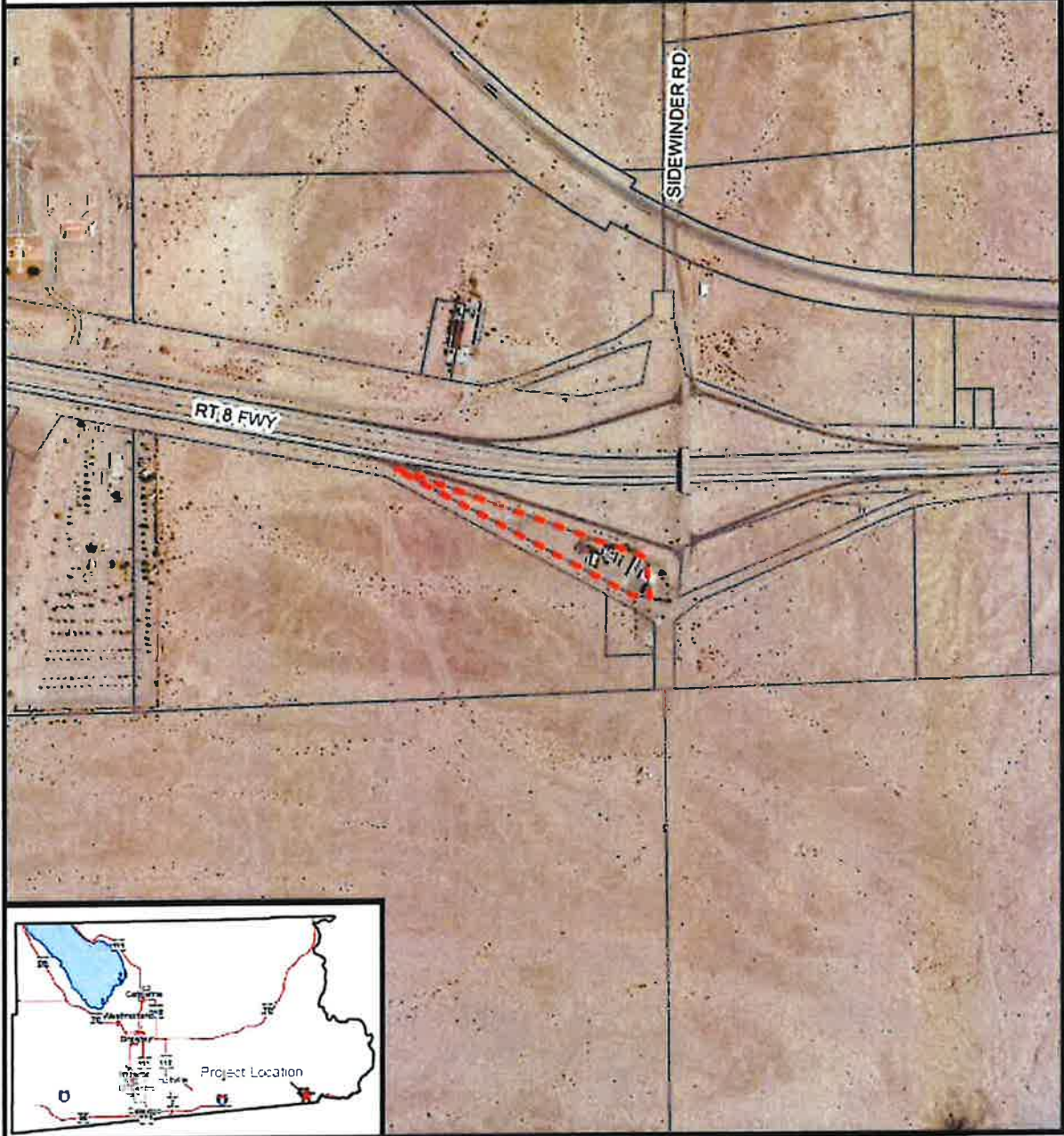
 Date:

PROJECT SUMMARY

See attached Initial Study for additional information.

- A. **Project Location:** APN 056-470-009-000 - The legal description for this parcel is "a Portion of the South Half, of the Southeast Quarter, of Section 21, T16S, R21E, and SBBM, located west of the unincorporated Winterhaven town site of the County of Imperial, State of California. The permittee will construct a new 2,625 square foot building located at 611 Sidewinder Road, Winterhaven, CA.
- B. **Project Summary:** The applicant proposes Conditional Use Permit #21-0023 to allow the operation of an Adult Use & Medicinal Storefront, with delivery for the sale of cannabis. Community Veterans of Imperial County, LLC is proposing a 2,625 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. Community Veterans of Imperial County, LLC is expecting to hire 18 employees. The customer value is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 9am-10pm Daily, while delivery operations will be from 9am to 9pm based on the volume of orders (projected are 6-10 deliveries per day). Waste cannabis products would be recorded, rendered unusable through composting and, if allowable by the local waste management company, disposed of with traditional waste products. Community Veterans of Imperial County, LLC will be doing business as The Cake Shop.
- C. **Environmental Setting:** The proposed project is located within a C-2 (General Commercial) zone within an Open Space Area and is designated as General Commercial. The proposed project is allowed within the C-2 zone, with an approved conditional use permit. The applicant has submitted a conditional use permit for the proposed project.
- D. **Analysis:** Initial Study #21-0039 will analysis any impacts associated with the proposed project within the C-2 zone. The proposed project site has been used for various commercial uses over the years; e.g. a gas station/convenience store; and is it currently use.
- E. **General Plan Consistency:** The project is located within an area designated as Recreational/Open Space according to the General Plan, and the parcel is zoned C-2 (General Commercial).

PROJECT LOCATION MAP



The Cake House
CUP #21-0023
APN 056-470-009-000

 Project Location
 Parcel



CONDITIONAL USE PERMIT:
CAKE ENTERPRISES, INC.
 611 SIDEWINDER RD. N.
 WINTERHAVEN, CA 92283
 APN: 059-470-069

VICINITY MAP



AS BUILT SET WITH PROPOSED BUILDING PLAN

CAKE ENTERPRISES, INC.
 1011 E. BERGE DR.
 VISTA, CA 92081
 (760) 535-1234

PROJECT ADDRESS:
 611 SIDEWINDER RD. N.
 WINTERHAVEN, CA 92283

THE CAKE HOUSE

PROJECT NO. 21-0039
 10/15/2021
 ARCHITECT: [Name]
 SCALE: 1/8" = 1'-0"
 SHEET NO. 1 OF 1

CUP 1

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)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	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 proposed project will be located west of the Townsite of Winterhaven at Sidewinder Road and Interstate 8; however, 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 projects. Additionally, this proposed facility will install fencing and landscaping along the frontage of the property, paving parking lots and landscaping along portions of existing building thereby enhancing the visual character of this area. 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 project is consistent with current zoning and land uses in the surrounding parcels with an approved conditional use permit. The site is zoned for commercial uses and has been previously impacts by those uses. Therefore, **less than significant impact is 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 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?

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a) **No Impact.** The proposed project is currently zoned for commercial uses. The proposed use 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.

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 proposed project site is not zoned for, nor does it contain, forest land or timber land. As such, the project would 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 proposed project site does not contain any forestland and would not convert any forestlands; 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 project site is located in the Recreational/Open Space designation and zoned General 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 forestland or conversion of forestland to non-forest use. There are adjacent commercial zoned parcels currently vacant; thus, the proposed project would appear to have No Impacts on expansion or conversion of any forestland.**

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 2,625 square feet space for cannabis for retail and medicinal sales and delivery. The building space will include and odor abatement plan for cannabis, which may include carbon control air filtration system. Areas not devoted to parking or buildings will be landscaped. 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).

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- 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 permittee is proposing a 2,625 square feet space for cannabis for retail and medicinal sales and delivery. The building space will include and odor abatement plan which include odor abatement plans for cannabis including carbon control air filters. Areas not devoted to parking or buildings will be landscaped. 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 must adhere to the Air District's Fugitive Dust Rules (Regulation VIII- Fugitive Dust Rules).

- c) Expose sensitive receptors to substantial pollutants concentrations?

c) The proposed project will be entirely enclosed inside the proposed 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 the proposed structure, and the project will abide with all state and local regulations for proposed cannabis operations on site. The proposed project 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.

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 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

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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. As explained Item a) above, 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, no impact is expected.**

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; it is 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 appear to cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; **therefore, any impacts are considered less than significant**

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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 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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?
a) The proposed cannabis operations will be located in a new commercial structure. Buildings will be designed in accordance with the California Energy Commission's 2019 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
b) The proposed cannabis operations will be located in in a new commercial structure. Buildings will be designed in accordance with the California Energy Commission's 2019 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including risk of loss, injury, or death involving:

a) The project as proposed does not appear to conflict with the geology and soils of adjacent properties. The project may be required to perform a grading and drainage plan/study acceptable to the Imperial County Public Works Department. Therefore, any impact would appear be less than significant. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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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?

a) The proposed projects are planned to be located in in a new commercial structure on site. The Quadrangle Official Map Effective January 1, 1990 does not indicate any active faults in or near the project area. The Algodones Fault is approximately 5 mile west of the proposed project site. **Impacts appear to be less than significant.**

2) Strong Seismic ground shaking?

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 4 by the Uniform Building Code which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures the same as under the adopted Specific Plan, taking into account the above discussion and because seismic risk is associated with occupancy of future buildings regardless of its size which will require geotechnical review done on building permits. **The impact would be considered less than significant.**

3) Seismic-related ground failure, including liquefaction and seiche/tsunami?

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 4 by the Uniform Building Code, 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?

4) **Less than Significant** (see above a)

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 4 by the Uniform Building Code (Sections 1626 through 1635), 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

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or property?

d) The project as proposed does not appear to conflict with the geology and soils of adjacent properties. The project may be required to perform a grading and drainage plan/study and additional construction would require geotechnical work acceptable to the Imperial County Public Works Department and California Building Code for all new construction and expansion. **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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

e) **Less than Significant Impacts.** The proposed project is a new building (2,625 square feet) for cannabis (Adult and Medicinal) retail sales and delivery; thus, the installation of a new septic system will be subject to review by Environmental Health, along with the compliance with the appropriate California Building Code.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

f) Considering that the project site was completely disturbed when previously constructed commercial uses were built, the probability of encountering an unforeseen/buried human remains is very low. Therefore, the Project is anticipated to result in no or **less than significant impacts.**

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

a) **Less Than Significant Impacts.** The applicant are 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. As a precaution the applicant proposes to install a new HVAC system to reduce any possible odor impacts. Grading for parking and landscaping are proposed, but appear to have a less than significant impact. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
materials?				
a) Less Than Significant Impacts. The proposed project would not appear to generate any significant hazards 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) No Impact. The proposed project will not handle hazardous materials or waste within a one-quarter mile of an existing or proposed school site.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) The project site is not within two miles of the Yuma International Airport; however, No impact is expected. The proposed uses appear to be Normally Acceptable Uses per Table 2A of the Imperial County Airport Land Use Compatibility Plan on page 2-17.				
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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				

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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. 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. There is an existing groundwater well for the gas station, and with the addition of the cannabis retail operation, it is not expected that the use of groundwater will be significant.

- 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. 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 project has been previously used commercially and site has been impacted for a number of years.

- (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. The Project would not appear to substantially increase the rate or amount of surface runoff resulting in flooding; the site is previously used for commercial uses and no additional structures are being proposed.

- (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?

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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iv) **Less than Significant Impacts.** The Project would not appear to impede or redirect flood floods; the project has been previously used commercially and site has been impacted for a number of years.

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

d) **No Impact.** The project site does not appear to be 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) **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. The current site has as proposed 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 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 Winterhaven area zoned 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) **The proposed project will not remove mineral resources on-site; therefore, no impact 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) **The proposed project will not remove mineral resources on-site; therefore, no impact expected.**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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 noises on local landowners. The facilities will be within a fenced and landscaped area, and the proposed project is not expected to significantly increase the ambient noise level in the vicinity. **Less than significant impacts are expected.**
- b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- b) The proposed projects are not expected to exceed applicable noise standards noises on local landowners. The facilities will be within a fenced and landscaped area and the proposed activities will appear to not generate any excessive ground-borne vibration or noise. **A less than significant impact is expected.**
- c) For a project located within the vicinity of a private airstrip or 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 operation is not within the vicinity of private airstrip or an 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 expansion will not displace substantial numbers of exiting housing, necessitating the construction of replacement housing elsewhere; therefore, no impact is expected. Previously, the parcel and proposed 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:

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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 services for 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?

a1) 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.
- 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 for safety purposes. The CHP and sheriff's office has active patrol. The facilities will have a security plan approved by the County. **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 local parks.

5) Other Public Facilities?

5) The project would not appear to put an increased burden on off-site 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?

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) The applicant will 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) The proposed project would not appear to impact any public transit, bicycle or pedestrian facility. The parcel has an enclosed commercial type structure on site. The applicant is proposing improvement for ingress and egress and may make improvements as requested by Public Works for encroachment to site. A new parking plan with paved parking and landscaping will improve 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Less than significant impacts are anticipated. The project site is on previously constructed site. The permittee is proposing a 2,625 square feet space for cannabis for retail and medicinal sales and delivery. A new parking plan with paved parking and landscaping will improve site. | | | | |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) Less than significant impacts. The permittee is proposing a 2,625 square feet space for cannabis for retail and medicinal sales and delivery on disturbed site; the impacts appears to be less than significant for tribal cultural resources as defined in Public Resources Code Section 21074. | | | | |
| (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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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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 for consultations. No comments at this time have been received.

(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 in 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.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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(ii) The project site is zoned for general commercial uses and is used for commercial uses. The parcel has a gas station/convenience store 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. **Less than significant impacts.**

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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a) The property owners shall be required to pay all applicable development fees and improvements associated with developing their project. 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 proposed structure on site and no additional impacts are anticipated. The structure will utilize the public water system and septic system for water and sewer. **Less than significant impacts are expected.**

b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Based on the size of the proposed operation, i.e. the number of employees and persons at the project site, the site shall require pressurized/potable water to be obtained from the existing water supply. The applicant 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.**

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Based on the size of the proposed operation, i.e. the number of employees and persons at the project site, the site shall require a septic system for onsite wastewater treatment. The applicant shall be required to pay all applicable fees and improvements associated with developing their project. **The level of impacts appear**

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to a less than significant.

- 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 site shall require 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.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

e) All proposed project 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 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) The Community Veterans of Imperial County, 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 west of the community of Winterhaven and access to proposed project via Sidewinder Road and I-8 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 Community Veterans of Imperial County, LLC site 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) 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.
- All cannabis facilities will have an approved smoke removal system installed and maintained to the current adapted fire code and regulation.

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- The project will be located on a parcel currently used for commercial uses, e.g., gas station and convenience store. **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 permittee is proposing a 2,625 square feet space for cannabis for retail sales and delivery. The project is located on flat and moderately sloped desert terrain. **Impacts are considered to be less than significant.**

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)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	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 checked="" 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 checked="" 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 checked="" 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
- David Black, 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) 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>.
- 10) 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).
- 11) Imperial County Planning and Development Services. 2015. Maps. Website available online at: <http://www.icpds.com/?pid=577>.
- 12) 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>.
- 13) Bureau of Land Management email 3/14/22
- 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 Agricultural Commissioner Letter 3/30/22
- 20) Imperial Irrigation District Letter 3/17/22

21) 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: Community Veterans of Imperial County, LLC Project, Conditional Use Permit CUP #21-0023

Project Applicant: Community Veterans of Imperial County, LLC, 1611 S. Melrose Dr. Suite A #391, Vista, CA 92081

Project Location: 611 Sidewinder Road, Winterhaven, CA

Description of Project: The Applicant proposes Conditional Use Permits #21-0023 to allow the operation of an Adult Use & Medicinal Storefront, with delivery for the sale of cannabis, on APN # 056-470-009-000. The legal description for this parcel is a Portion of the South Half, of the Southeast Quarter, of Section 21, T16S, R21E, SBBM, located west of the unincorporated Winterhaven town site of the County of Imperial, State of California. The Permittee will construct a new 2,625 square foot building located at 611 Sidewinder Road, Winterhaven, CA.

Community Veterans of Imperial County, LLC is proposing a 2,625 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. Community Veterans of Imperial County, LLC is expecting to hire 18 employees. The customer value is projected to be 60-70 per day (5 customers per hr.). Retail hours of operation 9am-10pm Daily, while delivery operations will be from 9am to 9pm based on the volume of orders (projected are 6-10 deliveries per day). Waste cannabis products would be recorded, rendered unusable through composting and, if allowable by the local waste management company, disposed of with traditional waste products. Community Veterans of Imperial County, LLC will be doing business as The Cake Shop.

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.

7-14-2022 
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

7-18-2022
Date

SECTION 4

VIII.

RESPONSE TO COMMENTS

N/A

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

N/A

S:\056170\0029\CUP21-0029\EEC\NEGATIVE DECLARATIONS

COMMENT LETTERS



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March 17, 2022

Ms. Jeanine Ramos
Planner II
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

RECEIVED

MAR 17 2022

IMPERIAL IRRIGATION DISTRICT
PLANNING & DEVELOPMENT SERVICES DEPARTMENT

SUBJECT: Community Veterans of Imperial County Cannabis Retail Project; CUP #21-0023

Dear Ms. Ramos:

On March 11, 2022, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit application No. 21-0023. The applicant, Community Veterans of Imperial County, LLC, proposes the establishment of a commercial cannabis operation in an existing retail space located at 611 Sidewinder Road, Winterhaven, CA (APN 056-470-009-000).

The IID has reviewed the application and has the following comments:

1. To obtain electrical service for the project, the applicant should be advised to contact Joel Lopez, IID Service Planner, at (760) 482-3444 or e-mail Mr. Lopez at JFLopez@IID.com to initiate the customer service application process. In addition to submitting a formal application (available at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit an electrical one-line diagram, operating voltage requirements, electrical panel loads and sizes 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. Electrical capacity is limited in the area; thus, an electrical study may be required. Any system improvements determined by the study will be the financial responsibility of the applicant.
3. On the Conditional Use Permit application, lines 12 and 13 require descriptions of sewer and water systems, and "Use of Existing" is the stated response. What are the existing conditions of the site's water system? Is there additional information on the water demand for the existing use and the water demand of the proposed new additional use? If the current water source is well water, does the property owner have a water supply agreement that supports the new water demand?
4. Although the parcel to be used is located outside of IID's water service area, it is within the Lower Colorado River Accounting Surface. A water supply agreement should be in place with the City of Needles for this property and its existing and new proposed use, if

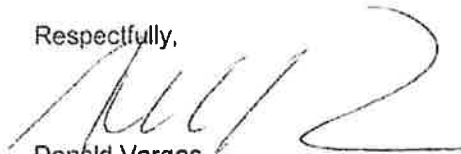
Jeanine Ramos
March 17, 2022
Page 2

the water is well water. For additional information regarding the LCR Accounting Surface, please contact Justina Gamboa-Arce, Water Resources Planner, at 760 339-9085.

5. 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 for its completion are available at the website <https://www.iid.com/about-iid/department-directory/real-estate>. The district 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.
6. 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 CEQA and/or 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.
Marilyn Del Bosque Gilbert – Manager, Energy Dept.
Constance Bergmark – Mgr. of Planning & Eng./Chief Elect. Engineer, Energy Dept.
Wayne K. Strumpfer, General Counsel
Jamie Asbury – Assoc. General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate
Jesssca Humes – Environmental Project Mgr. Sr., Water Dept.

Kimberly Noriega

From: Gonzalez, Camilo A <cgonzalez@blm.gov>
Sent: Monday, March 14, 2022 12:20 PM
To: Kimberly Noriega
Subject: Fw: [EXTERNAL] Request for Comments - Community Veterans of Imperial County, LLC
Attachments: CUP21-0023 Request for Comments 03 11 22.pdf

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

Good afternoon, not sure if you wanted something formal in letter, but as BLM law enforcement we have some concerns about this dispensary.

The store would be adjacent to federal lands, currently Marijuana is still illegal federally, and the transportation and use of Marijuana could possibly cross or be in federal lands.

Thank you.

Camilo Gonzalez (Cam)
Chief Ranger Law Enforcement
El Centro Field Office
Bureau of Land Management, California
Department of the Interior, Region 8
760-337-4480 Office
442-271-9443 Cell

MAR 14 2022
BLM EL CENTRO FIELD OFFICE
442-271-9443

From: Sahagun, Carrie L <csahagun@blm.gov>
Sent: Friday, March 11, 2022 10:44 AM
To: Gonzalez, Camilo A <cgonzalez@blm.gov>; Hamada, Neil T <nhamada@blm.gov>; Chatterton, Michael (Ryan) <mrchatterton@blm.gov>
Subject: Fw: [EXTERNAL] Request for Comments - Community Veterans of Imperial County, LLC

FYI- proposal for cannabis store at Sidewinder exit.

Carrie L. Sahagun
Assistant Field Manager
BLM El Centro Field Office
1661 S. 4th Street
El Centro, CA 92243
(760) 337-4437
USDI, Region 8



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

IMPERIAL COUNTY
AIR POLLUTION CONTROL DISTRICT
RECEIVED VIA EMAIL
March 11, 2022

March 11, 2022
REQUEST FOR REVIEW
AND COMMENTS

The attached project and materials are being sent to you for your review and as an early notification that the following project is being requested and being processed by the County's Planning & Development Services Department. Please review the proposed project based on your agency/department area of interest, expertise, and/or jurisdiction.

