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COUNTY OF MENDOCINO
BOARD OF SUPERVISORS

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October 13, 2017

Ms. Lori Ajax, Chief
Bureau of Cannabis Control
P.O. Box 138200
Sacramento, CA 95813-8200

Re: Comment to Emergency Regulations

Dear Ms. Ajax:

The Mendocino County Board of Supervisors unanimously supports incorporating the eleven suggested changes shown below into the Emergency Regulations. The Board also supports using "Attachment A" as regulatory language, to accomplish point number nine. A second letter with supporting statements will follow.

1. Refine definition of canopy to exclude walkways and space.
2. Support co-location of microbusiness activities under separate licenses for same licensee.
3. Allow licensed cultivators in geographical proximity to share facilities for drying and processing to reduce unnecessary infrastructure costs while adhering to Track & Trace requirements.
4. Allow greater amounts of time for cultivators to report under Track and Trace given the rural nature of most cultivators and the frequency of internet problems and accessibility.
5. Reduce redundant and cost prohibitive security requirements where the rural nature of the cultivation sites and other conditions make it impractical to have the level of surveillance initially requested.
6. Reduce redundant and cost prohibitive security requirements for dispensaries / retail outlets that, in Mendocino County, have no history of criminal activity and have posed no threat to the community or disturbances to neighborhoods.
7. Allow transportation for cultivators from farm-to-testing facility/ farm-to-processor/ farm-to-distributor/ farm-to-other licensed location and/or under microbusiness model for same licensee.
8. Implement a phase-out procedure for use of generators in place of an immediate prohibition, as indicated in the CDFA Response to Public Comment on the previously proposed regulations.

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9. We support the creation of a separate license specifically for delivery of medical cannabis infused products to patients with 215 medical recommendations. (See Attachment A for suggested regulatory language.)
10. Allow local jurisdictions to determine what constitutes "other authorization" for the acceptance of applications and granting of provisional licenses.
11. Approve the use of an Embossed Receipt as the "Other Authorization" for an applicant's submittal to the State for a state provisional license.

Thank you for your careful consideration of these points.

Sincerely,

A handwritten signature in blue ink, reading "John McCowen". The signature is fluid and cursive, with a large initial "J" and "M".

John McCowen, Chairman
Mendocino County Board of Supervisors

ATTACHMENT A**Regulations for Delivery of Medical Cannabis to Legal 215 Patients**

The Bureau of Cannabis Control will issue a special license type 10-D to applicants who will serve as a courier service to exclusively deliver medical cannabis infused products to a patient or caregiver who has a verified, legal medical recommendation subject to the following rules:

1. Deliveries will be made as a result of a purchase from an "M" licensed commercial retailer, including both storefront outlets and retail from a technology-based platform, as is defined in the state licensing regulations.
2. Deliveries will be made solely to the patient or patient's caregiver after purchase is made from the retailer.
3. Deliveries will be made to a residence, defined as a dwelling such as a house or apartment but not to include a dormitory, hotel, motel, bed and breakfast or similar commercial business.
4. Cannabis products to be delivered will not include flower, wax, shatter, hash, rosin, or any other commonly considered "adult use" cannabis products. Direct-to-patient/caregiver deliveries will include only those cannabis products designated "M" by the state system and defined as part of the category of "infused products".
5. All medicinal cannabis products must be packaged according to the state guidelines issued to all retailers.
6. The originating retail licensee shall comply with the specific rules associated with the final weighing and packaging of medical cannabis before such items are prepared for transport pursuant to this rule.
7. Type 10-D licensees will not handle or carry cash and all sales for medical cannabis products will be completed by the patient/caregiver and retail licensee prior to delivery.
8. Delivery times for direct-to-patient/caregiver medical cannabis deliveries will be restricted to between the hours of 8:00 am and 9:00 pm. To accommodate the impact inclement weather can have on driving conditions and other unpredictable events that could delay a delivery, a verifiable "statement of delay" may be submitted along with the proof of delivery manifest.
9. the individual performing delivery must check the identification of the individual to whom delivery is being made in order to determine that it is the same individual who submitted the order, and must require the individual to sign a document indicating that the items were received;
10. Delivery licensees will carry a detailed manifest with the following:
 - a. description of the exact medicinal products to be delivered, along with already issued track and trace unique identifiers for each product;
 - b. Delivery vehicle make and model and license plate number;
 - c. Name, state-issued license number, and signature of the licensee accompanying the transport;
 - d. the name of the patient/caregiver who placed and paid for the order;
 - e. a copy of the patient/caregiver legal medical recommendation;
 - f. the address of the residence to which delivery is being made;
 - g. Time/date stamp of delivery required on manifest.

11. Delivery licensees will abide by the following transport rules:

- a. Medicinal cannabis products will be kept in a lock-box securely affixed inside the delivery motor vehicle;
- b. Transport of medical cannabis shall be conducted in a motor vehicle that is properly registered in the state of California pursuant to motor vehicle laws, but need not be registered in the name of the licensee;
- c. Transport of medical cannabis shall be accompanied by a copy of the originating retail licensee's business license, the driver's valid delivery license, the driver's valid motor vehicle operator's license, and all required vehicle registration information.