- | | | |
|---|--|---|
| <p>To: County Agencies</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> County Executive Office – Rosa Lopez/Esperanza Colio-Warren/Ben Salorio <input checked="" type="checkbox"/> Ag. Commissioner – Margo Sanchez/Ana L Gomez/Jolene Dessert/ Sandra Mendivil/ Carlos Ortiz/David Claveria/ Paul Deol <input checked="" type="checkbox"/> APCD – Monica Soucier/Belen Leon/Matt Dessert <input checked="" type="checkbox"/> EHS – Jeff Lamoure/Mario Salinas/Alphonso Andrade/Jorge Perez/Vanessa R Martinez <input checked="" type="checkbox"/> Public Works – Guillermo Mendoza/John Gay <input checked="" type="checkbox"/> Assessors – Robert Menvielle <input checked="" type="checkbox"/> Board of Supervisors – Raymond Castillo - District #5 | <p>State Agencies/Other</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> IC Sheriff's Office – Robert Benavidez/Thomas Garcia/ Ray Loera/ Scott Sheppard <input checked="" type="checkbox"/> IID – Raquel L Pena/ Jaime Asbury/ Donald Vargas/Jesse Montano <input checked="" type="checkbox"/> Fort Yuma – Quechan Indian Tribe – H. Jill McCormick/ Jordan D. Joaquin <input checked="" type="checkbox"/> IC Fire/OES Office – Andrew Loper/Alfredo Estrada/Robert Malek <input checked="" type="checkbox"/> CHP – Scott Lavery/ Monica Tavares/ Jose Serrano/ Chris Hamilton <input checked="" type="checkbox"/> County Counsel – Eric Havens | <p>Cities/Other</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> BLM – Tristan Tiedell/ Carrie Sahagun/ Neil Hamada/ Stephanie Clark/ John McDonald/ James Keeler/ John Kalish <input checked="" type="checkbox"/> Caltrans – District 11 – Maurice Eaton/ Beth Landrum/ Kimberly Dodson/ Roger Sanchez |
|---|--|---|

From: Jeanine Ramos, Planner II - (442) 265-1736 or ICPDSCCommentLetters@co.imperial.ca.us
 Project ID: Community Veterans of Imperial County – Conditional Use Permit #21-0023/Initial Study #21-0039
 Project Location: 611 Sidewinder Road, Winterhaven, CA 92283-9500 APN: 056-470-009-000
 Project Description: Applicant is proposing use of an existing retail space for commercial cannabis retail operations.
 Applicants: Community Veterans of Imperial County, LLC, d.b.a. as The Cake House
 Comments due by: **March 28th, 2022 at 5:00PM**

COMMENTS: *(attach a separate sheet if necessary)* (If no comments, please state below and mail, fax, or e-mail this sheet to Case Planner)
The ICAPCD will need to verify final Odor plan with a site visit prior to the issuance of the Certificate of Occupancy

Name: Monica N. Soucier Signature: *Monica N. Soucier* Title: APC Division Manager
 Date: Mar 18, 2022 Telephone No.: (442) 265-1800 E-mail: monicasoucier@co.imperial.ca.us

MA\KNAS:\AllUsers\APN\056470\009\CUP21-0023\CUP21-0023 Request for Comments\CUP21-0023 Request for Comments 03 11 22.docx

RECEIVED

MAR 18 2022

Kimberly Noriega

From: Ana L Gomez
Sent: Wednesday, March 30, 2022 12:00 PM
To: Jeanine Ramos; Kimberly Noriega; ICPDSCCommentLetters
Cc: Margo Sanchez
Subject: RE: Request for Comments - Community Veterans of Imperial County, LLC
Attachments: CUP21-0023 Community Veterans of Imperial County LLC comments.pdf; WM Letter from Imperial County.pdf; 2021 Nursery Landscape Letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED

MAR 30 2022

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Good morning Kimberly,

Please see the attached letters from the Ag Department for the project CUP #21-0023 for applicant Community Veterans of Imperial County, LLC (Cake House)

Thank you,
Ana Gomez

From: Kimberly Noriega <KimberlyNoriega@co.imperial.ca.us>
Sent: Friday, March 11, 2022 10:36 AM
To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Paul Deol <PaulDeol@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; David Claverie <DavidClaverie@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>; Matt Dessert <MattDessert@co.imperial.ca.us>; Eric Havens <EricHavens@co.imperial.ca.us>; Ray Castillo <RayCastillo@co.imperial.ca.us>; Rosa Lopez <Rosalopez@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Ben Salorio <BenSalorio@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.Imperial.ca.us>; Gilbert Otero <GilbertOtero@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Thomas Garcia <tgarcia@icso.org>; Ray Loera - Sherriff <rloera@icso.org>; Robert Benavidez <rbenavides@icso.org>; Scott Sheppeard <scottsheppeard@icso.org>; rlpna@iid.com; jlasbury@iid.com; Donald Vargas - IID <DVargas@IID.com>; jmontano@iid.com; Laverty, Scott@CHP <SLaverty@chp.ca.gov>; Monica Tavares (monica.tavares@chp.ca.gov) <monica.tavares@chp.ca.gov>; josesserrano@chp.ca.gov; chamilton@chp.ca.gov; Maurice.Eaton@dot.ca.gov; beth.landrum@dot.ca.gov; kimberly.dodson@dot.ca.gov; Roger Sanchez <roger.sanchez-rangel@dot.ca.gov>; clsimmon@blm.gov; trieddell@blam.gov; Sahagun, Carrie L <csahagun@blm.gov>; nhamada@blm.gov; sdclark@blm.ca.gov; jmacdonald@blm.ca.gov; james_keeler@blm.gov; john_kalish@blm.gov; Quechan Historic Preservation Officer <historicpreservation@quechantribe.com>; Quechan Indian Tribe <tribalsecretary@quechantribe.com>
Cc: Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>; Shannon Lizarraga <ShannonLizarraga@co.imperial.ca.us>; Valerie Grijalva



Office of the
Agricultural Commissioner
Sealer of Weights and Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights and Measures

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

March 30, 2022

Jeanine Ramos, Planner II
Imperial County
Planning & Development Services
801 Main Street
El Centro, CA 92243

Re: CUP#21-0023 Community Veterans of Imperial County, LLC

Ms. Ramos:

Our department has reviewed the documents pertaining to CUP#21-0023 for applicant Community Veterans of Imperial County, LLC who proposes to use a retail space for commercial cannabis retail operations at 611 Sidewinder Road in Winterhaven, California with an existing C-2 Medium Commercial zone.

As it is required by Title 9 Division 3 Section 90302.04 – Landscaping standards – Commercial uses, to landscape, our office asks that if plant material is not sourced from a nursery within 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.

Regarding the commercial cannabis dispensary operations, please refer to the handouts attached. The handouts will help in determining what type of scale(s) will be required for their operations. As referred in the business and planning project, the applicant will utilize point of sale equipment and scales. 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. Any point of sale devices or scanners used in retail sale transactions are also required to be registered and inspected.

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

Regards,

A handwritten signature in blue ink that reads "Carlos Ortiz".

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights & Measures



Office of the
Agricultural Commissioner
Sealer of Weights and Measures

Carlos Ortiz
 Agricultural Commissioner
 Sealer of Weights and Measures

Jolene Dessert
 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

December 7, 2020

Landscaper/Nursery Letter-

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:

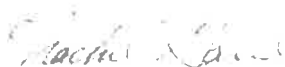
- Any violation of quarantine requirements is an infraction punishable by a fine of \$1,000 for the first offense. For a second or subsequent offense within three years, the violation is punishable as a misdemeanor (Food and Ag Code, Section 5309).
- In lieu of any civil action, the Agricultural Commissioner 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 roebelinii*, 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,



Rachel Garewal
Deputy Agricultural Commissioner
Pest Detection and Eradication



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/CTEInfoGuide.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/ntep/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 g 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 cm ² (5 in ²) or less	1.6 mm (1/16 in)	3.2 mm (1/8 in)
Over 32 cm ² (5 in ²) to 161 cm ² (25 in ²)	3.2 mm (1/8 in)	4.8 mm (3/16 in)
Over 161 cm ² (25 in ²) to 645 cm ² (100 in ²)	4.8 mm (3/16 in)	6.4 mm (1/4 in)
Over 645 cm ² (100 in ²) to 2581 cm ² (400 in ²)	6.4 mm (1/4 in)	7.9 mm (5/16 in)
Over 281 cm ² (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 Dossert
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



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

ANNUAL REGISTRATION/RENEWAL APPLICATION (expires December 31, 2022)

Registration No.: _____ *Please update any outdated or missing information.*

Company Headquarters:

Name: _____ Contact: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax: _____
Email: _____

Physical Location:

Business Name: _____ Primary Contact: _____
Physical Address: _____ Phone: _____
City/State/Zip: _____ Fax: _____

Device Type	Location Fee	Quantity	Fee per Device	Device Fee Subtotal	DMS Fee per Device	DMS Fee Subtotal	Device Total

TOTAL FEES DUE: _____

<p>For Department Use Only</p> <p>DMS Receipt #: _____ DMS Date: _____</p> <p>Deposit #: _____ Deposit Date: _____</p>	<p>Make check or money order payable to:</p> <p>IMPERIAL COUNTY WEIGHTS & MEASURES 852 Broadway El Centro, CA 92243</p>
---	---

I CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION IS TRUE AND CORRECT.

_____ **Print Name of Authorized Representative** **Signature** **Date**

We gladly accept checks. If your check is returned unpaid, your account will be debited electronically for the original amount and electronically or via paper for the state's maximum allowable service fee. Payment by check constitutes authorization of these transactions. You may revoke this authorization by calling (800) 666 5227, ext. 2, to arrange payment for any outstanding checks and service fees due. www.fiserv.com

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.

APPLICATION

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (442) 265-1736

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

1. PROPERTY OWNER'S NAME Jamal Shaow	EMAIL ADDRESS jsoilinc@gmail.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 611 Sidewinder Rd. N Winterhaven, CA	ZIP CODE 92283-9500	PHONE NUMBER (248) 563-8083
3. APPLICANT'S NAME Community Veterans of Imperial County, LLC.	EMAIL ADDRESS danny@cakeenterprises.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 1611 S. Melrose Dr STE A #391 Vista, CA	ZIP CODE 92081	PHONE NUMBER (512) 745-3242
4. ENGINEER'S NAME	CA. LICENSE NO.	EMAIL ADDRESS
5. MAILING ADDRESS (Street / P O Box, City, State)	ZIP CODE	PHONE NUMBER
6. ASSESSOR'S PARCEL NO. 056-470-009	SIZE OF PROPERTY (in acres or square foot) 3.36 acres	ZONING (existing) C-2
7. PROPERTY (site) ADDRESS 611 Sidewinder Rd. N Winterhaven, CA 92283-9500		
8. GENERAL LOCATION (i.e. city, town, cross street)		
9. LEGAL DESCRIPTION POR S2 OF SE4 SEC 21 16-21 3.32 AC S FRWY & N OF O		

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

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail)	Proposed use of existing separate retail space for commercial cannabis retail operations.
11. DESCRIBE CURRENT USE OF PROPERTY	Gas Station
12. DESCRIBE PROPOSED SEWER SYSTEM	Use of Existing
13. DESCRIBE PROPOSED WATER SYSTEM	Use of Existing
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	Use of Existing
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? 15-20

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

Jamal Shaow Aug 25, 21
 Print Name Date
 Signature
 Print Name Date
 Signature

REQUIRED SUPPORT DOCUMENTS

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

APPLICATION RECEIVED BY: <u>JDR</u>	DATE <u>12/21/21</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 #
21-0083

RECEIVED

DEC 21 2021
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES



Commercial Cannabis Business Application Prepared for Imperial County

Applicant: Community Veterans of Imperial LLC dba The Cake House

Address: 611 Sidewinder Rd N. Winterhaven, CA 92283

APN: 056-470-009

License: Retail Storefront

Proposal Date: November 3, 2021

Honesty | Excellence | Respect | Innovation | Stewardship | Hospitality | Customer Service

EEC ORIGINAL PACKAGE

CONTENTS

1	Completed and Signed Application form	3
2	Vicinity Map	9
3	Site Photos	10
4	Site Plan.....	11
5	Floor Plan	12
6	Indemnification Forms	16
7	Legal Disclaimer	18
8	Property Owner Acknowledgement Form.....	19
9	Proof of Site Control	20
10	Zoning Verification Letter Request.....	21
11	Labor Peace Agreement	22
12	Legal Identification	23
	Daniel Wise	23
	Saad Pattah	24
	Sahara Pattah Bernes	25
13	Business and Operation Plan	26
	13.1 Air Quality/Odor Control Plan	26
	13.2 Production Handling and Storage Plan.....	33
	13.3 Parking and Landscaping Plan	48
	13.4 Signage Plan	49
	13.5 List and Number of Employees	50
	13.6 Proof of Worker' Compensation and Liability.....	67
	13.7 Fictitious Business Name	68
14	Security Plan	71
	14.1 Professional Security Consultant.....	71
	14.2 Intrusion Alarm and Monitoring System	77
	14.3 Cash Handling Procedures.....	92
	14.4 On-Site Security Guards	94
	14.5 Visitor Access Control	101
	14.6 Employee Security Education	102



County of Imperial
 Planning & Development Services
 801 Main Street
 El Centro, CA 92243
 (442) 266-1738
 Email: planninginfo@co.imperial.ca.us
 Website: www.icpds.com

**COMMERCIAL CANNABIS ACTIVITY
 LICENSE APPLICATION**

Official Use Only:
 Application Number: _____

Please select "ONLY ONE" of the following Commercial Cannabis Activities. A separate application must be submitted for each commercial cannabis category desired to be operated.

TYPE:	CATEGORY:		
<input checked="" type="checkbox"/> Adult Use	<input type="checkbox"/> CULTIVATION	<input type="checkbox"/> MANUFACTURING	<input type="checkbox"/> DISTRIBUTION (WHOLE)
<input checked="" type="checkbox"/> Medical	<input type="checkbox"/> TESTING LABORATORY	<input type="checkbox"/> VIRTUAL RETAIL	<input checked="" type="checkbox"/> STOREFRONT
	<input type="checkbox"/> MICROBUSINESS (LIST)		

California State License Classification: (as defined by State Regulations)

Has a State License been obtained? Yes No License Number: _____

If no, has a State License been applied for? Yes No

Type: _____ Subtype: _____ Explanation: _____

Applicable California State Department: Department of Cannabis Control

APPLICANT'S INFORMATION:

Business Name: Community Veterans of Imperial County, LLC.

Applicant: Saad Pattah Phone No. (760) 703-7357

Mailing Address: 559 W. 9th Avenue Fax No. _____

City: Escondido State: CA Zip: 92025 Email Address: char@cakeenterprises.com

*** Attach additional pages if necessary.

PROPOSED PROJECT LOCATION:

Assessor's Parcel Number (APN): 056 --- 470 --- 009 --- 001 Zoning: C-2 (Medium Commercial)

Address: 611 Sidewinder Rd. N. Location: Winterhaven State: CA Zip: 92283

Legal Description of Property: POR S2 of SE4 SEC 21 16-21 3.32 AC S FRWY & N OF O

PROPERTY OWNER(S) INFORMATION (if different than applicant):

Name: Jamal Shaow Phone No. (248) 563-8083

Mailing Address: 611 Sidewinder Rd. N. Fax No. _____

City: Winterhaven State: CA Zip: 92283 Email Address: jsoilinc@gmail.com

*** Attach additional pages if necessary.

CHECK TYPE OF BUSINESS OWNERHIP:

- SOLE PROPRIETORSHIP CORPORATION
 LIMITED PARTNERSHIP OTHER: _____
 GENERAL PARTNERSHIP _____

COMPLETE THE SECTION BELOW THAT IS APPLICABLE TO THE FORM OF OWNERSHIP

SOLE PROPRIETORSHIP

Legal Name: _____ Alias, If Any: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____ Phone No. _____
Date of Birth: _____ Driver's License Number: _____ State: _____ Expiration: _____

TYPE OF PARTNERSHIP
(i.e. Limited, General)

Name of Partnership: Community Veterans of Imperial County, LLC.

List each Partners:

Legal Name: Daniel Abraham Wise Alias, If Any: None
Date of Birth: 11/1/1990 Driver's License Number: Y5507615 State: CA Expiration: 11/1/2022
Legal Name: Saad Salim Pattah Alias, If Any: None
Date of Birth: 12/24/1988 Driver's License Number: D4741724 State: CA Expiration: 12/24/2025
Legal Name: Sahara Pattah Bernes Alias, If Any: Sahara Pattah
Date of Birth: 10/08/1984 Driver's License Number: D1894385 State: CA Expiration: 10/08/2023
Legal Name: _____ Alias, If Any: _____
Date of Birth: _____ Driver's License Number: _____ State: _____ Expiration: _____

CORPORATION

Name of Corporation: _____

List each Corporate Office and/or Director:

Name and Title: _____

Name and Title: _____

Name and Title: _____

Name and Title: _____

Name of Corporate Agent for Service of Process: _____

BACKGROUND INFORMATION:

Has any owner or business manager ever been convicted of a felony? Yes No

If "Yes", please explain: _____

Has the Cannabis Business License applicant previously operated in this County or any other County, City or State under a similar license or permit? Yes No

If "Yes", please explain: Pending application for retail in Ocotillo, CA.

If "Yes", please attach a copy of the license/permit issued by the other County, City or State.

Has any owner, business manager, member, or employee ever been denied a cannabis business license in the County of Imperial and/or by the State or had a license suspended or revoked? Yes No

If "Yes" what was the license account number? _____ Name: _____

If "Yes" what was the date the license was suspended and/or revoked? _____

BUSINESS OPERATION INFORMATION:

Legal Business Name: Community Veterans of Imperial County, LLC

Trade Name (DBA): The Cake House Tax Identification Number: _____

Primary Contact Person: Daniel Wise

Mailing Address: 1611 S. Melrose Dr STE A #391 Phone No. (512) 745-3242

City: Vista State: CA Zip: 92081 Email Address: danny@cakeenterprises.com

Emergency Contract Person: Daniel Wise 24-hour Phone No. (512) 745-3242

Hours of Operation:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
9:00am-10:00pm	9:00am-10:00pm	9:00am-10:00pm	9:00am-10:00pm	9:00am-10:00pm	9:00am-10:00pm	9:00am-10:00pm

Number of Employees:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
15	14	14	14	16	16	16

BUILDING AND FACILITY INFORMATION:

Licensees must have legal possession of the premises for the duration of the license issuance.

Do you own the property where the business is or will be located? Yes No

If you ARE NOT the property owner, the applicant must provide a true and complete copy of the executed lease, and proof that the property owner has authorized the use of a cannabis business operation on their property.

If you ARE the property owner, a copy of a recorded Grant Deed must be attached to the application.

Square footage of Building: _____ Cannabis Square Footage of Floor Area to be Used: _____

Testing Square Footage: None Distribution Yes No Transportation Yes No

Please explain/describe business activities: Business activities will include a retail storefront that serves customers within a secure enclosed facility. All operational procedures aligned to be compliant with both local and state regulations. Cannabis products will arrive prepackaged and seals, therefore, the facility will not perform any type of processing, testing, or packaging. The company will offer a delivery service to qualified customers who reside at a physical residential location in the area.

SECURITY INFORMATION:

Will security guards be provided? Yes No

If "YES" how many security guards:

DAYS	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start time	8:00am	8:00am	8:00am	8:00am	8:00am	8:00am	8:00am
End time	11:00pm	11:00pm	11:00pm	11:00pm	11:00pm	11:00pm	11:00pm

REQUIRED SUPPLEMENT INFORMATION:

This information is required for this application to be considered complete. Attach the following reports to the application.

- Vicinity Map**
- Photos of the site and building(s)**
- Site Plan (drawn to scale)** that illustrates the proposed development, particularly the location and size of the proposed and existing structures, driveways, public utility lines, septic system, etc., and their distances from property lines. Indicate any other information pertinent to the project.
- Floor plan (drawn to scale)** designating all interior dimensions of the licensed premises and the layout of the cannabis business, including all limited access areas, areas of ingress and egress. Floor plan shall also show the principal uses of the floor area depicted therein. For cultivation sites, the floor plan shall distinguish all dimensions of areas in which cannabis plants are located.
- Indemnification Form** holding County of Imperial harmless.
- Statement of Agency (if applicable).** This form must be completed if the property owner(s) will be appointing an agent to act on their behalf.
- Legal Disclaimer**
- Property Owner Acknowledgement Form** must be completed by each property owner.
- Proof of Site Control.** Provide all necessary documents need to show proof that the applicant has right of use of the subject property. This is typically either in the form of a grant deed or lease agreement that identifies property owner and the applicant's right of site control.
- Copy of State/Federal License** showing tax identification number (if applicable).
- Certificate of Labor Peace Agreement** (if applicable).

SUPPLEMENTAL PLANS:

These plans are required prior to issuance of a Commercial Cannabis Activity License.

- Business and Operation Plan** including air quality/odor control plan, production handling and storage plan, parking and landscaping plan, signage plan, list and number of employees, proof of workers' compensation and liability and copy of fictitious business name.
- Safety and Security Plan** demonstrating compliance with the interior and exterior security requirements of lighting and recorded surveillance.

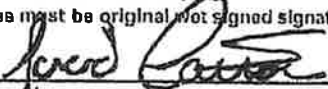
NOTE: All plans submitted shall include legible reductions no larger than 11" x 17" to provide for photocopying on standard office equipment.

DECLARATION OF APPLICANT

The undersigned declares under penalty of perjury, under the law of the State of California, that the foregoing information set forth in this application and in its attachments, is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be ground for denial for the issuance of the license, renewal of the license and subsequent revocation of the Conditional Use Permit (if applicable).

NOTE: All signatures must be original not signed signatures.

Saad Pattah
Print Name


Signature

10/26/21
Date

Print Name

Signature

Date



DETERMINATION OF APPLICATION (County Staff Use Only)

Commercial Cannabis License Application Number: _____

Date / Time Rec'd _____ Rec'd By: _____

Planning Commission Approval Date (if applicable): _____

Conditional Use Permit Number (if applicable): _____

Action Taken: Approved Denied

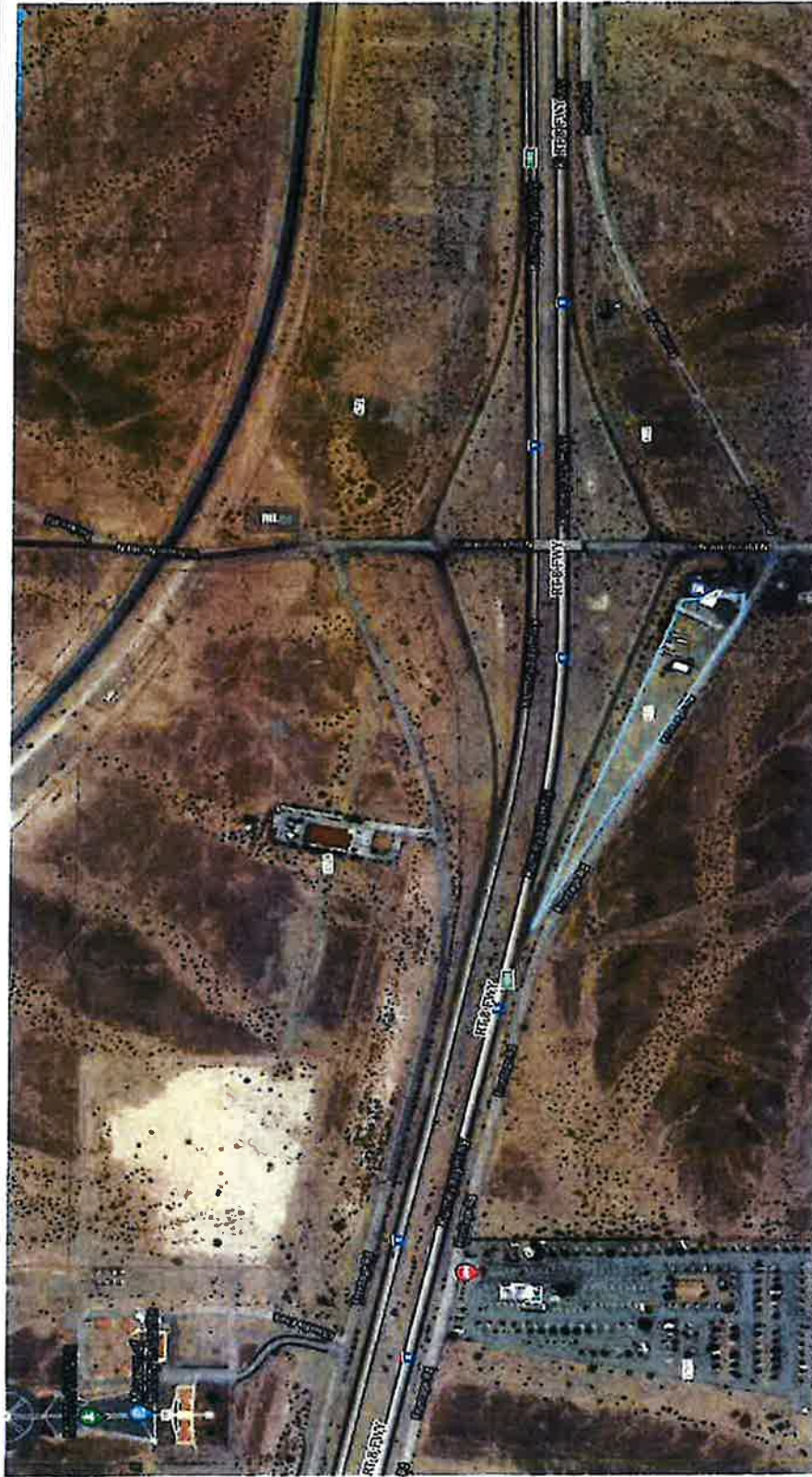
Grounds for Denial: _____

Approved/Denied Date: _____ Approved/Denied By: _____

Section: Vicinity Map



2 VICINITY MAP



Applicant: Community Veterans of Imperial
Property Address: 611 Sidewinder Rd. N. Winterhaven, CA 92283

3 SITE PHOTOS



Applicant: Community Veterans of Imperial
Property Address: 611 Sidewinder Rd. N. Winterhaven, CA 92283

**CONDITIONAL USE PERMIT:
CAKE ENTERPRISES, INC.
611 SIDEWINDER RD. N.
WINTERHAVEN, CA 92283
APN: 056-470-009**

VICINITY MAP



CAKE ENTERPRISES, INC
1611 S. MELROSE DR.
STE A 8691
VISTA CA 92081
CONSULTANTS

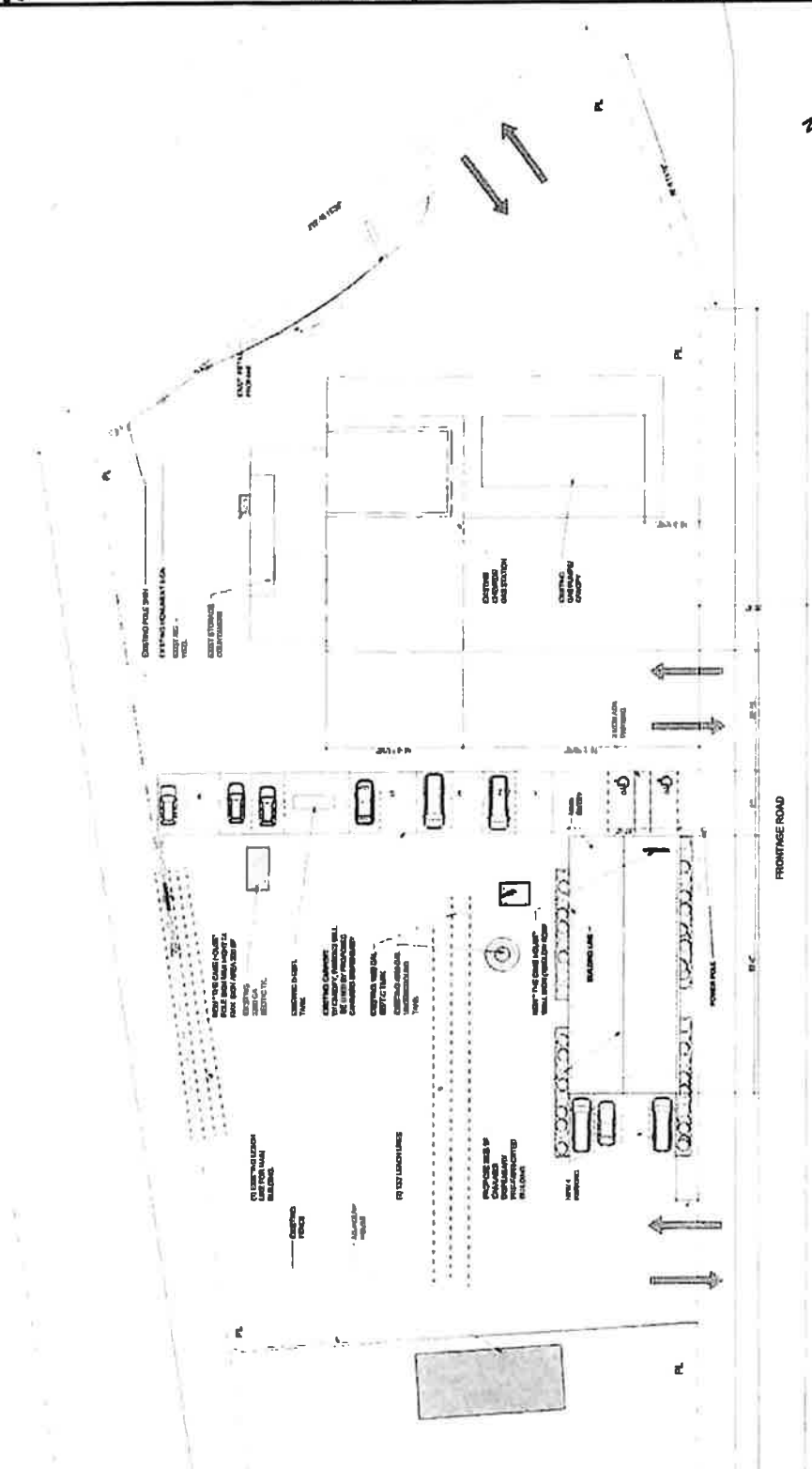
**PROJECT ADDRESS:
611 SIDEWINDER RD. N.
WINTERHAVEN CA 92283**

**THE
CAKE
HOUSE**

PROJECT NO. Project No. 22
MOORE P&L
Prepared by:
City of Vista
City Engineer: G.D. Thompson, P.E., M.P.S.
City Planner:
SHEET TITLE

Architectural Site Plan

CUP 1
005



AS BUILT SIT WITH PROPOSED BUILDING PLAN
SHEET NO. 1 OF 2



CAME ENTERPRISES, INC.
1611 S. MELROSE DR.
STE A #391
VISTA, CA 92081

CONTRACT DATE

PROJECT ADDRESS:
611 SIDEWINDER RD. N.
WINTERHAVEN CA 92283

THE
CAKE
HOUSE

PROJECT NO. Project No. 02
MODEL FILE
Location No. # 1
Contractor: C&S Technology Full Name
CONTRACTOR
SHEET TITLE

SITE PHOTOS

CUP 2
of 3



SITE VICINITY



CLOSEUP SITE



SITE IMAGE



GAS STATION 1



CARPORT



BUILDING LOCATION

CAME ENTERPRISES, INC
1811 S. MELROSE DR
STE A #391
VISTA, CA 92081

PROJECT ADDRESS
611 SIDEWINDER RD N
WINTERHAVEN CA 92283

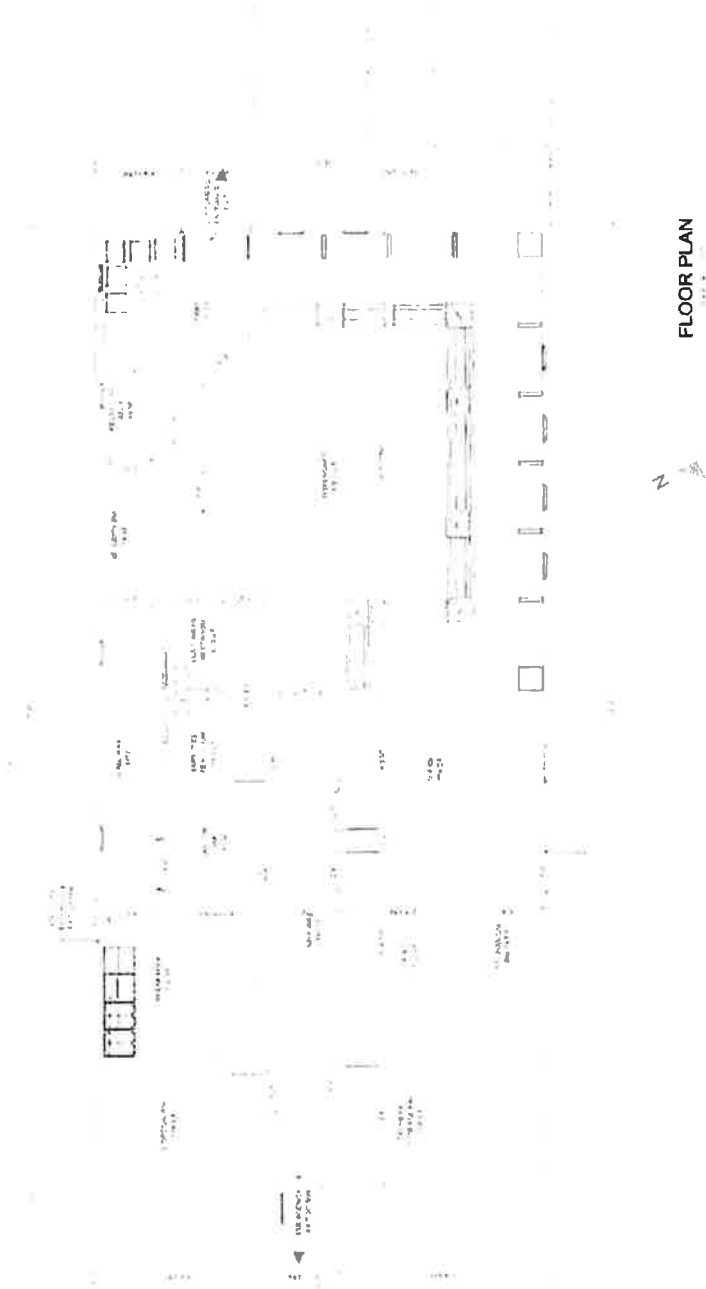
THE CAKE HOUSE

Prepared by: [illegible]
Checked by: [illegible]
Date: [illegible]
Scale: 1/8" = 1'-0"

FLOOR PLAN

CUP 3

0-1





CAKE ENTERPRISES, INC
1611 S. MELROSE DR.
STE A 1031
VISTA, CA 92081
CONSTRUCTION

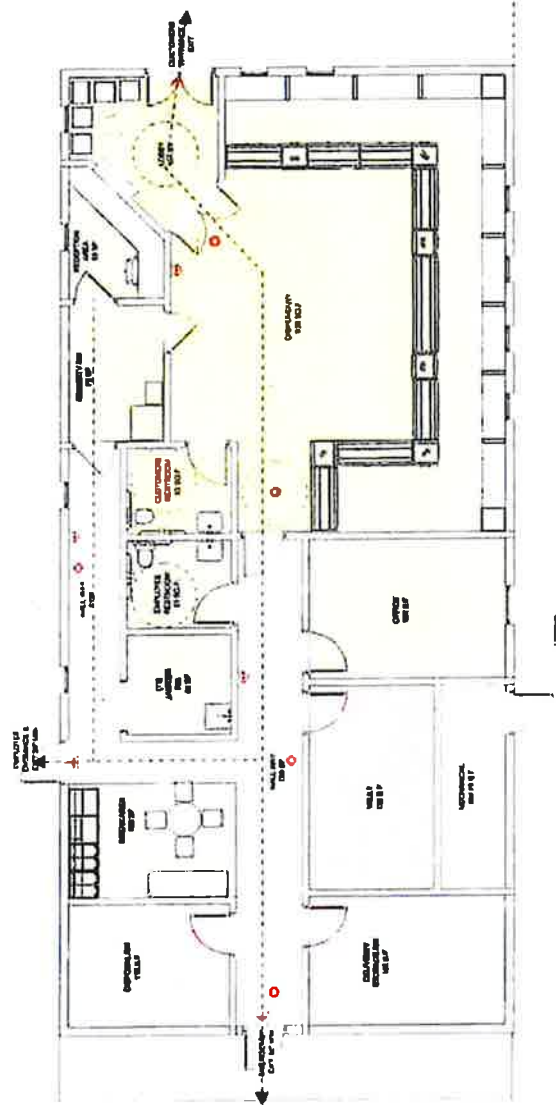
PROJECT ADDRESS:
611 SIDEMAN RD. N.
WINTERHAVEN CA 92283

THE
CAKE
HOUSE

PROJECT NO: Project 10102
SHEET NO: 004
DATE: 10/11/10
DRAWN BY: CAD/Technician Paul Rogers
CHECKED BY: PROJECT MANAGER

SHEET TITLE
SECURITY FLOOR
PLAN

CUP 4
004



SECURITY FLOOR PLAN
10/11/10

- LEGEND
- PUBLIC DOOR
 - PRIVATE DOOR
 - SECURITY DOOR
 - SECURITY ACCESS POINT
 - EXIT DOOR
 - EXIT TO OUTDOOR AREA
 - DOOR DETECTOR
 - SMoke DETECTOR

CAKE ENTERPRISES, INC
1611 S. MELROSE DR
STE A 4391
VISTA, CA 92081

REVISED

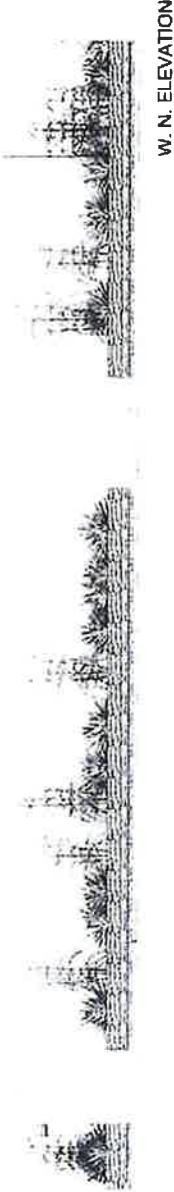
PROJECT ADDRESS
6111 SIDEWINDER RD N
WINTERHAVEN CA 92283

THE CAKE HOUSE

PROJECT: THE CAKE HOUSE
ARCHITECT:
DESIGNED BY: CAKE ENTERPRISES, INC
DATE: 11/11/11

ELEVATIONS

CUP 5



13 BUSINESS AND OPERATION PLAN

13.1 AIR QUALITY/ODOR CONTROL PLAN

Community Veterans of Imperial believes the positive benefits of actively managing air and water quality translates to the health and wellbeing of its customers and employees. Community Veterans of Imperial wants to create a space that is comfortable for customers and free of allergens while preventing any odors from reaching the outside of the facility. It is the team's ambition to reduce the impact on the surrounding community as a whole by eliminating undesirable odors, gases, or other potential hazards with relation to air quality.

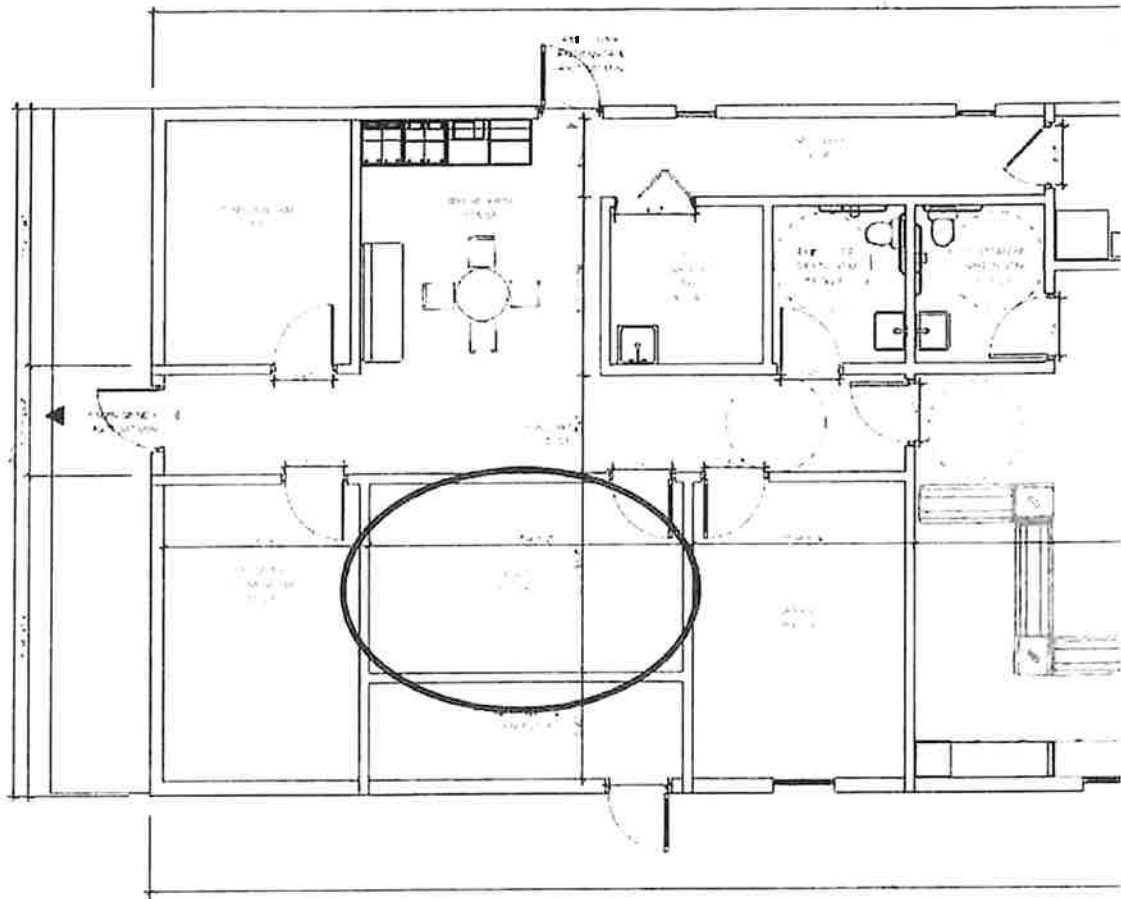
In compliance with the Imperial County Municipal Code § 14.03.080, the Community Veterans of Imperial team has crafted an odor control plan that provides details on the team's plan to implement an effective air treatment/filtration system to eliminate detection of cannabis odors from outside of the facility to be reviewed by the Imperial Air Pollution Control District (APCD). The team understands that the APCD could request additional actions and wants to assert that this is in fact a living document that will be updated and modified based on both the recommendations of the APCD and the County of Imperial.

13.1.1 Potential Sources of Odor

Community Veterans of Imperial intends to operate a cannabis retail storefront facility which will offer cannabis and cannabis infused products to customers through a delivery service. It is the intent of Community Veterans of Imperial to maintain all product in sealed, smell proof packaging. Community Veterans of Imperial does not intend to cultivate or process cannabis products, and pursuant to 16 CCR § 5412, all packages that arrive to the facility will arrive in sealed retail packaging, which should minimize cannabis odor within or around the facility. However, Community Veterans of Imperial understands that cannabis products naturally have a unique aroma that some may find offensive.

Community Veterans of Imperial will incorporate the best available odor control technology and devices in the overall design of the facility to ensure that odors from cannabis are not detectable off-site. A sufficient odor absorbing ventilation and exhaust system will be provided so that odor generated inside the premises that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as Community Veterans of Imperial's facility.

Cannabis products will be restricted to stay in limited access areas. Most cannabis and cannabis products on the premises will remain in a secured and locked vault as shown below. Daily, dispensary agents will remove only the quantity of cannabis and cannabis products necessary to meet the daily demand to the retail sales area to locked display cases to be readily available for purchase. Products not purchased throughout the day are returned to the vault at the conclusion of the day. Further, the team has designated an area for quarantined products and cannabis waste. See image below. It is the belief of the team that these areas are the biggest potential for odor emission. (Please see entire facility floor plan attached at the end of this document.) Again, while all products will be packaged in a sealed odor proof package, the team will ensure that the air exchanged throughout the facility to and from these areas are scrubbed of any potential odors.



13.1.2 Odor Absorbing Ventilation and Exhaust System

Community Veterans of Imperial will provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the commercial cannabis business that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other unit located inside the same building as Community Veterans of Imperial's business. As such, Community Veterans of Imperial will install and take all measures, including installing equipment, to control odor.

In order to control nuisances such as odors, humidity and mold, Community Veterans of Imperial utilizes an effective, professionally installed HVAC system that features:

- An exhaust air filtration system with odor control that prevents internal odors and pollen from being emitted externally;
- An air system that creates negative air pressure between the premises' interior and exterior, so that the odors generated inside the premises are not detectable outside the premises.



Given the unique nature of a non-storefront delivery commercial cannabis facility, it is Community Veterans of Imperial's intention to reduce odors inside where possible and eliminate any and all distinct odors from being detectable outside of the facility. These concerns have been largely mitigated in this branch of commercial cannabis business by the pre-packaging of all products that will be on the premises. Based on solutions implemented in other industries, increasing offerings of industry specific solutions and technology will allow Community Veterans of Imperial to stay in compliance with the Imperial County expectations.

This will be generally accomplished by utilizing multiple filtrations, odor absorption and carbon "scrubbers" to rid the system exhaust of any odors. Activated carbon is an extremely effective absorptive odor control substance. This filter uniquely allows reversal of the filter utilizing 100% of the carbon available within the filter which makes the filter both more effective and expands the filter's life span. Below is a breakdown of the areas where Community Veterans of Imperial will ensure there are odor absorbing filters.

In order to provide an area that is safe and comfortable for customers, employees, as well as authorized visitors such as vendors, service professionals, or agents of regulatory agencies. Community Veterans of Imperial utilizes a Carrier brand HVAC system capable of filtering the air in the entire facility. This comprehensive HVAC system incorporates the use of industry specific Air District recommended activated carbon filtration, as means to achieve reductions in odor emissions, allergens, and mold. Activated carbon is an extremely effective absorptive odor control substance. However, some carbon filters utilize only 65% of the carbon available and filter only through the top section of the carbon filter resulting in a lower effectiveness. Community Veterans of Imperial will utilize Air Filters Incorporated's Astro-Sorb™ carbon pleated filters with a proven effectiveness of removing 99.5% of odors.

Air Filters Incorporated™ Astro-Pleat™ Astro-SorbPlus™ MERV 13 carbon pleated filters provide superior odor and particulate capture by using activated carbon, combined with a non-woven polyester media. Unlike the typical coal-based carbon, the activated carbon is made with a coconut shell-based material. The carbon opens up when heated, making it more porous and giving it a larger surface area. The synthetic media is then chemically enriched with 200 grams/sq. meter of coconut-based activated carbon and will not promote the growth of bacteria, mold, mildew, or fungi in normal operating environments.

The Astro-SorbPlus™ is highly efficient while effectively capturing and removing air pollutants and odors. The Astro-SorbPlus™ captures and traps VOCs, gases, and vapors through the process of chemical adsorption. Activated carbon pleated air filters act as a "sponge" to harmful gases and vapors, effectively stopping and trapping contaminants that can bypass the human body's natural defenses and cause illnesses. The Astro-SorbPlus™ is designed with residential and commercial HVAC industries in mind, with features including low-pressure drop, high dust holding capacity, and odor adsorption.

Filtered Airborne Contaminants						
	Particle Size Removal	Arrestance	Dust-Spot Efficiency Percent	Typical Applications	Most Common Air Filter Type	
Best	MERV 13	< 75	> 98%	89 - 90%	Superior Residential (M13 Only) Superior Commercial Buildings	Bag Filters Pleated Filters
	MERV 14	75 - 85	> 98%	90 - 95% **	Hospital Inpatient Care	Rigid Style Box Filters
	MERV 15	85 - 95	-	> 95% **	General Surgery	
	MERV 16	> 95	-	- **	Smoking Lungs	

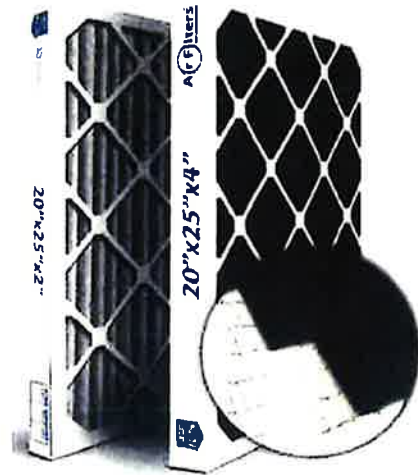
Section: Business and Operation Plan



By utilizing an efficient HVAC system that utilizes Carbon Filters, Community Veterans of Imperial is confident that no odors will be detectable outside of the operation's facility, anywhere on adjacent lots or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas immediately surrounding the facility.

13.1.3 Location of HVAC System and Odor Control Filters

The facilities main HVAC system, which will house the odor eliminating Air Filters Incorporated™ Astro-Pleat™ Astro-SorbPlus™ MERV 13 carbon pleated filters is located on the roof of the facility directly above the employee lunchroom area. This HVAC system serves the entire facility. Please find below a diagram showing the HVAC system location.



13.1.4 Staff Odor Training and System Maintenance

Community Veterans of Imperial understands that even a great system can become ineffective without proper implementation, regular evaluations, and proper maintenance. In order to preserve the effectiveness of the system, Community Veterans of Imperial has developed identified one of its principal officers to ensure the implementation, effectiveness, and maintenance of the company's Odor Control Plan. Owner/Operator Daniel Wise will ensure that the Odor Control Plan implemented is working as intended and that routine maintenance on the system is completed. Daniel will manage all facility maintenance and repair needs. Specific to the HVAC and odor control system, Community Veterans of Imperial has planned the following maintenance schedule.

1. HVAC system scheduled maintenance and inspection will occur every 6 months.
2. Carbon activated filters will be replaced every 90 days.

While traditionally an HVAC system only requires annual service and inspection, Community Veterans of Imperial wants to ensure that all systems remain fully operational and effective at both maintaining a comfortable environment as well as minimizing odors within the facility.

Carbon activated filters are typically changed every six months for common use, however, to ensure that odors are never detectable, Community Veterans of Imperial feels it is important to change them on an advance schedule at a frequency of every 3 months. These maintenance activities will be evaluated regularly and adjusted if odors become detectable within or around the facility. All repairs will be immediately scheduled with the HVAC professional upon discovery of faulty equipment.

Prior to the commencement of operations, the Community Veterans of Imperial team will provide documentation as evidence of implementation of the proposed and/or agreed upon odor mitigation strategy.

13.1.5 Recordkeeping for Odor Control Activities

To ensure the efficacy of the odor control plan, Community Veterans of Imperial will maintain records of all maintenance and repair activities related to odor control equipment. Each service and filter replacement will be logged in the facility maintenance log noting the date, activity performed, and initials of the agent overseeing the activity. The Facility Manager, (role to be filled prior to commencement of operations) will undergo training on facility maintenance activities and receive standard operating procedures on how to perform filter replacements in the event that Daniel is not available to perform a regularly scheduled activity.

The Maintenance Log will also note the next required date of service. Daniel, or the Facility Manager will be responsible for tracking service dates, managing professional service visits and repairs, and updating the

maintenance log. Appointments and required equipment, such as replacement filters will be scheduled or ordered upon the determination of next requested service date to ensure that service dates are not extended to availability issues.

13.1.6 Maintenance Log (Example)

Date	Equipment Serviced	Service Performed	Date of Next Service Required
1/1/21	HVAC System	Installation	6/1/21 – Routine Inspection
1/1/21	HVAC Filters	Installation	3/1/21 – Filter Replacement
3/1/21	HVAC Filters	Replacement	5/1/21 – Filter Replacement

13.1.7 Odor Control Contingency Plan

In the event that the above mentioned odor control equipment should fail or become inoperable, the Community Veterans of Imperial team has developed a contingency plan to help mitigate odors. Community Veterans of Imperial will have on hand portable CARB Certified air purifiers to use in each area where there is a potential for odors. The Community Veterans of Imperial team has opted to purchase the Airpura P600 air purifier as it offers complete filtration for chemicals, odors, particles & microorganisms featuring the new TitanClean photocatalytic oxidation technology resulting in healthier, safer air. The team finds that these features will also aid in the preservation of product in storage areas in the event that the facilities traditional HVAC and odor control devices should fail. This particular unit offers a coverage area of up to 2000 sq ft which is more than effective for the areas in which it may be needed.



This unit is specifically designed and recommended for use in cannabis dispensary type settings. While Community Veterans of Imperial is a non-storefront retail facility that is not open to the public, as it relates to the storage and handling of cannabis, this setting is quite similar to a retail dispensary.

- Download [Airpura UV Performance Report.](#)
- Download [Airpura Activated Carbon Absorbency Ratings.](#)
- Download [Airpura KCL Test Report.](#)

Another appeal to this unit is the low maintenance operation. Manufacture Estimated Maintenance Schedule is as follows:

Pre-filter	Pre-filter 3-6 months (clean), 6-12 months (change)
Activated carbon	2 yrs. max depending on usage & contaminants
HEPA filter	5 yrs. max depending on usage & contaminants
UVGI lamps	Up to 16,000 hours
TitanClean Reflectors	Every 18 months depending on use

Airpura

AIR PURIFIERS

P600

VOCs and Chemicals

Photocatalytic Oxidation combined with Airpura's High Efficiency Air Filtration

The P600 offers the most effective airborne chemical, odor and VOC abatement available today together with suppression of microorganisms and particle filtration

The P600 uses the latest discoveries in nano-technology, developed by space research laboratories, to deliver a new and speedy airborne chemical abatement process.

The TitanClean™ Titanium Dioxide Photo-Catalytic Oxidizer dramatically increases the range of dangerous airborne chemicals that can be neutralized safely and effectively.

TitanClean's titanium dioxide (TiO₂) coating in conjunction with the UV light, creates an oxidizing process that instantly breaks molecular bonds and reduces airborne chemicals to smaller safer compounds, until only carbon dioxide and water vapor are left.

The new TitanClean™ Photocatalytic Oxidizer is combined with Airpura's 181b Activated Carbon bed, true Hepa Filter and 20 watt UV Germicidal Lamp to deliver the most complete air cleaning system available today.

Effective for:

Formaldehyde	Molds, mycotoxins
Radon	PCBs
Ammonia	Trichlorophenol
Mercury vapor	Sulfur oxides
Benzene	Toluene
Aldehydes, pesticides	Nitrous oxide
Butanol	Chloroform
Carbon monoxide	Dioxane
Exhaust fumes	Chlorotoluene

The Airpura P600
Colors: White / Black / Cream

The Airpura Limited Warranty
5 years parts 10 years labor

Long Lasting Filters

TitanClean reflectors last for 18 months depending on use

Carbon filters typically last up to 2 years depending on use

Hepa filters typically last 5 years in regular use.

Pre-filters can be vacuumed from the exterior of the unit and should be changed every 12 months depending on use

UV Germicidal lamps will be effective for up to 10,000 hours

Protect yourself with Airpura's Safe Efficient Filtration

Airpura AIR PURIFIERS

P600

Photocatalytic Oxidization

Technical Specifications

TitanClean™
Photocatalytic Oxidization reflector
US patent pending #29249549
Titanium Dioxide (TiO₂) coated reflector surface

UV Germicidal Lamp
20 watts, 30,000 um per sec²

Odor & chemical filtration
18 lbs activated carbon
13" x 13" x 9"

Carbon bed
2" deep x 570 sq" surface

Particulate removal
40 sq ft true HEPA
(Measured 1 side only)
10 pleats per inch
Pleats warm rolled with separators

Air Flow 660 cfm
More cfm than any other home unit available

Pre-filter
570 sq in x 1in deep

Housing
Powder coat steel

Size
23" x 15"

Weight
45lbs total

Voltage Options
115 or 220 volts

Watts
120 on high 40 on low

Sound Level
26.1 db on low (at 6 feet)
62.3 db on high (560 cfm)
(Room level 25.1 db)

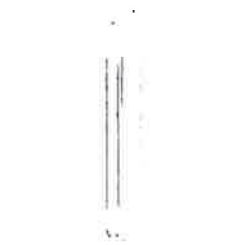
ETL Certified
Conforms to ANSI / UL 507 and
CSA C22.2 no 113

Titanium Dioxide Photocatalytic Oxidization

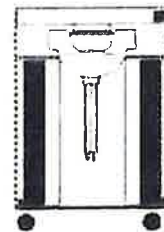
- Developed and used in space technology laboratories for both air and water purification the Photocatalytic Oxidation (PCO) process is simple and elegant
- A metal surface coated with a metal oxide is irradiated with UV light to produce hydroxyl radicals and super-oxide ions
- The hydroxyl radicals and super-oxide ions break the molecular bonds of chemicals they come into contact with and slice them into smaller compounds that are further broken down until only carbon dioxide and water vapor are left
- For maximum efficiency, the process requires a sufficient surface area of reflective metal coated with a metal oxide to be positioned at a critical distance from the UV lamp while still allowing a good flow of air to bring the airborne chemicals into contact with the resulting hydroxyl radicals and super-oxide ions

The Airpura TitanClean Reflector

- The TitanClean Reflector provides a large amount of TiO₂ coated surface area (115% of the width of the UV lamp)
- The angled reflector design maximizes the range of photo-catalytic oxidation within the filter chamber and increases the germicidal effect of the lamp
- The UV germicidal lamp maintains 98% of its direct irradiation intensity due to the interior position of the TitanClean reflector
- The location of the TitanClean reflector and the UV light in the center of the filter chamber allows them to work in concert with the HEPA filter
- Particulate pollution is stopped by the Hepa filter before reaching the reflector. This keeps the coated surface cleaner and more effective
- The diffusion of the germicidal dosage from the UV lamp is enhanced in the confined chamber
- Contact time of airborne chemicals is increased as they slow down passing through the Hepa
- The TitanClean Catalytic Oxidizer combined with the 18lb Activated Carbon filter offers the most complete airborne chemical and VOC abatement available today



The TitanClean reflector positioned in the center of the filter chamber



The Airpura P600+ Premium Titanium Dioxide Coating

The Airpura P600+ model features a premium titanium dioxide coated surface area. The specially coated Hepa filter offers an additional 3 times the photocatalytic capacity to deal with especially heavy concentrations of airborne chemicals.

The Most Complete Chemical and VOC Filtration Available Today

13.2 PRODUCTION HANDLING AND STORAGE PLAN

13.2.1 Procedures for Receiving Deliveries During Business Hours

Community Veterans of Imperial's product receiving process will follow strict policies and procedures in order to ensure full compliance with all track and trace regulations and to ensure the security of the assets and the safety of all personnel. Community Veterans of Imperial's suppliers will transport and transfer products to Community Veterans of Imperial's facility as allowed by Imperial County and the State of California. Shipments will be conducted through the use of a licensed, insured and state authorized transport company.

Product receiving will occur on a regular basis in order to ensure that a sufficient supply of product is on hand for sale and in smaller amounts to reduce risk during transfer. The movement of large amounts of high value product at one time can create an excessive risk of loss during transfer.

Shipments are scheduled at random times and hours in order to avoid predictability that can elevate the risk of theft. Product transport/transfer will be completed during the times of 6:00 am to 6:00 pm, or during daylight hours, to ensure maximum visibility and threat detection. When shipments are scheduled, this information will only be provided to individuals who occupy a "need to know" position in order to avoid risk of theft.

Transport vehicles will notify Community Veterans of Imperial's security personnel 5-10 minutes in advance of their arrival. Community Veterans of Imperial security personnel will visually verify that there are no imminent threats and notify transport personnel it is safe to approach the shipping/receiving door of the business. Transport vehicles will park in a designated area that is within view of Community Veterans of Imperial's security cameras. Security personnel will then approach the transport vehicle in order to escort the movement of product into the interior of the building. Product will be immediately placed into the secure vault and the vault will be locked. The transport vehicle will not be left unlocked or unattended during the transfer in order to avoid theft at these times.

At the time of the shipment:

- Community Veterans of Imperial security personnel will inspect the credentials of the transport personnel prior to allowing entry into the building. Transportation team members and vehicles will be logged by Community Veterans of Imperial security personnel upon each arrival.
- Security personnel or manager will verify that the shipment paperwork, amounts, and manifest are in order prior to allowing transporters to leave the site.

Community Veterans of Imperial will ensure all packaging and labeling of cannabis and cannabis products received from licensed cannabis businesses, meet the requirements of MAUCRSA and any implementing regulations. Any products that do not meet the following requirements will be refused and returned to the originating vendor:

- Tamper-Evident, Child-Resistant Packaging Required. Prior to delivery or sale at a retailer to a purchaser, cannabis and cannabis products shall be labeled and placed in a resealable, tamper-evident, child-resistant package and shall include a unique identifier for the purposes of identifying and tracking cannabis and cannabis products.
- Cannot Be Attractive to Children. Cannabis packaging and labeling shall not be designed to appeal to children, including, but not limited to, cartoon characters or similar images.
- State-Mandated Warnings and Information. All cannabis and cannabis product labels and inserts shall include the state-mandated warnings and information contained in Business and Professions Code Section 26120(c).

Conformance with State Testing

Pursuant to 16 CCR § 5302, it is the responsibility of the licensed distributor to ensure that cannabis product has been tested. Community Veterans of Imperial is committed to maintaining adequate storage and sanitary storage procedures for usable cannabis products. To protect the quality of product, Community Veterans of Imperial will

Applicant: Community Veterans of Imperial
Property Address: 611 Sidewinder Rd. N. Winterhaven, CA 92283

Page 33 of 107

conduct an inspection upon receipt to ensure that testing has been complete, products are properly packaged, and are accompanied by certified approval from a licensed testing facility. Any products missing testing results will be refused at time of delivery.

Packaging Guidelines

Community Veterans of Imperial will ensure all cannabis, cannabis products, and cannabis accessories sold by Community Veterans of Imperial will be packaged, labeled, and placed in tamper-evident packaging which at least meets the requirements of the MAUCRSA and all state implementing rules and regulations.

As a retailer, Community Veterans of Imperial will not package or label cannabis goods or accept, possess, or sell cannabis goods that are not packaged as they would be for final sale pursuant to 16 CCR § 5412.

In accordance with 16 CCR § 5406, Community Veterans of Imperial will not make any cannabis goods available for sale to a customer unless:

1. The cannabis goods were received from a licensed distributor or licensed microbusiness authorized to engage in distribution;
2. Community Veterans of Imperial has verified that the cannabis goods have not exceeded their best-by, sell-by, or expiration date if one is provided;
3. In the case of manufactured cannabis products, the product complies with all requirements of Business and Professions Code section 26130 and California Code of Regulations, Title 3, Division 8 and Title 17, Division 1, Chapter 13;
4. The cannabis goods have undergone laboratory testing as required by local and state law;
5. The batch number is labeled on the package of cannabis goods and matches the batch number on the corresponding certificate of analysis for regulatory compliance testing; and

The packaging and labeling of the cannabis goods comply with Business and Professions Code Section 26120 and all applicable regulations. Community Veterans of Imperial's Inventory Control Agent will regularly review the state guidelines to ensure all cannabis products are packaged in accordance with the rules set forth by the BCC. If the products are not packaged to standards, the distributor will be contacted to coordinate a return. To ensure compliance with these regulations, Community Veterans of Imperial will print and laminate the packaging requirements and keep it in the receiving bay for regular reference for the Inventory Control Agent.

PACKAGING REQUIREMENTS

CANNABIS AND CANNABIS PRODUCTS

The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) includes basic requirements for how cannabis and cannabis products must be packaged before sale. These guidelines apply to all cannabis flower, pre-rolls and manufactured cannabis products sold within California.

PACKAGING CHECKLIST

- Tamper Evident** - A consumer knows if the package has been opened.
Example: a plastic seal, a sticker across the lid that is ripped when opened, a jar with a lid that pops up after opening, etc.
- Child Resistant** - The package is designed to be difficult for children under five years of age to open. See below for more information about what qualifies as child resistant.
- Re-sealable** (for products with multiple uses) - The package can be closed after each use.
Example: a lid, adhesive closure, box top closure, etc.
- Opaque** (for edibles only)* - The package is not transparent; consumers cannot see the product through the packaging.
*Amber-colored bottles are considered opaque.
*Opaque bottles used for beverages may use a single, vertical, clear strip less than 0.25" wide to indicate serving sizes.

DOs

- Cannabis flower may be packaged by a cultivator, manufacturer or distributor. Manufactured cannabis products must be packaged and labeled by the manufacturer prior to transfer to a distributor as finished products.
- Protect products from contamination and exposure to any toxic or harmful substances
- If a product has multiple layers of packaging, the packaging requirements can be fulfilled using any one of those layers.

DON'Ts

- Cannot imitate packaging used for products typically marketed to children
- Cannot imitate packaging used for non-cannabis food products

CHILD-RESISTANT PACKAGING (CRP)

State law requires all cannabis and cannabis products to be in child-resistant packaging. Until December 31, 2019, a child-resistant exit package, used by a retailer at the time of sale, may be used to fulfill the CRP requirement. Beginning January 1, 2020, every individual product must be in a child-resistant package.

What qualifies as child-resistant packaging?

- Packages that have been certified as child-resistant, in accordance with the federal Poison Prevention Packaging Act (PPPA, 16 CFR §1700.1)
- A bottle sealed with a pry off metal crown bottle cap
- Plastic packaging that is at least 4 mils. thick and heat-sealed without an easy-open tab, dimple, corner or flap

Types of CRP:

- **Single Use** ("Initial CRP") - the package is initially child-resistant, but once opened, it is no longer child-resistant. If used, the package's label must say "This package is not child-resistant after opening."
- **Multiple Use** ("Lifetime CRP") - the package maintains its child-resistance throughout the life of the package. It can be opened and closed, but still remains child-resistant.

WHAT REQUIRES INITIAL CRP?

- Flower and flower-only pre-rolls
- Inhaled concentrates (infused pre-rolls, vape cartridges, shatter, wax, etc.)
- Topicals
- Single-serving cannabis products

WHAT REQUIRES LIFETIME CRP?

- Edibles
- Orally-consumed concentrates (tinctures, capsules, etc.)
- Suppositories

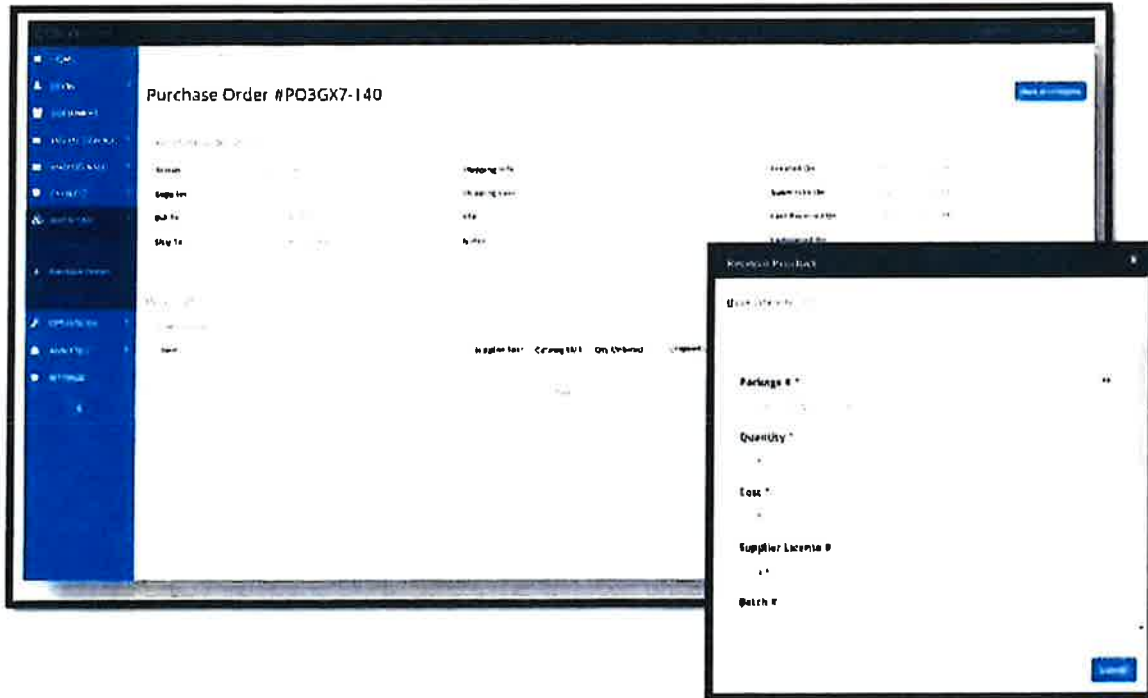
NOTE: A package containing multiple servings is not required to be in lifetime CRP if each individual serving is in child-resistant packaging

Recording Incoming Inventory

In accordance with 16 CCR § 5049(a), once inventory has passed complete inspection for all packaging and labeling requirements and is deemed compliant and acceptable, all incoming inventories will be scanned into Community Veterans of Imperial's COVA Inventory Management System and the State Track and Trace System. The Inventory Control Specialist will physically count and scan each cannabis product into inventory, capturing all product details electronically pursuant to 16 CCR § 5049(b), including, but not limited to, the following:

- 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, including:
 - a. The name, license number, and licensed premises address of the originating licensee.
 - b. The name, license number, and licensed premises address of the licensee transporting the cannabis goods.
 - c. The name, license number, and licensed premises address of the destination licensee receiving the cannabis goods into inventory or storage.
 - d. The date and time of departure from the licensed premises and approximate date and time of departure from each subsequent licensed premises, if any.
 - e. Arrival date and estimated time of arrival at each licensed premises.
 - f. Driver license number of the personnel transporting the cannabis goods, and the make, model, and license plate number of the vehicle used for transport.

The Inventory Control Specialist will compare the shipping manifest and the physical inventory with the purchase order on file and scan all products listed on the purchase order. This process eliminates errors in receiving inventory eliminating unaccounted shortages or overages in inventory. Below is an example of system generated purchase orders and the process of receiving inventory into the COVA system.



Product Storage

Community Veterans of Imperial will ensure all cannabis and cannabis products are stored in a secured and locked room, safe, or vault. All safes and vaults will be compliant with Underwriter Laboratories burglary-resistant and fire-resistant standards. All cannabis and cannabis products, including live clone plants that are being displayed for sale, will be kept in a manner as to prevent diversion, theft, and loss. Community Veterans of Imperial will not store cannabis or cannabis products outdoor at any time.

13.2.2 Inventory Tracking and Monitoring

In full compliance with Imperial County Municipal Code § 14.03.080(O), Community Veterans of Imperial will observe track-and-trace and unique identifier state protocols at all times.



Community Veterans of Imperial will have in place a point-of-sale and inventory management system to track and report on all aspects of the business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the city. Community Veterans of Imperial will ensure that such information is compatible with the city's record-keeping systems and be approved and authorized by the City Manager or his/her designee(s) prior to being used by the permittee. Additionally, the system will have the capability to produce historical transactional data for review.

Community Veterans of Imperial's tracking system is compliant with the state's designated track-and-trace system METRC. Community Veterans of Imperial will ensure that such information is compatible with the City's record-keeping systems. Additionally, the system has the capability to produce historical transactional data for review.

Community Veterans of Imperial will maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes in accordance with the MAUCRSA.

Community Veterans of Imperial will use the COVA Cannabis Dispensary POS system to record and report on all aspects of cannabis tracking, inventory data, and gross sales. This will serve as a legally compliant seed to sale Point of Sale system. COVA is an authoritative leader in seed to sale best practices cannabis compliant point of sale systems, Cova's systems integrate into the states regulatory reporting and tracking system METRC. Cova is embraced here in California by other licensed cannabis seed to sale compliant retailers and in other jurisdictions such as Oklahoma and Canada.

COVA will prevent staff from breaking the rules or making operational missteps that violate local and state regulations. COVA includes an Age Verification Scanner in order to prevent underage sales and to verify information with ID barcode scanners. COVA also includes a Purchase Limits Alert feature where it automatically calculates product equivalencies that would violate state regulations. If it is violated, it will alert the staff that limits have been exceeded. Finally, the COVA software makes it impossible to serve patrons after the allowed Hours of Operation. This will ensure that Community Veterans of Imperial complies to the authorized hours of operation.

COVA also is an inventory tracking system. The system will track and report all aspects of Community Veterans of Imperial's cannabis business including, but not limited to, such matters as inventory data, gross sales (by weight and by sale), and other information which may be deemed necessary by the City. Community Veterans of Imperial's business shall ensure that such information is compatible with the City's record-keeping systems. In addition, the system will have the capability to produce historical transactional data for review.

Community Veterans of Imperial will ensure all scales and weighing mechanisms used to weigh non-waste products will be able to weigh to within 1/100th of a gram, will be maintained in good working order, and available for annual inspection should the City or State office deem it necessary.

POS Equipment

Community Veterans of Imperial will be purchasing the below equipment to support retail operations.¹



Track-and-Trace

Standard operating procedures include detailed California Cannabis Track-and- Trace (CCTT) procedures as outlined by the State.

Track and Trace Account Manager

Pursuant to 16 CCR § 5048, Community Veterans of Imperial will designate one individual to own the management of the track and trace system. This individual may authorize other owners or employees as track and trace system users and shall ensure that all users are trained on the track and trace system prior to use. The Track and Trace Account Manager will adhere to the following rules:

1. The account manager shall attend and successfully complete all required track and trace system training, including any orientation and continuing education.
2. If the account manager did not complete the required track and trace system training prior to receiving their annual license, the account manager shall sign up for and complete state mandated training, as prescribed by the Bureau, within 10 business days of license issuance.
3. The account manager and each user shall be assigned a unique log-on, consisting of a username and password. The account manager or each user accessing the track and trace system shall only do so under his or her assigned log-on and shall not use or access a log-on of any other individual. No account manager or user shall share or transfer his or her log-on, username, or password, to be used by any other individual for any reason.
4. The account manager shall maintain a complete, accurate, and up-to-date list of all track and trace system users, consisting of their full names and usernames.
5. A licensee shall monitor all compliance notifications from the track and trace system, and timely resolve the issues detailed in the compliance notification.
6. The track and trace account manager will be responsible for training Shift managers, Retail Sales Associates, and Inventory Control Agents.

Mandated Bi-Weekly Inventories

Pursuant to 16 CCR § 5051(a), at intervals not exceeding 14 days, the Inventory Control Agent will conduct and document an audit of the inventory that is accounted for according to generally accepted accounting principles.

Any unexplained shrinkage will be documented and trigger a review of electronic security and surveillance data. When Community Veterans of Imperial determines where the shrinkage occurred, appropriate corrective

¹ Detailed specs can be found here: <https://www.covasoftware.com/hardware/us/pos>



measures will be implemented. Law enforcement authorities will be notified immediately if the Inventory Control Agent ascertains that there has indeed been loss, theft, improper diversion, or any other criminal activity.

Opening and Closing Inventories

Employees will regularly conduct an inventory of all products.

1. A comprehensive inventory of all cannabis will be done twice daily:
 - a. Before the retailer opens; and
 - b. After close of daily operations.
2. All cannabis and items containing cannabis are counted, weighed, or both.
3. Inventory results will be submitted to the Inventory Control Agent for reconciliation with the inventory data generated the previous evening or in the operations of the day after being closed out.
4. Discrepancies will trigger an inventory audit by the Inventory Control Agent and, if confirmed, a review of electronic security and surveillance data.
5. Law enforcement authorities will be notified immediately if the Inventory Control Agent ascertains that there has indeed been loss, theft, improper diversion, or any other criminal activity.

Product Name	Quantity	Price	Value
THC	100	100.00	10000.00
THC	200	200.00	40000.00
THC	300	300.00	90000.00
THC	400	400.00	160000.00
THC	500	500.00	250000.00
THC	600	600.00	360000.00
THC	700	700.00	490000.00
THC	800	800.00	640000.00
THC	900	900.00	810000.00
THC	1000	1000.00	1000000.00

Notification of Theft, Loss, and Criminal Activity

Pursuant to 16 CCR § 5051(b), Community Veterans of Imperial will notify the City Manager or his/her designee(s), the Bureau of Cannabis Control, and local law enforcement within 24 hours of discovery of any of the following situations:

1. The licensee discovers a significant inventory discrepancy.
 - a. A significant discrepancy in inventory means a difference in actual inventory compared to records pertaining to inventory of at least \$5,000 or 2 percent of the average monthly sales of the licensee, whichever is less.
2. The licensee discovers theft, loss, or any other criminal activity pertaining to the operations of the licensee.
3. The licensee discovers theft, loss, or any other criminal activity by an agent or employee of the licensee pertaining to the operations of the licensee.
4. The licensee discovers loss or unauthorized alteration of records related to cannabis goods, clients, or the licensee's employees or agents.
5. The licensee discovers any other breach of security.

In the case that one of the activities above is discovered by the licensee, the licensee will follow the below procedure.

1. Notify local law enforcement.
2. Record the date and time of the loss.
3. Record a description of the incident and where applicable the items that were taken or lost.

Recordkeeping

Community Veterans of Imperial will maintain accurate books and records in an electronic format specified in the § 16 of the MAUCRSA and will make the same available for inspection and examination of the local licensing authority or its duly authorized representatives during standard business hours of the licensed facility or at any other reasonable time. As specified by 16 CCR § 5037(a), Community Veterans of Imperial will exercise due diligence in preserving and maintaining all following records related to its commercial cannabis activity for at least seven years:

- 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 (formerly Board of Equalization) under title 18, California Code of Regulations, sections 1698 and 4901, detailing all of the revenues and expenses of the business, and all of its assets and liabilities.
- Personnel records, including each employee's full name, social security or individual taxpayer identification number, date employment begins, and date of termination of employment if applicable. (Training records including, but not limited to, the content of the training provided and the names of the employees that received the training.
- Contracts with other licensees regarding commercial cannabis activity.
- Permits, licenses, and other local authorizations to conduct the licensee's commercial cannabis activity.
- Security records, except for surveillance recordings required pursuant to section 5044 of this division.
- Records relating to the composting or destruction of cannabis goods.
- Documentation for data or information entered into the track and trace system.
- All other documents prepared or executed by an owner or his employees or assignees in connection with the licensed commercial cannabis business.

On no less than an annual basis (at or before the time of the renewal of a commercial cannabis business permit issued pursuant to this Article), or at any time upon reasonable request of the city, Community Veterans of Imperial will file a sworn statement detailing the number of sales by the commercial cannabis business or cannabis retail business during the previous twelve-month period (or shorter period based upon the timing of the request), provided on a per-month basis.

Applicant: Community Veterans of Imperial
Property Address: 611 Sidewinder Rd. N. Winterhaven, CA 92283

Section: Business and Operation Plan



The statement will also include gross sales for each month, and all applicable taxes paid or due to be paid. On an annual basis, Community Veterans of Imperial will submit to the city a financial audit of the business's operations conducted by an independent certified public accountant.

Community Veterans of Imperial will also maintain a current register of the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in Community Veterans of Imperial's Business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by Community Veterans of Imperial. Records will be provided to the County Manager or his/her designee(s) upon a reasonable request.

Finally, subject to any restrictions under the Health Insurance Portability and Accountability Act (HIPAA) regulations, Community Veterans of Imperial will allow the city to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted commercial cannabis activities, for the purpose of conducting an audit or examination.

Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the city's request, unless otherwise stipulated by the city. Community Veterans of Imperial will provide requested materials in an electronic format that is compatible with the city's software and hardware. Below is an example of activity reports that can be directly generated in the COVA Inventory Management system.

Account #	Account Name	Account Type	Debit	Credit
1000		Asset	\$12,782.07	\$12,782.07
1200		Asset	\$142,161.48	120,542.21
1300		Liability	10,774	1,704.34
2300		Liability	60.00	17,343.70
4000		Revenue	\$1,472.71	\$1,596.50
4050		Revenue	8,732.26	63.00
5000		Expense	\$11,148.81	1,744.78
5050		Expense	\$75,171.40	1,664.50
5100		Expense	81,804.81	87.00
5700		Expense	93.00	63.00

Purchase Limits

Pursuant to 16 CCR § 5409(a)(b), an associate will be responsible for ensuring that the customer does not exceed the daily purchase limits. Limits will be monitored for both adult-use and medical patients adhering to the following state mandates:

Adult-Use Purchase Limits:

- 28.5 grams of non-concentrated cannabis.
- 8 grams of concentrated cannabis as defined in Business and Professions Code section 26001, including concentrated cannabis contained in cannabis products.
- 6 immature cannabis plants.

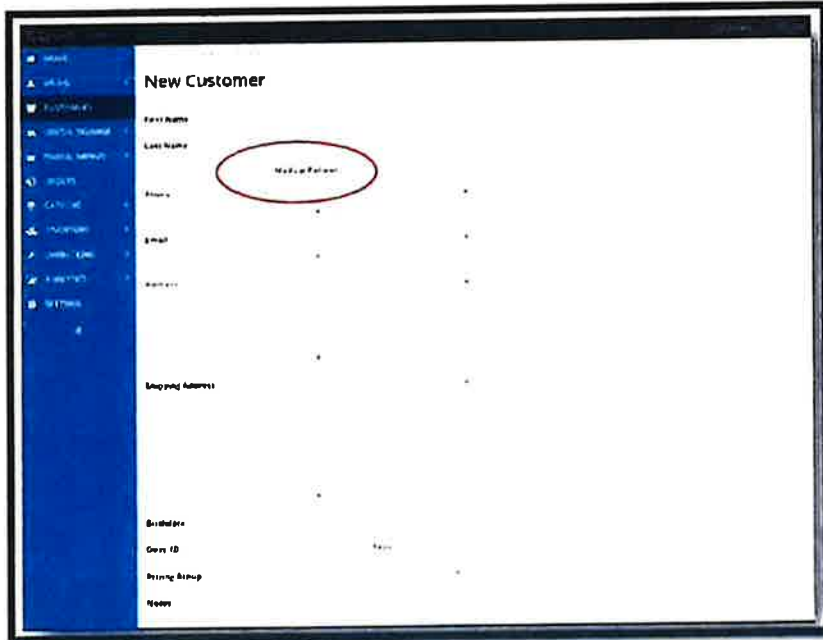
Section: Business and Operation Plan



Medical Purchase Limits

- **8 ounces of medicinal cannabis in the form of dried mature flowers or the plant conversion as provided in Health and Safety Code section 11362.77.**

The COVA Inventory Management and Point-of-Sale System will help employees monitor and adhere to purchase limits. Each transaction will be conducted under a unique customer profile that will log daily purchases. The system further captures what type of customer it is, medical or adult use, which will look for preset purchase limits based on customer type. Should a customer exceed the purchase limit, the system will notify the sales associate and not allow the transaction to be finalized until the overages are corrected.



Customer Interaction

Upon verification of the customers age and the customer entering the sales floor area, the customer will have access to view products that are locked in display cases. Customers will be greeted by a Retail Sales Associate who will ask the customer if they have any questions about the various products. All associates will be identified with their company issued uniform, a branded polo shirt.

If the customer replies yes, the Retail Sales Associate will use his/her training to answer questions and educate the customer on the different product types, consumption methods, and strains. Customer will not be able to handle product in the discovery phase. Sample products will be handled by Retail Sales Associates only and cannabis products within the store will never be opened.

Once a customer has decided on their purchase, the requested products will be “checked-into” staging areas by systemic notations in the Inventory Management System by the Retail Sales Associate. It is the commitment of Community Veterans of Imperial to maintain accurate Inventory Management records, therefore at any given moment in time, Community Veterans of Imperial will be able to provide a “real-time” report of the cannabis quantities in storage which can be provided to the Department upon request.

The Retail Sales Associate will retrieve desired products from the staging area (daytime storage area) and scan the products at the point of sale station under the surveillance. Employees who handle cannabis product in order to transfer that product to customers will be required to check in and take responsibility for the product they are handling systematically within in the Inventory Management System. Managers will monitor and approve the access that employees have to areas where cannabis is stored.

As the Retail Sales Associate scans each product being purchased, products will be placed in a bag. Upon completion of the transaction, the drawstring bag will be sealed in a childproof exit bag and handed to the customer. The customer will be escorted out of the sales area by the Retail Sales Associate and will pleasantly conclude the customer’s shopping experience.

Company Uniform

For ease to the Retail Associates and Security Staff, Community Veterans of Imperial will require each member of the team wear a company issued uniform. The uniforms will aid staff in visually differentiating between customers and staff members and help them identify quickly if customers are close to a restricted area for any reason. The uniforms will further aid law enforcement or management who may need to review video surveillance in quickly identifying staff members in their observations. Company uniforms will include the company logo and each team member will be provided attire prior to the start of work duties.



Customer Product Handling Procedures

Community Veterans of Imperial’s product storage plan is designed with the safety and security of the facility and employees in mind. The plan consists of physical barriers to prevent theft and diversion, operational barriers that limits the minimum number of authorized individuals to gain access to any cannabis products, and environmental controls that prevent the deterioration of cannabis products.

Pursuant to 16 CCR § 5033(a), all cannabis and cannabis products will be stored in a secured and locked vault or vault equivalent. All safes and vaults will be compliant with Underwriter Laboratories burglary- resistant and fire-resistant standards. All cannabis and cannabis products, including live clone plants that are being displayed for sale, will be kept in a manner as to prevent diversion, theft, and loss.

The Community Veterans of Imperial team will ensure only the quantity of cannabis and cannabis products necessary to meet the daily demand will be readily available for sale on-site in the retail sales area.

To further ensure customers do not have access to cannabis products, Community Veterans of Imperial will implement the use of physical barriers (walls and doors), electronic measures and employee procedures in order to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, and to deter and prevent the theft of cannabis or cannabis products at the commercial cannabis business.

All points of access to the business will be controlled with electronic access controls, keypads, key cards, and remote electronic lock (buzz-in) features. Individuals who are not engaging in an activity related to the permitted operations of the commercial cannabis business will not be allowed to remain on the premises.

13.2.3 Delivery Service Procedures

Community Veterans of Imperial intends to make full use of its cannabis retail license and create the most attractive business model that fits the needs of all potential customers. Therefore, Community Veterans of Imperial will offer patrons the opportunity to have cannabis or cannabis products delivered. Community Veterans of Imperial will only deliver cannabis in a city or county that does not expressly prohibit it by ordinance.

Delivery Service Procedures

Community Veterans of Imperial will limit the hours of operation for delivery activities to the hours of 9:00 a.m. through 9:00 p.m. seven days a week or a reduced duration as stipulated through the discretionary permit.

OnFleet – Delivery Dispatch

Community Veterans of Imperial will utilize the high-end Onfleet software for driver and delivery dispatch. This will track deliveries to customers real time for full transparency and security.



The Onfleet platform is considered the best in the industry for final mile delivery services. The company was founded by a team of engineers from Stanford University and funded by some of Silicon Valley's top investors. Onfleet provides dispatchers with visibility to all deliveries in transit by tracking the GPS thru the phone of each driver. Using Onfleet and COVA, our transportation capabilities will boast the following features:

1. Ability to create shipping manifests which will contain the following:
 - a. A unique Purchase Order number to track system receipts;
 - b. Name, license number, and premises address for:
 - i. The licensee who possesses the cannabis goods;
 - ii. The licensee transporting the cannabis goods;
 - iii. The licensee receiving the cannabis goods;
 - c. Name and license number of any licensee involved in the activity or transaction who is not shipping, transporting, or receiving the cannabis goods;
 - d. Date and time of activity;
 - e. Date and time of departure from first premises, and estimated time of departure for subsequent premises if cannabis goods are being shipped from multiple premises in one transport vehicle;
 - f. Estimated date and time of arrival at each receiving premises;
 - g. Driver license number for any person driving the transport vehicles;
 - h. Make, model, and license plate number of transport vehicles; and
 - i. Name and type of cannabis goods to be transported.
2. Ability to produce and store package and product tracking numbers.

- a. All cannabis products sold or transferred between cannabis facilities must have the tracking identification number that is assigned by the statewide monitoring system affixed, tagged, or labeled and recorded, and any other information required by the BCC, the act, and these rules.
3. Ability to digitally track and store information such as:
 - a. Digital signature for delivery;
 - b. Images of products picked-up and delivered; and
 - c. Quantity and product type.
4. Ability to pull reports.
 - a. Real-time inventory reports.
 - b. Real-time location monitoring via GPS.
5. Digital route management.
 - a. Creation of driver routes and sequence product delivery.
 - b. Real-time driver notifications of any changes in a transportation route.
 - c. Store route history.
 - d. Store route notes.
 - e. Log suspicious route activity.

Shipping Manifest

Community Veterans of Imperial will receive retail customer orders for delivery. These orders will be converted into outgoing shipments and assigned to drivers employed by the company. Pursuant to 16 CCR § 5049, all shipments of outgoing products will include a detailed shipping manifest. All transportation record keeping will be digitalized and be an output of the inventory tracking system with accurate inventory records. These will be notated as an outbound shipping manifest. Each shipping manifest will contain the following information:

1. Name, CUP number, and originating cannabis business address for:
 - a. The licensee who possesses the cannabis goods;
 - b. The licensee transporting the cannabis goods; and
 - c. The licensee receiving the cannabis goods.
2. Name and address of the individual requesting delivery;
3. Date and time of activity;
4. Date and time of departure from first premises, and estimated time of departure for subsequent premises if cannabis goods are being shipped from multiple premises in one transport vehicle;
5. Estimated date and time of arrival at each receiving premises;
6. Driver license number for any person driving the transport vehicle;
7. Make, model, and license plate number of transport vehicle;
8. Name and type of cannabis goods to be transported; and

The shipping manifest will be completed and transmitted into the track and trace system viewable by the BCC.

A physical copy of the shipping manifest will be carried in the transport vehicle at all times while transporting cannabis goods. The shipping manifest will be provided to law enforcement and Department of Consumer Affairs agents upon request.

Receipt of Inbound Shipments

Pursuant to 16 CCR § 5049(b)(6)(A), Community Veterans of Imperial will require that all **incoming retail products** have a detailed shipping manifest ready on arrival. All inbound shipments will have a detailed shipping manifest that can be used for receipt into the company's inventory tracking system, COVA.

It is expected that the licensed Transport Agent will carry a detail transportation manifest containing:

1. A unique Purchase Order number to track system receipts;
2. Name, license number, and premises address for:

Section: Business and Operation Plan



- a. The licensee who possesses the cannabis goods;
 - b. The licensee transporting the cannabis goods; and
 - c. The licensee receiving the cannabis goods;
3. Name and license number of any licensee involved in the activity or transaction who is not shipping, transporting, or receiving the cannabis goods;
 4. Date and time of activity;
 5. Date and time of departure from first premises, and estimated time of departure for subsequent premises if cannabis goods are being shipped from multiple premises in one transport vehicle;
 6. Estimated date and time of arrival at each receiving premises;
 7. Driver license number for any person driving the transport vehicle;
 8. Make, model, and license plate number of transport vehicle; and
 9. Name and type of cannabis goods to be transported.

Upon receipt of cannabis goods for transport, storage, or inventory, the company employee shall ensure that the cannabis goods received are as described in the shipping manifest and shall record acceptance and acknowledgment of the cannabis goods in the track and trace system.

If there are any discrepancies between the type or quantity specified in the shipping manifest, whether by 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.

The shipping manifest will be completed by the distributor and transmitted in the track and trace system to the Bureau and receiving licensee.

Delivery Rules

Community Veterans of Imperial will adhere to the following rules regarding the vehicle used for delivery as aligned with both local and state laws regarding cannabis operations:

- Delivery employees who are carrying cannabis goods for delivery, will only travel in an enclosed motor vehicle where goods are locked in the trunk of the vehicle.
- While carrying cannabis goods for delivery, delivery employees shall ensure the cannabis goods are not visible to the public.
- All of Community Veterans of Imperial's delivery vehicles will be unmarked with no indication that the vehicle is transporting cannabis or cannabis products.
- Delivery employees will not leave cannabis goods in an unattended motor vehicle unless the motor vehicle is locked and equipped with an active vehicle alarm system.
- Pursuant to 16 CCR § 5417(d), a vehicle used for the delivery of cannabis goods shall be outfitted with a dedicated GPS device. A dedicated GPS device must be owned by the licensee and used for delivery only.
- The device shall be either permanently or temporarily affixed to the delivery vehicle and shall remain active and inside of the delivery vehicle at all times during delivery.
- Using Onfleet technology, Community Veterans of Imperial will be able to identify the geographic location of all delivery vehicles that are making deliveries for the retailer and shall provide that information to the BCC upon request.
- Prior to commencing delivery operations, and prior to the use of any new car in delivery operations, Community Veterans of Imperial will provide the City and State regulating agencies with the following information for all vehicles that will be used to deliver cannabis or cannabis products: proof of ownership or a valid lease; the year, make model, color, license plate number, and Vehicle Identification Number and proof of insurance. The permittee shall notify the City in writing of any changes to this information within 30 calendar days of a change.

Section: Business and Operation Plan



- Any motor vehicle used by a retailer to deliver cannabis goods is subject to inspection by the BCC. Vehicles used to deliver cannabis goods may be stopped and inspected by the BCC at any licensed premises or during delivery.
- Pursuant to 16 CCR § 5418(a), while making deliveries, delivery employees will not carry cannabis goods valued in excess of \$5,000 at any time. This value will be determined using the current retail price of all cannabis goods carried by the delivery employees.
- Employees will not consume cannabis goods while delivering cannabis goods to customers.

Delivery to a Physical Address

Pursuant to the Imperial County Municipal Code § 14.03.040(B)(3) and 16 CCR § 5416, Community Veterans of Imperial will only deliver cannabis goods to a physical address in California. Delivery to parks, schools or any other public facilities will be prohibited.

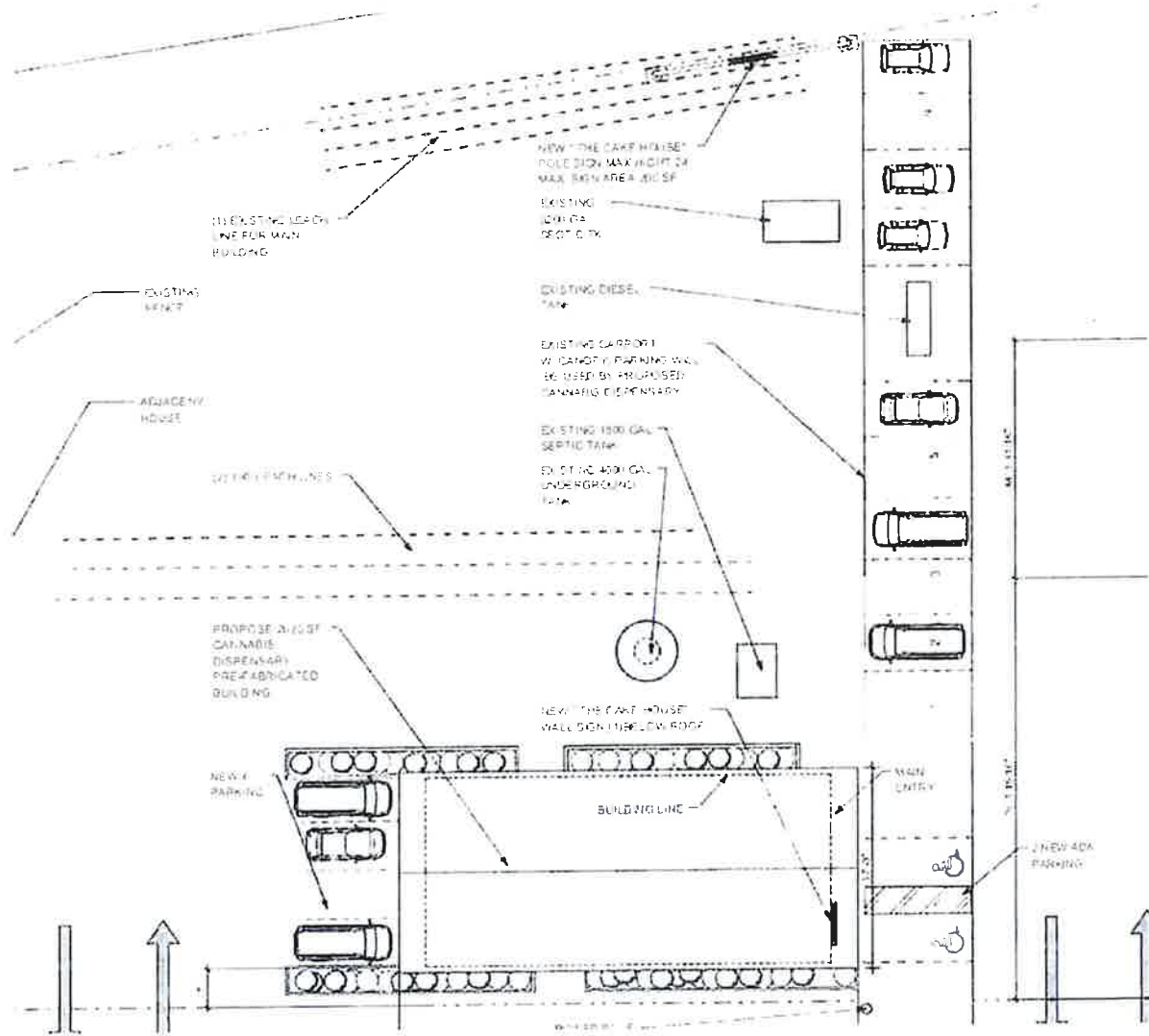
1. Employees will not leave the State of California while possessing cannabis goods.
2. Community Veterans of Imperial will not deliver cannabis goods to an address located on publicly owned land or any address on land or in a building leased by a public agency. This prohibition applies to land held in trust by the United States for a tribe or an individual tribal member unless the delivery is authorized by and consistent with applicable tribal law.
3. Delivery personnel will follow the same protocol and policies of the retail facility in the verification of the recipient's age and necessary documentation for the receipt of cannabis or cannabis products.
 - a. All delivery personnel will verify the age and all necessary documentation of each individual to ensure customers are not under the age of twenty-one (21) years. Acceptable forms of documentation will be:
 - i. A document issued by a federal, state, county, or municipal government, or a political subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, physical description, and a photo of the person;
 - ii. A valid identification card issued to a member of the Armed Forces that includes a date of birth and a photo of the person; or
 - iii. A valid passport issued by the United States or by a foreign government.
 - b. Those unable to produce acceptable forms of identification verifying they are of age top purchase will not be provided with cannabis products.

13.3 PARKING AND LANDSCAPING PLAN

Community Veterans of Imperial has already secured a location and has scoped the work required to create an esthetically pleasing and safe retail cannabis business within Imperial County. As the goal of the team is to seamlessly integrate into the community as well as advance community priorities and initiatives, the Community Veterans of Imperial team has worked to combine aesthetics and sustainability to create an environmentally friendly and efficient facility. The Community Veterans of Imperial facility will include features that supports and promotes the long range strategy of achieving a more sustainable community. Built into the design plans for the Community Veterans of Imperial's facility are adequate parking complimented with professional landscaping designed to be both attractive and long lasting.

13.3.1 Parking

The site will provide newly surfaced and ample parking around the building. Community Veterans of Imperial's proposed facility will offer gives it 14 off-street regular parking spaces and 2 ADA accessible space, such that those with handicap placards will easily be able to park their vehicles and safely access the facility.



13.3.2 Landscaping

Community Veterans of Imperial plans to utilize drought resistant landscaping around the facility. The benefits of utilizing drought resistant plants is the inherent reduction in the use of water to maintain the attractive appearance of a professionally landscaped facility. Additionally, drought resistant plants tend to have deeper roots which helps stabilize slopes and reduces soil erosion.

All plants used in the landscaping plan surrounding the facility will also be chosen based on their size at maturity. Plants that are very dense or could act as a hiding place or create blind spots for facility surveillance will be avoided.

13.4 SIGNAGE PLAN

In accordance with 16 CCR § 5040(b) Community Veterans of Imperial's business identification and outdoor signage will conform to the requirements set forth by the state, including, but not limited to,

1. Be affixed to a building or permanent structure;
2. Comply with the provisions of the Outdoor Advertising Act, commencing with section 5200 of the Business and Professions Code, if applicable; and
3. Not be located within a 15-mile radius of the California border on an Interstate Highway or on a State Highway that crosses the California border.

All company signage will adhere to the Imperial County Municipal Code § 90401.14 and will not feature any of the following:

- A. Site affixed or stationary signs which mechanically rotate or move.
- B. Any sign displaying any obscene, indecent, or immoral material.
- C. Advertising signs that include the words stop, look, and listen, or any other word phrases symbol, light, motion, sound, fume, mist, or substance that may interfere, mislead, or confuse a driving public.
- D. Signs extending above roofs and roof signs except where specific provided within the provisions of this chapter.
- E. Signs projecting from the building, except for where specifically provided for within this chapter.
- F. Wind activated signs.
- G. Any advertising device attached to a building, fence, pole or structure or vehicle, on display.

Additionally, and in full compliance with 16 CCR § 5040(a), Community Veterans of Imperial will ensure all advertising and marketing, as defined in Business and Professions Code section 26150, that is placed in broadcast, cable, radio, print, and digital communications:

1. Shall only be displayed after a licensee has obtained reliable up-to-date audience composition data demonstrating that at least 71.6 percent of the audience viewing the advertising or marketing is reasonably expected to be 21 years of age or older;
2. Shall not use any depictions or images of minors or anyone under 21 years of age;
3. Shall not contain the use of objects, such as toys, inflatables, movie characters, cartoon characters, or include any other display, depiction, or image designed in any manner likely to be appealing to minors or anyone under 21 years of age; and
4. Shall not advertise free cannabis goods or giveaways of any type of products, including non-cannabis products. This includes promotions such as:

Section: Business and Operation Plan

- a. Buy one product, get one product free;
- b. Free product with any donation; and
- c. Contests, sweepstakes, or raffles.

Further, and in compliance the Imperial County Municipal Code § 14.04.040, Community Veterans of Imperial will conspicuously display every commercial cannabis business permit and license issued to the business inside the Community Veterans of Imperial facility in a location readily visible to the public.

The signs will not obstruct the entrance or windows of the dispensary and each sign will comply with California's accessibility requirements for persons with visual impairments.

In compliance with the Imperial County Municipal Code § 14.03.080E, Community Veterans of Imperial will not allow cannabis, cannabis products, or cannabis accessories on the dispensary site to be visible from the public right-of-way, the unsecured areas surrounding the buildings on the site, or the site's main entrance and lobby.



Example of beautiful and tasteful business identification signage that will be affixed to the facility.

13.5 LIST AND NUMBER OF EMPLOYEES

Community Veterans of Imperial understands that the organizational structure is important in creating standard practices and operating procedures throughout its facilities. The organizational structure allows Community Veterans of Imperial to clearly define the role and responsibilities for each of its team members and staff to drive accountability and empowerment for each and every staff member. Below is an overview of the intended organizational structure, highlights of each role and its assigned responsibilities. In accordance with Imperial County Municipal Code § 14.03.080(Q) and 16 CCR § 5031, Community Veterans of Imperial will not allow an individual less than twenty-one (21) years of age to work within the licensed premises or handle cannabis and/or cannabis products.

Upon the start of operations, Community Veterans of Imperial intends to hire 16 people consisting of:

Position/Title	Employee Count	Minimum Wage to be Earned
Retail Store Manager	2	\$28.00
Shift Leader	2	\$25.00
Retail Sales Associate	8	\$18.00
Inventory Control Specialist	2	\$18.00
Delivery Driver	2	\$18.00

13.5.1 Retail Store Manager

The Retail Store Manager will manage Community Veterans of Imperial's retail store. As such, the Retail Store Manager will have a variety of responsibilities. To illustrate, the Retail Store Manager is responsible for hiring potential employees, collecting, and returning agent identification cards, and ensuring all agents complete all Program Training within 90 days of employment. Additionally, the Retail Store Manager will train all agents on inventory, sales, security, sales, and operation procedures. Each day, the Retail Store Manager will open and close the retail store, conduct beginning of day inventory audit, oversee sales and operations, and conduct end of day inventory audit. In addition, the Retail Store Manager is responsible for maintaining facility records, inspecting and accepting deliveries, disposing of cannabis waste, reconcile inventory discrepancies as needed, review surveillance equipment and footage, and well as maintain contain contact with the Department and the State/Local Police in the event of an emergency.

13.5.2 Shift Leader

The Shift Leader will work directly under the Retail Store Manager. The Shift Leader will assist the Retail Store Manager of the management of retail operations by overseeing and facilitating sales, supporting retail sales associates as needed, retrieving cannabis and cannabis products from restricted access areas, and ensuring that the appropriate number of customers have access to the retail area. In addition to overseeing sales, the Shift Leader will create employee retail sales associate work schedules and maintain the interior cleanliness of Community Veterans of Imperial's retail facility during business hours.

13.5.3 Retail Sales Associate

Each Retail Sales Associate will facilitate sales within Community Veterans of Imperial's store. During each sale, each Retail Sales Associate will engage and develop a relationship with the customer. Each Retail Sales Associate will get to know each customer to make adequate cannabis and cannabis product recommendations. During each sale, each Retail Sales Associate will educate each customer about the product the customer intends to purchase or the product the customer does in fact purchase. Subsequently, the Retail Sales Associate will create an inventory record for each sale conducted in Community Veterans of Imperial's store.

13.5.4 Inventory Control Specialist

The Inventory Control Specialist will review and monitor inventory levels. Each day, the Inventory Control Specialist will conduct beginning of day and end of day inventory data entries. The Inventory Control Specialist will use the data collected each day to monitor inventory levels for each cannabis and cannabis product in the store. The Inventory Control Specialist will purchase inventories of cannabis and cannabis products, with the approval of the Retail Store Manager, when inventory becomes too low. In addition to monitoring inventory day-to-day, the Inventory Control Specialist will research cannabis and cannabis product trends and will make purchasing adjustments, again, with the approval of the Retail Store Manager, to ensure Community Veterans of Imperial carries the highest demanded products. Furthermore, the Inventory Control Specialist will develop and maintain relationships with cultivation, craft grow, and infuser organizations.

13.5.5 Cannabis Employee Background Check

Community Veterans of Imperial will require all owners, management, and other personnel responsible for the day-to-day operations and activities to submit to fingerprint-based criminal history records check pursuant to the Imperial County Municipal Code § 14.03.080(U). LiveScan applications will be retrieved from the county of Imperial Planning and Development Services Department to be completed and taken to a licensed LiveScan operator for the search to be conducted.

Employee Badge

Once an employee has cleared background screening and cleared for employment, Community Veterans of Imperial will provide each employee with an Employee Identification Badge pursuant to 16 CCR § 5043. All agents, officers, or other persons acting for Community Veterans of Imperial will display a laminated or plastic-coated identification badge issued by Community Veterans of Imperial at all times while engaging in commercial cannabis activity. The identification badge will, at a minimum, include the Community Veterans of Imperial 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 the full front of the employee's face and that is at least 1 inch in width and 1.5 inches in height.





13.5.6 Compliance with Wage and Hour Laws

Community Veterans of Imperial is committed to contributing, at every extent possible, to the County’s Economic Development Strategy. Community Veterans of Imperial strongly believes that in order to retain talented and dedicated staff, a company must adequately compensate its staff. Pursuant to Imperial Municipal Code § 14.03.080(S), Community Veterans of Imperial will ensure full compliance with California State and Federal wage and hour laws. Community Veterans of Imperial will offer living wages that exceed state wage requirements.

To compensate its employees competitively, Community Veterans of Imperial looked towards the Living Wage Calculator offered by the Massachusetts Institute of Technology (MIT) as well as the average/median household incomes within Imperial County.

The Living Wage Calculator uses geographically specific expenditure data related to a family’s likely costs for food, childcare, health insurance, housing, transportation, clothing, personal care items costs, and other basic necessities. The living wage uses these elements and uses estimates of income and payroll taxes to determine the minimum employment earnings required to meet a family’s basic needs while also maintaining self-sufficiency. MIT assumes that the individual works 2080 hours per year (or 40 hours per week). Furthermore, MIT created different living wages for individuals with children, and individuals who also have another adult living with them. Below are the findings from MIT for those living in in Imperial County.²

	1 ADULT				2 ADULTS (1 WORKING)				2 ADULTS (BOTH WORKING)			
	0 Children	1 Child	2 Children	3 Children	0 Children	1 Child	2 Children	3 Children	0 Children	1 Child	2 Children	3 Children
Living Wage	\$14.25	\$33.91	\$41.91	\$53.62	\$26.55	\$32.07	\$36.05	\$39.05	\$13.28	\$18.54	\$23.04	\$27.04
Poverty Wage	\$6.13	\$8.29	\$10.44	\$12.60	\$8.29	\$10.44	\$12.60	\$14.75	\$4.14	\$5.22	\$6.30	\$7.38
Minimum Wage	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00	\$12.00

Anticipated Employee Pay Rates

Community Veterans of Imperial’s objective is to retain loyal employees who will provide a lot of value to Community Veterans of Imperial customers. To ensure Community Veterans of Imperial retains the most talented employees, Community Veterans of Imperial will pay each member of its team competitively. Looking towards the living wage for Imperial County minimum wage, Community Veterans of Imperial agents will be paid much higher than is required for living. Community Veterans of Imperial agents who have households with 1 adult and 0 children will make a premium of 126-196% of the Imperial County recommended living wage, and a premium of 150-233% of California’s minimum wage as illustrated below.

Employee Title	Hourly Rate	Percentage of Living Wage	Percentage of Minimum Wage
Retail Store Manager	\$28.00	196%	233%
Shift Leader	\$25.00	175%	208%
Retail Sales Associate	\$18.00	126%	150%
Inventory Control Specialist	\$18.00	126%	150%
Delivery Driver	\$18.00	126%	150%

Paid Time Off (PTO)

In addition to competitive wages, the Community Veterans of Imperial team will provide all full-time employees who regularly work 40 or more hours per week on a continuing basis earn paid vacation time after each annual

² <https://livingwage.mit.edu/counties/06025>



service anniversary with the Company. Part-time and On-Call employees are not eligible for paid vacation time. Employees will be eligible for PTO only after 180 day of employment.

- It is the Company’s position that employees need time off to rest, so pay in lieu of vacation time is not permitted.
- Vacation time must be taken each year, or the vacation time will be forfeited. Vacation time cannot be accumulated from year to year.
- Vacation requests should be in writing and approved in advance by the manager based upon business conditions. A request for time off, paid, or unpaid is not authorized until signed and approved by management.
- Upon separation from the Company, associates will be paid any earned and unused vacation time.
- PTO can be used for Personal/Sick days after an absence as long as the employee has followed the proper call-off procedure (call and speak to supervisor at least two hours in advance). It is the responsibility of the employee to complete the appropriate paperwork and to obtain approval after their absence to ensure payment of this benefit.
- Other than unplanned sick days, PTO requests should be in writing and approved in advance by the manager based upon business conditions. A request for time off, paid, or unpaid is not authorized until signed and approved by management.

Length of Service	Vacation Available
1 – 4-year anniversary	5 days
5 – 9-year anniversary	10 days
10+ year anniversary	15 days

Time Off to Vote

Community Veterans of Imperial encourages employees to fulfill their civic responsibilities by voting. If an employee is unable to vote in a statewide election during his or her non-working hours, the employer will grant up to two hours to vote. Employees should request time off to vote from their supervisor at least two working days prior to election day so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

Jury Duty

Community Veterans of Imperial encourages employees to fulfill their civic responsibilities by serving jury duty when required.

- Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate the employee's absence. Of course, the employee is expected to report for work if not required to be present in court.
- Either the employer or the employee may request an excuse from jury duty if, in the employer's judgment, the employee's absence would create serious operational difficulties.
- Accrual for benefits calculation of vacation will not be affected during unpaid jury duty leave.

Medical Leave

Paid Medical Leave

In accordance with Lab. Code § 246, Community Veterans of Imperial employees will be entitled to receive paid sick days up to 24 hours or three days in each calendar year of employment. This entitlement will begin on the employees 90th day of work and will renew at the start of each calendar year for the duration of employment with Community Veterans of Imperial. Compensation for sick days will be calculated in the same manner as standard wages.

Unpaid Medical Leave

In accordance with the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act, Community Veterans of Imperial will have policies in place that will protect employees in the event they require time off work to effectively recover from an illness or care for a loved one who is ill or disabled. Community Veterans of Imperial will receive up to 60 working days or 12 workweeks per 12-month period of unpaid leave for a qualified reason.

Requirements and Eligibility

Employees are eligible for FMLA if they:

- Have been with the company for at least a year; or
- Have worked at least 1,250 hours during the previous year; and
 - Are bonding with a new child – whether or not they gave birth or are adopting;
 - Are recuperating from a serious health condition;
 - Are caring for a loved one with a serious health condition;
 - Are dealing with crisis situations stemming from a family member's military service;
 - Are caring for a loved one who suffered serious injuries during active military service; or
 - Require prenatal care or are suffering from pregnancy-related illnesses or complications

Requesting Medical Leave

For employees to receive benefits, they need to first make Community Veterans of Imperial aware of their situation and their need for leave. Employees are required to give at least a 30-day notice ahead of their leave if possible. If the necessity for leave is not foreseeable, then the notice should be provided "as soon as practicable." Employees will be required to:

1. Submit a doctor's note that clearly establish a medical condition or reason for the employee's inability to continue work.
2. Provide all available information directly to the Human Resources Department.

13.5.7 Commitment to Local Hiring Practices

As previously communicated, the Community Veterans of Imperial team wishes to bring meaningful employment opportunities to the residents of Imperial County. Community Veterans of Imperial aims to develop a workforce comprised 100% of Imperial County residents.

Recruiting practices will look for professionally qualified individuals that possess a passion for delivering an exceptional customer experience. The Community Veterans of Imperial will look for individuals who reside within the Imperial County community providing preference to qualified individuals who are local to the facility. The Community Veterans of Imperial believes that by hiring employees who are local to the facility not only positively boosts the local economy, but also provides the type of environment that the company strives for. Typically, local employees have established relationships with others within the community and it is these types of relationships and friendliness that creates the overall family feel within a retail environment.

13.5.8 Compliance with Occupational Safety

The Community Veterans of Imperial will maintain full compliance with all occupational safety requirements set forth by the State of California and the Occupational Safety and Health Administration (OSHA). The team has worked with safety professional to develop a full fire and safety plan that will be implemented at the facility prior to the commencement of operations.



Community Veterans of Imperial has partnered with Dr. Gantt, an experienced Safety Engineer and Board-Certified Safety Professional, in the advisement and preparation of a comprehensive Safety Plan for the facility. Safety Compliance Management, Inc. (SCM), a safety and health consultation firm headquartered in San Ramon, California and founded by Dr. Paul Gantt. Dr. Gantt is a Safety Engineer with a Doctorate degree in Human Services and is a Board-Certified Safety Professional (CSP). He is also certified by the Office of the California State Fire Marshal as a Certified Fire Officer, Certified Fire Prevention Officer, Certified Public Education Officer, Certified Fire Training Officer, and is certified to teach many of these disciplines for the Office of the State Fire Marshal.

Dr. Gantt is an experienced Safety Engineer and Board-Certified Safety Professional (CSP) with an extensive background as both a regulator and in private practice encompassing over 40 years. He is experienced in many areas of occupational and construction safety, safety systems and programs, multi-employer worksites, fire and life safety, workplace and premises evaluation and liability, general safety practices, OSHA and Cal-OSHA health and safety regulations, and Fire and Building Code safety and health requirements. He has considerable experience inspecting and evaluating construction sites, occupational settings, and conducting safety assessments in a broad range of public and private facilities. Additionally, his expertise includes the delivery of training programs with the ability to explain complex regulations, hazards, and practices in an easy-to-understand manner that can be essential in testimony and reports. He is a nationally recognized speaker in many areas related to occupational health and safety, fire safety, premises safety, and regulatory compliance.

After consulting with the Community Veterans of Imperial team, reviewing building plans and related documents, and obtaining information specific to the activities that will take place within the facility, Dr. Gantt has provided a preliminary report providing the team of Community Veterans of Imperial with his evaluation and recommendations related to the plans and programs required to ensure a safe facility for both employees and the general public.

Dr Gantt's report considered all relevant codes including the 2016 edition of the California Building Code (CBC), the 2016 edition of the California Fire Code (CFC), the current California Health and Safety Code, and applicable Cal/OSHA regulations found in Title 8 of the California Code of Regulations (8 CCR). The team has reviewed the report and will incorporate it elements into the design of the facility as well as the general operation and policies utilized at the facility. Below is a resume that details Dr. Gantt full list of credentials and experience.

SUMMARY/OVERVIEW

Dr. Gantt is an experienced **Safety Engineer and Board-Certified Safety Professional (CSP)** with an extensive background as both a regulator and in private practice encompassing over 40 years. He is experienced in many areas of occupational and construction safety, safety systems and programs, multi-employer worksites, fire and life safety, workplace and premises evaluation and liability, general safety practices, OSHA and Cal-OSHA health and safety regulations, and Fire and Building Code safety and health requirements. He has considerable experience inspecting and evaluating construction sites, occupational settings, and conducting safety assessments in a broad range of public and private facilities. Additionally, his expertise includes the delivery of training programs with the ability to explain complex regulations, hazards, and practices in an easy-to-understand manner that can be essential in testimony and reports. He is a nationally recognized speaker in many areas related to occupational health and safety, fire safety, premises safety, and regulatory compliance.

OCCUPATIONAL EXPERIENCE

January 1991 to Present:

President & Founder

Safety Compliance Management, Inc San Ramon, California

Owner and operator of a tenured and successful private business that provides solutions in the areas of evaluating and implementing occupational health and safety systems and programs, emergency management and response, and safety programs (training, consultation, compliance, and written programs) to a range of clients in both the private and public sectors.

Safety and Regulatory Compliance Consulting/Expert Witness

Provides regulatory and litigation (Expert Witness) consultation services in areas involving regulatory compliance, safety systems, fire and life safety, construction safety, Fire and Building Code compliance, and premises liability matters. He has provided testimony in the areas of safety program development and implementation, multi-employer worksites, construction safety, and the application of safety regulations both occupationally and generally.

Safety Programs – Development, Training, Evaluation, and Consultation

Provides services in the design and delivery of a range of safety program/systems that include training and inspection programs in the areas of general industry safety and construction safety. Evaluates current programs to ensure compliance and develops organizational-specific Injury and Illness Prevention Programs (IIPP), Code of Safe Practices, Fall Protection Programs, and other regulatory required programs as needed. Oversees and participates in inspection programs at a range of general industry, private/public facilities, and construction projects. Assists with accident investigation, risk assessment, and evaluation of workplace and property hazards. Represents clients with OSHA issues including citations, site audits, and permits. Provides and coordinates the delivery of numerous safety training programs to a range of clients in all aspects of OSHA and Cal-OSHA required programs including Fall Protection, CPR/First Aid, Confined Space Operations, Energy Control (Lock Out/Tag Out), Fire Safety, Excavation Safety, Hazardous Materials, and other safety topics.

March 1978 to July 1992:

California Fire Service: Four Departments

Positions Held:

- Fire Chief (Acting)
- Fire Marshal
- Fire Captain
- Deputy Fire Chief
- Fire Training Officer
- Firefighter/Paramedic
- Fire Division Chief
- Fire Battalion Chief

Held increasingly responsible positions in four California fire departments. Managed the operations of the Fire Department as the Chief in charge of Fire Operations, Fire Prevention, Fire Training, Public Education, Hazardous Materials enforcement, Administration, and Safety. Served as Training Officer and Instructor in Regional Fire Academies.

EDUCATION/CERTIFICATIONS

- Doctor of Philosophy (Ph.D.), Capella University, April 2019.
- Master of Engineering (M.Eng.), Advanced Safety Engineering and Management. The University of Alabama, Birmingham, 2014.
- Bachelor of Public Administration (BPA), The University of San Francisco, 1988.
- Associate of Science (AS), Fire Science. Solano College, 1981.
- Certified Safety Professional (CSP). Board of Certified Safety Professionals (BCSP), #19001, 2006.
- Certified Instructional Trainer (CIT). BCSP, #13001, 2013.
- Construction Health and Safety Technician (CHST). BCSP, # C3565, 2013.
- BCSP Subject Matter Expert.
- Professional Member - American Society of Safety Engineers (ASSE) (#13536), since 1999.
- Advanced Certificate of Achievement, Fire Science. Solano College, 1982.
- Certified Auditor OHSAS 18001 Safety Systems.
- Certified Fire Officer, Public Education Officer, Fire Instructor, and Fire Prevention Officer - Office of the California State Fire Marshal.
- Registered Environmental Assessor, Class I - California EPA, # REA I-06538, 1996-2012.
- Community College Lifetime Teaching Credentials - Fire Technology, #251342 and Health and Related Technologies, #267782.
- Emergency Medical Technician 1 Instructor/ Mobile Intensive Care Paramedic (Previous).
- Instructor Levels I and II Office of the California State Fire Marshal.

HONORS/ASSOCIATIONS (Past/Present)

- Professional Member -American Society of Safety Engineers/Professionals (ASSE/ASSP).
- Member - National Safety Council (NSC).
- Member - National Fire Protection Association (NFPA).
- Life Member California Fire Training Officer's Association.

Accident and Incident Reporting Procedures

Fire and Life Safety Coordinator

Community Veterans of Imperial has designated Daniel Wise as the Fire and Life Safety Coordinator for the organization.

The Fire and Life Safety coordinator is responsible for the planning, evaluation, and execution of the EAFPP and should perform the following duties:

1. Review and update the EAFPP annually or as needed.
2. Conduct annual facility evacuation drills. Know the location of all fire extinguishers; pull alarms, and first aid kits. Ensure evacuation routes are posted and walkways remain clear at all times.
3. When an emergency alarm has been sounded, systematically check all areas to assure everyone has been evacuated.
4. If needed, post assistants along the evacuation route to guide people to the Assembly Area.
5. Take roll call at the assembly area following a site evacuation to ensure the safety of all employees.
6. Assist mobility impaired persons to evacuate safely.
7. Keep people calm and informed.
8. Report to the Co-Presidents, Security Manager, or the on-scene Incident Commander.
9. If ordered by on-scene Incident Commander, move all people to the Assembly Area and inform people when it is safe to re-enter buildings. After a major earthquake, a person may not re-enter buildings until cleared by a qualified building inspector.
10. After the emergency incident has concluded, the Safety Coordinator will distribute and collect After Action Report Forms completed by employees and determine potential improvements for the EAFPP.

The Fire and Life Safety Coordinator directs the day-to-day prevention and safety activities at Community Veterans of Imperial. The Fire and Life Safety Coordinator is responsible for the following:

- The regular inspection and maintenance of all emergency lighting, alarm, detection and suppression equipment according to manufacturer's specifications.
- Assigning someone to The Fire and Life Safety Coordinator will be familiar with:
 - Major workplace hazards.
 - Requirements to maintain aisles and exits.
 - Proper handling and storage practices of potential flammable and combustible materials, and ignition sources.
 - Community Veterans of Imperial's Emergency Action Plan.
 - Laws and local codes relating to fire prevention.
 - All fire protection equipment.

The Fire and Life Safety Coordinator is responsible to ensure all employees are trained on fire prevention housekeeping procedures and the parts of this plan that apply to them.



Emergency Roll Call Sheet

The Fire and Life Safety Coordinator is responsible for maintaining a current list of personnel at the facility on this form, retrieving this form during an emergency, and tracking where people are during an emergency.

Name	Phone Number	Status or Location

Emergency Contact Information

- Emergency - 911
- State Center Community College District Police Department
 - 24-hour non-emergency Dispatch: (559) 244-6140
- California Highway Patrol - (800) 835-5247

After Action Report Form

The Safety Coordinator is responsible for distributing these forms after an incident has concluded, to all employees who were on Community Veterans of Imperial property at the time of the incident. After employees complete these forms, the Safety Coordinator will collect them, analyze the responses, and determine potential improvements to be made to the EAFPP.

Reporting A Fire

In the event of a fire, visible smoke, or the smell of smoke, employees must leave the area of the fire immediately! When customers are in the facility, the employees will assist them to the exits and out of the building. They will assist those in danger if it is safe to do so and help direct them out of the building and to a safe location. This should only be attempted if it does not endanger other lives.

Immediately report any size fire to the fire department.

Reporting an Emergency

Call 9-1-1 or (559) 244-5911 from a cell phone.

For any emergency, whether at work or home, employees should be prepared to provide the emergency operator with the following information:

- Type of emergency.
- Scope of emergency (number of people involved, size of the problem).
- Location of the emergency (be as specific as possible).
- Caller's name and phone number.
- Any other details emergency response personnel should be aware of.

Stay on the line until the emergency operators indicate they have all the necessary information. Let the emergency operators be the first to hang up.

OSHA Reporting Requirements

In the event of a serious occupational injury or illness, or the death of an employee as a result of an occupational condition or incident, the Labor Code requires that CAL/OSHA be notified of the occurrence by telephone immediately, no more than eight hours after the incident, or as soon as it is known the employee will be hospitalized for more than 24 hours for other than observation. The only exception would be when the person making the report can demonstrate that exigent circumstances existed, and that, even with diligent inquiry, the information for the report was not available in the required time frame.

The local Cal/OSHA office number is (559) 445-5302. The following information must be reported:

- Date and time of the incident.
- Employer's name, address, and telephone number.
- Name and job title of the person making the report.
- Address of the site of the accident or event.
- Names of the injured/ill employee, the person making the report, and the employer.
- Nature of the injury/illness.
- Location to where the injured employee(s) was (were) moved.
- List and identify of other law enforcement agencies present at the site of the accident.
- Description of the accident and whether the accident scene had been altered.

A serious injury or illness is defined in Title 8, Section 330(h) and occurs when any of the following occur:

- A fatality.
- An employee suffers a loss of any member of the body.
- An employee suffers a serious degree of permanent disfigurement.
- An employee is hospitalized for "other than medical observation."
- A significant injury or illness diagnosed by a physician or other licensed health care professional.

Evacuation Routes

During new employee orientation, employees are informed of the procedures for emergency evacuations, including their responsibility to become familiar with evacuation routes, and to always consider a secondary route should the primary route be blocked.

Should it become necessary to evacuate, the order will be given by the fire alarm system or verbally. At that time, everyone leaves by the nearest emergency exit following established evacuation routes. Only designated evacuation routes and exits should be used.

During the evacuation, all employees, visitors, and customers who might be at the site are to follow these general safety considerations listed:

- When instructed to, leave the area immediately. Only take items that are within immediate reach; nothing is worth the chance of being trapped inside. No one is to remain inside.
- Personnel will need to assist other employees and customers that may be in the facility; help those who might not know Community Veterans of Imperial evacuation procedures or require assistance.
- The Fire and Life Safety Coordinator or designee will be positioned at an exit to ensure everyone continues to move to the outside and the exit routes remain open.
- All employees must report to the Fire and Life Safety Coordinator or designee at the designated evacuation assembly area.
- Roll call will be taken at the designated evacuation assembly site. The Fire and Life Safety Coordinator or designee will then notify the person in charge whether all have safely exited the site.
- Once employees and/or customers arrive in an evacuation assembly area, they should not leave it until told to do so by the person in charge.
- Employees are not to block access routes for emergency vehicles at the assembly area. Avoid interference with emergency personnel.

At Community Veterans of Imperial there is a designated evacuation assembly area. It is located at the southeast (street) side of the parking lot in the meridian.

ADA Compliant Evacuation Procedures

Posted signage for exiting should have Braille instructions for persons with visual impairments.

- Signage for emergency exiting and instructions should be in colors easily recognizable by persons with color blindness.
- Evacuation familiarization tours will be provided for any employee with a visual impairment upon request.

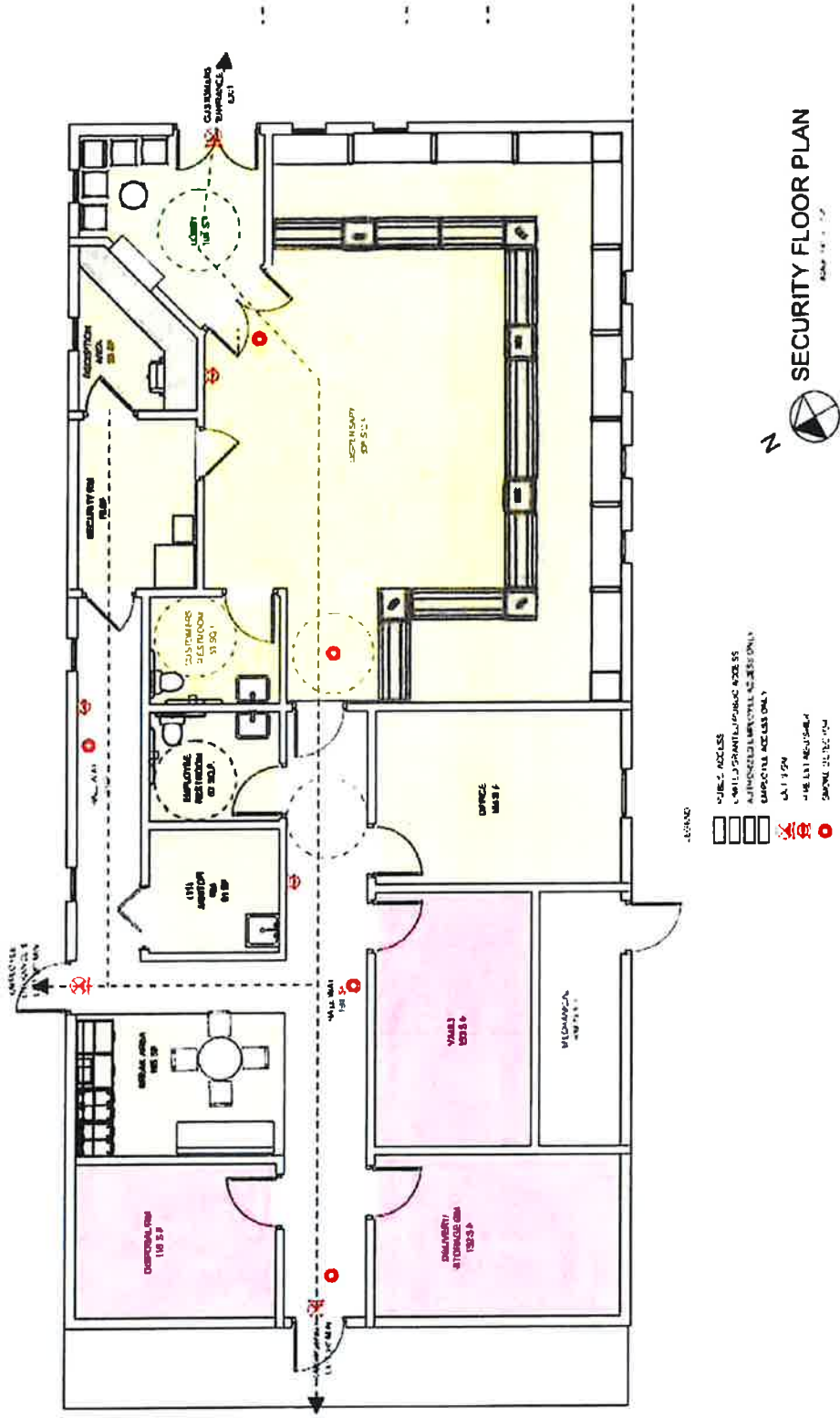
In addition to loud alarms to announce emergency evacuations, strobe lighting may be used to signal those with hearing impairments.

- Employees may be assigned to assist those with hearing impairments, including customers, to ensure they are alerted to any emergency instructions.
- Employees with hearing impairments may receive instructions by texts or emails.
- Employees or customers with mobility impairments will be assisted to the evacuation assembly area.

Section: Business and Operation Plan
Subsection: List and Number of Employees



Evacuation Route Diagram



Location of Fire Extinguishers and Other Fire Suppression Equipment

Community Veterans of Imperial will ensure all necessary steps are taken to maintain the safety of employees, customers, and the facility in the event of a fire. The Community Veterans of Imperial team has incorporated fire safety into the overall design and layout of the facility. This includes basic housekeeping policies that minimize fire hazards, the installation of fire suppression equipment throughout the facility, and the preparation of standard operating procedures that will prepare employees for quickly responding to fire related events.

Potential Fire Hazards

Minimal amounts of hazardous products will be kept on site for cleaning purposes only.

Suppression Systems

Fire Extinguishers:

- Fire extinguishers are located throughout the facility to ensure that they are within 75 feet of all areas. This is necessary to allow them to be accessed and used when a small fire is discovered.
- Fire extinguishers require some periodic inspection and maintenance. Fire extinguishers will be visually inspected every month and the inspection documented.
- All extinguishers shall be serviced annually by an approved contractor and following each use.

Automatic Fire Sprinklers:

When exposed to heat, the individual sprinkler head works to extinguish the fire through the application of water from the head that is exposed to the heat. The activation of a sprinkler will also sound an audible alarm and will notify the alarm company who will in turn notify the fire department.

- Each individual sprinkler head must be unobstructed, so it can detect the presence of a fire and extinguish it at the earliest possible moment.
- At no time shall storage come within 18 inches of any sprinkler head since this could obstruct the operation of the system.
- In order to ensure proper operation, Automatic Fire Sprinkler Systems require periodic inspection and maintenance. The system will be inspected and serviced quarterly by an authorized technician and a written record will be available documenting the findings.
- The system must be tested and certified every five years by a licensed technician.

Other Fire and Life Safety Equipment

Alarms: Community Veterans of Imperial plans to provide for the safety of their employees and customers with the installation of a monitored alarm system that will be monitored by ADT alarm company. Verbal communication can also be used to provide separate notifications for full evacuations and sheltering in place.

- Any manual alarm stations for use in conjunction with employee alarm systems will be unobstructed, conspicuous, and readily accessible. Any pull stations are maintained by the building leasing company.
- The alarms will be tested regularly and serviced according to manufacturers' recommendations.
- Emergency Lighting: Emergency lighting will be maintained and tested according to manufacturers' recommendations and CFC requirements.

Housekeeping Procedures

- Fire doors shall be kept closed at all times unless provided with alarm actuated, self-closing hardware.
- Maintain a minimum of three feet clearance around/ in front of all electrical panels.
- Extension cords shall not be used in place of fixed wiring and shall only be used for temporary purposes.
- Multi-plug adapters shall not be used unless provided as part of a listed and fused power strip. They must be plugged directly into an approved receptacle.
- Electrical cords shall not be placed under carpets or through doorways.

Section: Business and Operation Plan



- Any fire protection equipment including fire extinguishers, shall not be blocked.
- All combustible storage shall be stored in a manner to prevent the spread of fire.
- All combustible waste shall be stored in approved waste containers.
- All work areas will be kept free of excess accumulations of waste.
- Smoking will only be allowed in designated areas. Whenever smoking materials are discarded, they should be placed in appropriate, designated containers.

Aisles and Exits.

All aisles and exits shall conform to minimum standards as outlined by fire and building codes applicable to the facility.

The Fire and Life Safety Coordinator will ensure that all workers assist in the maintenance of aisles and exits in their respective workplaces. It is the responsibility of the Fire and Life Safety Coordinator to ensure that aisles and exits remain free of obstructions at all times.

- Storage is not permitted in emergency exit paths even on a temporary basis.
- Any operation that blocks or makes an emergency exit inoperable must receive the approval of the Fire and Life Safety Coordinator or his designee. Special arrangements shall be made to ensure adequate exiting during the temporary operation.
- Exit signs shall be posted above all emergency exits. Signs that are designed to be illuminated shall be maintained in proper working order at all times.
- Cords and cables shall not lay across aisles where they might present a tripping hazard.
- Aisles in the office area shall be maintained at a minimum of 36 inches wide.
- Spills of any liquids in aisles should be cleaned up as soon as possible.
- Door hardware, including locks, bolts, chains, etc., shall not be added to any exit door without the approval of the Fire and Life Safety Coordinator.
- Exit doors and hardware shall be inspected as part of the regular Safety Inspection.

Fire and Medical Emergency Training and Procedures

All Community Veterans of Imperial personnel will be trained on safety policies and protocols. In the event of an environmental emergency, such as a fire, staff will be instructed on the use of fire suppression equipment and provided contact information beyond calling 911, to obtain help from professionals when required.

All medical emergencies will be dispatched to local emergency staff immediately upon knowledge of any such emergency. First-Aid and CPR training will be provided for each employee, so all staff members will be able to assist, when necessary, as they wait for emergency response teams. Below, the team has outlined all occupational safety, health, and inspection programs that will be implemented at the facility.

Training Programs

Full implementation of the occupational safety and health programs requires training in several areas. Following is a description of the training programs that have been identified.

Training	Description	Employees
IIPP training	Training in accordance with 8 CCR §3203 on all elements of the IIPP and responsibilities for each level of employee within the organization.	All employees
Emergency Action Plan	Training on the elements of the site Emergency Action Plan in accordance with 8 CCR §3220 including employee responsibilities and procedures for reporting emergencies, the emergency action to be taken for each type of anticipated emergency, and evacuation routes and areas of safe refuge. Emergencies that are covered in the training and Plan include medical, fire, earthquake, workplace violence and active shooter.	All employees
Inspection programs	Training will be provided to personnel involved in the inspection of safety equipment and emergency systems involved in the retail activities.	Affected/involved employees
Equipment Specific/Job Training	Training of personnel in the safe operations of all equipment used by employees as required by 8 CCR §3203.	Affected/involved employees
Cal/OSHA General Industry 30-hour course	In accordance Section 26051.5(11)(A) of the Business and Professions Code, as may be amended, Community Veterans of Imperial asserts that within one year of receiving a commercial cannabis business permit, one supervisor and one employee will successfully complete a Cal-OSHA 30-hour general industry outreach course offered by a training provider that is authorized by an OSHA Training Institute Education Center.	At least one supervisor and one employee

Section: Business and Operation Plan



Additionally, while not required, training in the following areas has been identified for the firm's occupational safety and health training matrix.

Training	Description	Employees
Cardiopulmonary Resuscitation (CPR) and First Aid	Training in accordance with 8 CCR §3400 to provide CPR and First Aid in accordance with the guidelines of the American Heart Association.	Emergency Response Team (ERT) members
Automatic External Defibrillator (AED)	Training in accordance with 8 CCR §3400 to use an AED in accordance with the guidelines of the American Heart Association.	Emergency Response Team (ERT) members
Portable fire extinguisher use/Incipient Fire Control	Training in accordance with 8 CCR §6151 on the use of portable fire extinguishers including requirements for notification and evacuation prior to use, selection of the proper type of extinguisher, inspection/service requirements, and proper use.	Emergency Response Team (ERT) members

Inspection Programs

As safety systems are implemented, inspection and testing programs are required to ensure that the equipment and systems are properly maintained and useable. Required inspections are as follows.

Equipment/System	Frequency
Portable fire extinguishers	Visual inspection monthly by site personnel. Annual service by a licensed vendor.
Emergency lighting systems	Testing for 30 seconds monthly by site personnel. 90-minute test annually by site personnel.
First Aid Kits	Regular inspections of inventory by site personnel or a vendor.
Portable ladders (if used)	Regular inspections – recommended quarterly.
Detection and alarm systems	Maintained and tested in accordance with manufacturer's and CCR Title 19 requirements.

Recordkeeping

To ensure ongoing compliance within the safety systems, records will be developed and maintained in compliance with Cal-OSHA requirements found in 8 CCR §§3203 and 3204, and other equipment-specific sections. Following is a list of the records that may be required. As with some of the other required safety elements, these are similar to those that are required and identified in the report.

- Personnel safety training records.
- Equipment inspection records.
- Facility inspection records.
- Operational and facility inspection records.
- Emergency equipment inspection records (e.g., alarms, detectors, fire extinguishers, emergency lighting, etc.).
- OSHA Log 300 and 300A.



13.6 PROOF OF WORKER' COMPENSATION AND LIABILITY

Wednesday, November 3, 2021



County of Imperial
Planning and Development Services
801 Main Street
El Centro, CA 92243

Subject: Workers' Compensation and Liability

Dear Imperial County Officials:

I, Daniel Wise, Owner and CEO of Community Veterans of Imperial dba. The Cake House am writing this letter on the behalf of the company to inform the county that we do not currently have employees, nor do we plan to begin hiring staff for facility operations until after we have completed the buildout. If it satisfies the County, when the buildout is complete and we reach the stage of hiring, we will at that time purchase a worker compensation and liability policy and provide it to the County.

Thank you!

Daniel Wise
CEO of Community Veterans of Imperial dba The Cake House
CEO of Currnt Cannabis, Inc.
danny@currntcannabis.com
(512) 745-3242

13.7 FICTITIOUS BUSINESS NAME



CHUCK STOREY Imperial County Clerk/Recorder
 940 W. Main Street, Suite 202, El Centro, CA 92243
 Telephone: (442)265-1076 Fax: (442)265-1091
www.imperialcounty.org

FEE SCHEDULE	
Filing (includes one certified copy):	\$35.00
Each Additional Registrant(s):	\$ 5.00
Each Additional Business Name(s):	\$ 5.00
Plain Copies:	\$ 2.00
Additional Certified Copies:	\$ 7.00

FICTITIOUS BUSINESS NAME STATEMENT FILING

This is NOT a Business License Type or Print Clearly MUST BE LEGIBLE

New Filing/Amend

Re File (No Changes)

AGENT INFORMATION – Person filing FBN Statement on behalf of the registrant

Agent's Name	Daniel Wise	Phone Number	(512) 745-3242
Agent's Address	1611 Melrose Drive STE A #391 Vista, CA 92081		

1. FICTITIOUS BUSINESS NAME (S)

PRINT FBN NAME
 The Cake House
 PRINT FBN NAME

2. LOCATION

PHYSICAL BUSINESS ADDRESS (P.O. Box or PMB *not acceptable*) - City, State, Zip Code, County
 1073 N. Imperial Highway, Ocotillo, CA 92259 Phone Number
 (512) 745-3242
 MAILING ADDRESS (if different from above) - City, State, Zip Code, P.O. Box acceptable
 1611 Melrose Drive STE A #391 Vista, CA 92081

3. REGISTRANT INFORMATION

Full Name & Complete Residence Address of each business owner (P.O. Box or PMB *not acceptable*)
 If a Corporation/LLC, Corporation/LLC name & address as registered with Secretary of State (include State where incorporated)
 FULL NAME
 COMMUNITY VETERANS OF IMPERIAL COUNTY LLC
 STATE OF INCORPORATION
 California
 STREET ADDRESS, CITY, STATE & ZIP CODE
 3400 Cottage Way, Ste G2 #2792 Sacramento, California 95825 United States
 PHONE NUMBER
 (512) 745-3242
 FULL NAME
 STREET ADDRESS, CITY, STATE & ZIP CODE
 PHONE NUMBER

4. THIS BUSINESS IS CONDUCTED BY (Check one)

- An Individual
- General Partnership
- Incorporated, Partnership other than a Partnership
- Co-Partners
- Limited Liability Partnership
- Corporation
- Married Couple
- State or Local Registered Domestic
- Limited Partnership
- Joint Venture
- Trust
- Limited Liability Company

5. DATE began using business name – Cannot be a future date

MM/DD/YYYY Not applicable if you have not begun conducting business

6. SIGNATURES

I declare that all information in this statement is true and correct. (A registrant who declares as true information, which the registrant knows to be false, is guilty of a misdemeanor.)

Signature	Daniel Wise	Title	(CEO)
Print Name	Daniel Wise	Phone Number	(512) 745-3242

In accordance with Section 17920 (b), a Fictitious Business Name Statement generally expires five years from the date it was filed with the County Clerk, except as provided in Section 17920 (b), where it expires 30 days after any change in the items set forth in the statement pursuant to section 17913 other than a change in the residence address of a registered owner. A new Fictitious Business Name Statement must be filed before the expiration. The filing of this Statement does not of itself authorize the use in this state of a Fictitious Business Name in violation of the rights of another under Federal, State, or common law (Section 14411 et seq. of the Business and Professions Code)



CHUCK STOREY - Imperial County Clerk/Recorder
 940 W. Main Street, Suite 202, El Centro, CA 92243
 Telephone: (442)265-1076 Fax: (442)265-1091
www.imperialcounty.org

FICTITIOUS BUSINESS NAME STATEMENT – AFFIDAVIT OF IDENTITY
 Type or Print Clearly – MUST BE LEGIBLE

This affidavit must be signed in the presence of the Deputy County Clerk or if filing by mail, in the presence of a Notary Public.

Name of Business COMMUNITY VETERANS OF IMPERIAL COUNTY LLC
 I am the Registrant Daniel Wise
 I am the Agent _____

By signing I, Daniel Wise, declare under penalty of perjury under the laws of the State of California, that I am the registrant or the _____ authorized agent to submit the Fictitious Business Name filing and that I intend to file Fictitious Business Name on this statement.

Subscribed on this _____ day of _____, 2011.

 SIGNATURE OF REGISTRANT OR AUTHORIZED AGENT

DO NOT WRITE BELOW THIS LINE – TO BE COMPLETED BY DEPUTY COUNTY CLERK

ID Number		ID Type	
ID Verified by		Deputy Clerk's Signature	

FILING OF A FICTITIOUS BUSINESS NAME BY MAIL, REQUIRES SIGNATURE ACKNOWLEDGED BY A NOTARY PUBLIC

CERTIFICATE OF ACKNOWLEDGMENT

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

State of _____

County of _____

On _____ before me _____ Notary Public 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.

 Notary's Signature

REGISTRATION - REV. 2/06/2010



**California Secretary of State
Electronic Filing**



LLC Registration – Articles of Organization

Entity Name: COMMUNITY VETERANS OF
IMPERIAL COUNTY LLC

Entity (File) Number: 202106311386

File Date: 03/01/2021

Entity Type: Domestic LLC

Jurisdiction: California

Detailed Filing Information

1. **Entity Name:** COMMUNITY VETERANS OF IMPERIAL COUNTY LLC

2. **Business Addresses:**
 - a. **Initial Street Address of Designated Office in California:** 3400 Cottage Way, Ste G2 #2792
Sacramento, California 95825
United States

 - b. **Initial Mailing Address:** 3400 Cottage Way, Ste G2 #2792
Sacramento, California 95825
United States

3. **Agent for Service of Process:** LEGALINC REGISTERED AGENTS, INC.
(C4249296)

4. **Management Structure:** More than One Manager

5. **Purpose Statement:** The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the California Revised Uniform Limited Liability Company Act.

Electronic Signature:

The organizer affirms the information contained herein is true and correct.

Organizer: DANIEL WISE

Use bizfile.sos.ca.gov for online filings, searches, business records, and resources.

Attachment “G”: Comment Letters

Kimberly Noriega

From: Gonzalez, Camilo A <cgonzalez@blm.gov>
Sent: Monday, March 14, 2022 12:20 PM
To: Kimberly Noriega
Subject: Fw: [EXTERNAL] Request for Comments - Community Veterans of Imperial County, LLC
Attachments: CUP21-0023 Request for Comments 03 11 22.pdf

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

Good afternoon, not sure if you wanted something formal in letter, but as BLM law enforcement we have some concerns about this dispensary.

The store would be adjacent to federal lands, currently Marijuana is still illegal federally, and the transportation and use of Marijuana could possibly cross or be in federal lands.

Thank you.

Camilo Gonzalez (Cam)
Chief Ranger Law Enforcement
El Centro Field Office
Bureau of Land Management, California
Department of the Interior, Region 8
760-337-4480 Office
442-271-9443 Cell

RECEIVED
MAR 14 2022
BLM EL CENTRO FIELD OFFICE
PLANNING & DEVELOPMENT SERVICES

From: Sahagun, Carrie L <csahagun@blm.gov>
Sent: Friday, March 11, 2022 10:44 AM
To: Gonzalez, Camilo A <cgonzalez@blm.gov>; Hamada, Neil T <nhamada@blm.gov>; Chatterton, Michael (Ryan) <mrchatterton@blm.gov>
Subject: Fw: [EXTERNAL] Request for Comments - Community Veterans of Imperial County, LLC

FYI- proposal for cannabis store at Sidewinder exit.

Carrie L. Sahagun
Assistant Field Manager
BLM El Centro Field Office
1661 S. 4th Street
El Centro, CA 92243
(760) 337-4437
USDI, Region 8

From: Kimberly Noriega <KimberlyNoriega@co.imperial.ca.us>

Sent: Friday, March 11, 2022 10:35 AM

To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Paul Deol <PaulDeol@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; David Claverie <DavidClaverie@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>; Matt Dessert <MattDessert@co.imperial.ca.us>; Eric Havens <EricHavens@co.imperial.ca.us>; Ray Castillo <RayCastillo@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Ben Salorio <BenSalorio@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Gilbert Otero <GilbertOtero@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Thomas Garcia <tgarcia@icso.org>; Ray Loera - Sherriff <rloera@icso.org>; Robert Benavidez <rbenavides@icso.org>; Scott Sheppeard <scottsheppeard@icso.org>; rlpna@iid.com <rlpna@iid.com>; jlasbury@iid.com <jlasbury@iid.com>; Donald Vargas - IID <DVargas@IID.com>; jmontano@iid.com <jmontano@iid.com>; Laverty, Scott@CHP <SLaverty@chp.ca.gov>; Monica Tavares (monica.tavares@chp.ca.gov) <monica.tavares@chp.ca.gov>; josesserrano@chp.ca.gov <josesserrano@chp.ca.gov>; chamilton@chp.ca.gov <chamilton@chp.ca.gov>; Maurice.Eaton@dot.ca.gov <Maurice.Eaton@dot.ca.gov>; beth.landrum@dot.ca.gov <beth.landrum@dot.ca.gov>; kimberly.dodson@dot.ca.gov <kimberly.dodson@dot.ca.gov>; Roger Sanchez <roger.sanchez-rangel@dot.ca.gov>; clsimmon@blm.gov <clsimmon@blm.gov>; trieddell@blam.gov <trieddell@blam.gov>; Sahagun, Carrie L <csahagun@blm.gov>; Hamada, Neil T <nhamada@blm.gov>; sdclark@blm.ca.gov <sdclark@blm.ca.gov>; jmacdonald@blm.ca.gov <jmacdonald@blm.ca.gov>; james_keeler@blm.gov <james_keeler@blm.gov>; john_kalish@blm.gov <john_kalish@blm.gov>; Quechan Historic Preservation Officer <historicpreservation@quechantribe.com>; Quechan Indian Tribe <tribalsecretary@quechantribe.com>

Cc: Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>; Shannon Lizarraga <ShannonLizarraga@co.imperial.ca.us>; Valerie Grijalva <ValerieGrijalva@co.imperial.ca.us>

Subject: [EXTERNAL] Request for Comments - Community Veterans of Imperial County, LLC

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good morning,

Please see attached Request for Comments packet for Conditional Use Permit #21-0023 Community Veterans of Imperial County, LLC APN: 056-470-009-000.

Comments are due by **March 28th, 2022 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 our office (442) 265-1736, or submit your comment letters to ICPDScommentletters@co.imperial.ca.us.

Thank you,

Kimberly Noriega

Office Assistant III

Imperial County

Planning and Development Services

801 Main St.

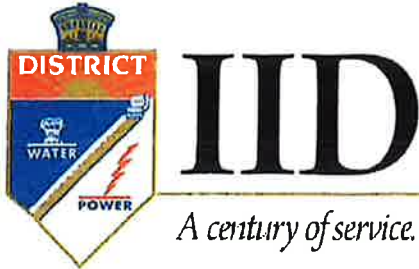
El Centro, CA 92243

☎ Phone: (442) 265-1736

☎ Fax: (442) 265-1735



The preceding e-mail message (including any attachments) contains information that may be confidential, be protected by the attorney-client or other applicable privileges, or constitute non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.



www.iid.com

Since 1911

March 17, 2022

Ms. Jeanine Ramos
Planner II
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

RECEIVED

MAR 17 2022

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

SUBJECT: Community Veterans of Imperial County Cannabis Retail Project; CUP #21-0023

Dear Ms. Ramos:

On March 11, 2022, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit application No. 21-0023. The applicant, Community Veterans of Imperial County, LLC, proposes the establishment of a commercial cannabis operation in an existing retail space located at 611 Sidewinder Road, Winterhaven, CA (APN 056-470-009-000).

The IID has reviewed the application and has the following comments:

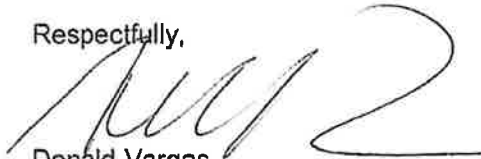
1. To obtain electrical service for the project, the applicant should be advised to contact Joel Lopez, IID Service Planner, at (760) 482-3444 or e-mail Mr. Lopez at JFLopez@IID.com to initiate the customer service application process. In addition to submitting a formal application (available at the website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit an electrical one-line diagram, operating voltage requirements, electrical panel loads and sizes 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. Electrical capacity is limited in the area; thus, an electrical study may be required. Any system improvements determined by the study will be the financial responsibility of the applicant.
3. On the Conditional Use Permit application, lines 12 and 13 require descriptions of sewer and water systems, and "Use of Existing" is the stated response. What are the existing conditions of the site's water system? Is there additional information on the water demand for the existing use and the water demand of the proposed new additional use? If the current water source is well water, does the property owner have a water supply agreement that supports the new water demand?
4. Although the parcel to be used is located outside of IID's water service area, it is within the Lower Colorado River Accounting Surface. A water supply agreement should be in place with the City of Needles for this property and its existing and new proposed use, if

the water is well water. For additional information regarding the LCR Accounting Surface, please contact Justina Gamboa-Arce, Water Resources Planner, at 760 339-9085.

5. 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 for its completion are available at the website <https://www.iid.com/about-iid/department-directory/real-estate>. The district 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.
6. 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 CEQA and/or 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.
Marlyn Del Bosque Gilbert – Manager, Energy Dept.
Constance Bergmark – Mgr. of Planning & Eng./Chief Elect. Engineer, Energy Dept.
Wayne K. Strumpfer, General Counsel
Jamie Asbury – Assoc. General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Laura Cervantes. – Supervisor, Real Estate
Jessica Humes – Environmental Project Mgr. Sr., Water Dept.



Imperial County Planning & Development Services Planning / Building

Jim Minnick
DIRECTOR

IMPERIAL COUNTY
AIR POLLUTION CONTROL DISTRICT
RECEIVED VIA EMAIL
March 11, 2022

March 11, 2022
REQUEST FOR REVIEW
AND COMMENTS

The attached project and materials are being sent to you for your review and as an early notification that the following project is being requested and being processed by the County's Planning & Development Services Department. Please review the proposed project based on your agency/department area of interest, expertise, and/or jurisdiction.

To: County Agencies

- County Executive Office – Rosa Lopez/Esperanza Colio-Warren/Ben Salorio
 - Ag. Commissioner – Margo Sanchez/Ana L Gomez/Jolene Dessert/ Sandra Mendivil/ Carlos Ortiz/David Claverie/ Paul Deol
 - APCD – Monica Soucier/Belen Leon/Matt Dessert
 - EHS – Jeff Lamoure/Mario Salinas/Alphonso Andrade/Jorge Perez/Vanessa R Martinez
 - Public Works – Guillermo Mendoza/John Gay
 - Assessors – Robert Menvielle
 - Board of Supervisors – Raymond Castillo
- District #5

State Agencies/Other

- IC Sheriff's Office – Robert Benavidez/Thomas Garcia/ Ray Loera/ Scott Sheppard
- IID – Raquel L Pena/ Jaime Asbury/ Donald Vargas/Jesse Montano
- Fort Yuma – Quechan Indian Tribe – H. Jill McCormick/ Jordan D. Joaquin
- IC Fire/OES Office – Andrew Loper/Alfredo Estrada/Robert Malek
- CHP – Scott Laverty/ Monica Tavares/ Jose Serrano/ Chris Hamilton
- County Counsel – Eric Havens

Cities/Other

- BLM – Tristan Tiedell/ Carrie Sahagun/ Neil Hamada/ Stephanie Clark/ John McDonald/ James Keeler/ John Kalish
- Caltrans – District 11 – Maurice Eaton/ Beth Landrum/ Kimberly Dodson/ Roger Sanchez

From: Jeanine Ramos, Planner II - (442) 265-1736 or ICPDSComentLetters@co.imperial.ca.us
 Project ID: Community Veterans of Imperial County – Conditional Use Permit #21-0023/Initial Study #21-0039
 Project Location: 611 Sidewinder Road, Winterhaven, CA 92283-9500 APN: 056-470-009-000
 Project Description: Applicant is proposing use of an existing retail space for commercial cannabis retail operations.
 Applicants: Community Veterans of Imperial County, LLC, d.b.a. as The Cake House
 Comments due by: **March 28th, 2022 at 5:00PM**

COMMENTS: (attach a separate sheet if necessary) (if no comments, please state below and mail, fax, or e-mail this sheet to Case Planner)
The ICAPCD will need to verify final Odor plan with a site visit prior to the issuance of the Certificate of Occupancy

Name: Monica N. Soucier Signature: *Monica N. Soucier* Title: APC Division Manager
 Date: Mar 18, 2022 Telephone No.: (442) 265-1800 E-mail: monicasoucier@co.imperial.ca.us

MA\KNS\AllUsers\APN\056470\009\CUP21-0023\CUP21-0023 Request for Comments\CUP21-0023 Request for Comments 03 11 22.docx

RECEIVED

MAR 18 2022

Kimberly Noriega

From: Ana L Gomez
Sent: Wednesday, March 30, 2022 12:00 PM
To: Jeanine Ramos; Kimberly Noriega; ICPDSCCommentLetters
Cc: Margo Sanchez
Subject: RE: Request for Comments - Community Veterans of Imperial County, LLC
Attachments: CUP21-0023 Community Veterans of Imperial County LLC comments.pdf; WM Letter from Imperial County.pdf; 2021 Nursery Landscape Letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED

MAR 30 2022

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Good morning Kimberly,

Please see the attached letters from the Ag Department for the project CUP #21-0023 for applicant Community Veterans of Imperial County, LLC (Cake House)

Thank you,
Ana Gomez

From: Kimberly Noriega <KimberlyNoriega@co.imperial.ca.us>
Sent: Friday, March 11, 2022 10:36 AM
To: Carlos Ortiz <CarlosOrtiz@co.imperial.ca.us>; Sandra Mendivil <SandraMendivil@co.imperial.ca.us>; Jolene Dessert <JoleneDessert@co.imperial.ca.us>; Paul Deol <PaulDeol@co.imperial.ca.us>; Margo Sanchez <MargoSanchez@co.imperial.ca.us>; David Claverie <DavidClaverie@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>; Matt Dessert <MattDessert@co.imperial.ca.us>; Eric Havens <EricHavens@co.imperial.ca.us>; Ray Castillo <RayCastillo@co.imperial.ca.us>; Rosa Lopez <RosaLopez@co.imperial.ca.us>; Esperanza Colio <EsperanzaColio@co.imperial.ca.us>; Ben Salorio <BenSalorio@co.imperial.ca.us>; Alphonso Andrade <AlphonsoAndrade@co.imperial.ca.us>; Jorge Perez <JorgePerez@co.imperial.ca.us>; Vanessa Ramirez <VanessaRamirez@co.imperial.ca.us>; Robert Menvielle <RobertMenvielle@co.imperial.ca.us>; Mario Salinas <MarioSalinas@co.imperial.ca.us>; Jeff Lamoure <JeffLamoure@co.imperial.ca.us>; Gilbert Otero <GilbertOtero@co.imperial.ca.us>; Alfredo Estrada Jr <AlfredoEstradaJr@co.imperial.ca.us>; Robert Malek <RobertMalek@co.imperial.ca.us>; Andrew Loper <AndrewLoper@co.imperial.ca.us>; Guillermo Mendoza <GuillermoMendoza@co.imperial.ca.us>; John Gay <JohnGay@co.imperial.ca.us>; Thomas Garcia <tgarcia@icso.org>; Ray Loera - Sherriff <rloera@icso.org>; Robert Benavidez <rbenavides@icso.org>; Scott Sheppeard <scottsheppeard@icso.org>; rlpena@iid.com; jlasbury@iid.com; Donald Vargas - IID <DVargas@IID.com>; jmontano@iid.com; Laverty, Scott@CHP <SLaverty@chp.ca.gov>; Monica Tavares (monica.tavares@chp.ca.gov) <monica.tavares@chp.ca.gov>; joseserrano@chp.ca.gov; chamilton@chp.ca.gov; Maurice.Eaton@dot.ca.gov; beth.landrum@dot.ca.gov; kimberly.dodson@dot.ca.gov; Roger Sanchez <roger.sanchez-rangel@dot.ca.gov>; clsimmon@blm.gov; trieddell@blam.gov; Sahagun, Carrie L <csahagun@blm.gov>; nhamada@blm.gov; sdclark@blm.ca.gov; jmacdonald@blm.ca.gov; james_keeler@blm.gov; john_kalish@blm.gov; Quechan Historic Preservation Officer <historicpreservation@quechantribe.com>; Quechan Indian Tribe <tribalsecretary@quechantribe.com>
Cc: Michael Abraham <MichaelAbraham@co.imperial.ca.us>; Carina Gomez <CarinaGomez@co.imperial.ca.us>; John Robb <JohnRobb@co.imperial.ca.us>; Maria Scoville <mariascoville@co.imperial.ca.us>; Rosa Soto <RosaSoto@co.imperial.ca.us>; Shannon Lizarraga <ShannonLizarraga@co.imperial.ca.us>; Valerie Grijalva

<ValerieGrijalva@co.imperial.ca.us>

Subject: Request for Comments - Community Veterans of Imperial County, LLC

Good morning,

Please see attached Request for Comments packet for Conditional Use Permit #21-0023 Community Veterans of Imperial County, LLC APN: 056-470-009-000.

Comments are due by **March 28th, 2022 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 our office (442) 265-1736, or submit your comment letters to [ICPD\\$commentletters@co.imperial.ca.us](mailto:ICPD$commentletters@co.imperial.ca.us).

Thank you,

Kimberly Noriega

Office Assistant III

**Imperial County
Planning and Development Services**

801 Main St.

El Centro, CA 92243

Phone: (442) 265-1736

Fax: (442) 265-1735



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Office of the
Agricultural Commissioner
Sealer of Weights and Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights and Measures

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

March 30, 2022

Jeanine Ramos, Planner II
Imperial County
Planning & Development Services
801 Main Street
El Centro, CA 92243

Re: CUP#21-0023 Community Veterans of Imperial County, LLC

Ms. Ramos:

Our department has reviewed the documents pertaining to CUP#21-0023 for applicant Community Veterans of Imperial County, LLC who proposes to use a retail space for commercial cannabis retail operations at 611 Sidewinder Road in Winterhaven, California with an existing C-2 Medium Commercial zone.

As it is required by Title 9 Division 3 Section 90302.04 – Landscaping standards – Commercial uses, to landscape, our office asks that if plant material is not sourced from a nursery within 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.

Regarding the commercial cannabis dispensary operations, please refer to the handouts attached. The handouts will help in determining what type of scale(s) will be required for their operations. As referred in the business and planning project, the applicant will utilize point of sale equipment and scales. 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. Any point of sale devices or scanners used in retail sale transactions are also required to be registered and inspected.

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

Regards,

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights & Measures



Office of the
Agricultural Commissioner
 Sealer of Weights and Measures

Carlos Ortiz
 Agricultural Commissioner
 Sealer of Weights and Measures

Jolene Dessert
 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.

<i>Description</i>	<i>Questions</i>	<i>Yes</i>	<i>No</i>
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

December 7, 2020

Landscaper/Nursery Letter-

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 roebelinii*, 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,



Rachel Garewal
Deputy Agricultural Commissioner
Pest Detection and Eradication



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.cdffa.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.cdffa.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.cdffa.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/ntep/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



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 Dessert
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,

A handwritten signature in black ink, appearing to read "Margo Sanchez", written in a cursive style.

Margo Sanchez
Deputy Sealer of Weights & Measures
Special Projects Division



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

ANNUAL REGISTRATION/RENEWAL APPLICATIION (expires December 31, 2022)

Registration No.: _____ *Please update any outdated or missing information.*

Company Headquarters:

Name: _____ Contact: _____
 Mailing Address: _____ Phone: _____
 City/State/Zip: _____ Fax: _____
 Email: _____

Physical Location:

Business Name: _____ Primary Contact: _____
 Physical Address: _____ Phone: _____
 City/State/Zip: _____ Fax: _____

Device Type	Location Fee	Quantity	Fee per Device	Device Fee Subtotal	DMS Fee per Device	DMS Fee Subtotal	Device Total

TOTAL FEES DUE: _____

<p align="center">For Department Use Only</p> <p>DMS Receipt #: _____ DMS Date: _____</p> <p>Deposit #: _____ Deposit Date: _____</p>	<p align="center">Make check or money order payable to:</p> <p align="center">IMPERIAL COUNTY WEIGHTS & MEASURES 852 Broadway El Centro, CA 92243</p>
--	--

I CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION IS TRUE AND CORRECT.

Print Name of Authorized Representative **Signature** **Date**

We gladly accept checks.
 If your check is returned unpaid, your account will be debited electronically for the original amount and electronically or via paper for the state's maximum allowable service fee. Payment by check constitutes authorization of these transactions. You may revoke this authorization by calling (800) 666-5222, ext. 2, to arrange payment for any outstanding checks and service fees due. www.ftserv.com ftserv.

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.

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

August 2, 2022

RE: Conditional Use Permit #21-0023
611 Sidewinder Road, Winterhaven, CA 92283

Imperial County Fire Department would like to thank you for the opportunity to review and comments on CUP #21-0023 commercial cannabis retail located at 611 Sidewinder Road, Winterhaven CA 92283

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 determined by appendix B in the California Fire Code shall be installed and maintained. Pressurized private fire service mains and appurtenance shall be installed in accordance with NFPA 24.
- 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.

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

RECEIVED

AUG 02 2022

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

ADMINISTRATION / TRAINING

1078 Dogwood Road
Heber, CA 92249

Administration

Phone: (442) 265-6000
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Imperial, CA 92251

Operations

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

Prevention

Phone: (442) 265-3020

Sincerely
Andrew Loper
Lieutenant/Fire Prevention Specialist
Imperial County Fire Department
Fire Prevention Bureau

CC
Robert Malek
Deputy Chief/Deputy Fire Marshal
Imperial County Fire Department
Fire Prevention Bureau

Alfredo Estrada Jr.
Fire Chief
Imperial County Fire Department

Gerardo Quero

From: Rainie Torrance <rtorrance@cityofneedles.com>
Sent: Friday, 12 August, 2022 9:39 AM
To: Gerardo Quero
Cc: Michael Abraham
Subject: RE: CUP21-0023: Request for Review and Comments on Package

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

Good Morning,

Yes, the applicant will need to obtain water entitlements through the Lower Colorado Water Supply Project. The City can assist the applicant with the process.

Thank you,

Rainie Torrance
City of Needles
Assistant Utility Manager
(760)326-5700 X140

RECEIVED

AUG 12 2022

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

From: Gerardo Quero <gerardoquero@co.imperial.ca.us>
Sent: Thursday, August 11, 2022 3:40 PM
To: Rainie Torrance <rtorrance@cityofneedles.com>
Cc: Michael Abraham <MichaelAbraham@co.imperial.ca.us>
Subject: CUP21-0023: Request for Review and Comments on Package

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good afternoon Mrs. Torrance,

This is Gerardo A. Quero, Planner I for the Imperial County Planning and Development Services Department.

I'd like to advise that I'll be also working on project **CUP21-0023** for the construction and operation of a medicinal cannabis retail store with delivery on 611 Sidewinder Road, Winterhaven, CA.

We received a comment letter from the Imperial Irrigation District advising to contact the City of Needles on the mentioned project as it is located outside their water service area, but within the Lower Colorado River Accounting Surface.

I'd like to check if you had received the package for this project and if you had any comments on it.

Should you have any questions, please feel free to contact me via email or phone.

I'll be looking forward to working with you.

Regards and thanks in advance.



Gerardo A. Quero
Planner I
Imperial County Planning
& Development Services
801 Main Street
El Centro, CA 92243
Phone (442) 265-1748